

1 [Administrative Code - Surveillance Technology Policy for Fine Arts Museums of San  
2 Francisco]

3 **Ordinance approving Surveillance Technology Policy for Fine Arts Museums of San**  
4 **Francisco use of a camera management and video monitoring system.**

5 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
6 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
7 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.  
8 **Board amendment additions** are in Arial font.  
9 **Board amendment deletions** are in ~~Arial font~~.  
10 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
11 subsections or parts of tables.

12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. Background.

14 (a) Terms used in this ordinance have the meaning set forth in Administrative Code  
15 Chapter 19B (“Chapter 19B”).

16 (b) Chapter 19B regulates Departments’ acquisition and use of Surveillance  
17 Technology. Under Section 19B.2(a), Departments must obtain Board of Supervisors approval  
18 by ordinance of a Surveillance Technology Policy before: (1) seeking funds for Surveillance  
19 Technology; (2) acquiring or borrowing new Surveillance Technology; (3) using new or  
20 existing Surveillance Technology for a purpose, in a manner, or in a location not specified in a  
21 Surveillance Technology ordinance; (4) entering into agreement with a non-City entity to  
22 acquire, share, or otherwise use Surveillance Technology; or (5) entering into an oral or  
23 written agreement under which a non-City entity or individual regularly provides the  
24 Department with data or information acquired through the entity’s use of Surveillance  
25 Technology.

1 (c) Under Section 19B.2(b), the Board of Supervisors may approve a Surveillance  
2 Technology Policy ordinance under Section 19B.2(a) only if: (1) the Department seeking  
3 Board of Supervisors approval first submits to the Committee on Information Technology  
4 (“COIT”) a Surveillance Impact Report for the Surveillance Technology to be acquired or used;  
5 (2) based on the Surveillance Impact Report, COIT develops a Surveillance Technology  
6 Policy for the Surveillance Technology to be acquired or used by the Department; and (3) at a  
7 public meeting at which COIT considers the Surveillance Technology Policy, COIT  
8 recommends that the Board of Supervisors adopt, adopt with modifications, or decline to  
9 adopt the Surveillance Technology Policy for the Surveillance Technology to be acquired or  
10 used.

11 (d) Under Section 19B.4, the City policy is that the Board of Supervisors will approve a  
12 Surveillance Technology Policy ordinance only if the Board determines that the benefits of the  
13 Surveillance Technology that the ordinance authorizes outweigh its costs, that the  
14 Surveillance Technology Policy ordinance will safeguard civil liberties and civil rights, and that  
15 the uses and deployments of the Surveillance Technology under the ordinance will not be  
16 based upon discriminatory or viewpoint-based factors or have a disparate impact on any  
17 community or Protected Class.

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19 Section 2. Surveillance Technology Policy Ordinance for Fine Arts Museums of San  
20 Francisco (“FAMSF”) Use of Camera Management and Video Monitoring System.

21 (a) Purpose. FAMSF seeks Board of Supervisors approval under Section 19B.2(a) to  
22 use a camera management and video monitoring system.

23 (b) Surveillance Impact Report. FAMSF submitted to COIT a Surveillance Impact  
24 Report for a camera management and video monitoring system. A copy of this Surveillance  
25 Impact Report is on file with the Clerk of the Board of Supervisors in Board File No. 230918.

1 (c) Public Hearings. On December 9, 2022 and January 19, 2023, COIT and its  
2 Privacy and Surveillance Advisory Board conducted a total of two public hearings at which  
3 they considered the Surveillance Impact Report referenced in subsection (b) and developed a  
4 Surveillance Technology Policy for FAMSF's use of a camera management and video  
5 monitoring system. A copy of this Surveillance Technology Policy is on file with the Clerk of  
6 the Board of Supervisors in Board File No. 230918, and is incorporated herein by reference.

7 (d) COIT Recommendation. On January 19, 2023, COIT voted to recommend that the  
8 Board of Supervisors adopt FAMSF's Surveillance Technology Policy, referenced in  
9 subsection (c), for the use of a camera management and video monitoring system.

10 (e) Findings. The Board of Supervisors hereby finds that the stated benefits of  
11 FAMSF's use of a camera management and video monitoring system outweighs the costs  
12 and risks of use of such Surveillance Technology; and that FAMSF's Surveillance Technology  
13 Policy for the use of a camera management and video monitoring system protects valuable  
14 City assets; reduces overall liability and risk for the City; assures FAMSF's ability to give the  
15 public access to FAMSF's unique art collection and world-class exhibitions; and is not and will  
16 not be based upon discriminatory or viewpoint-based factors or have a disparate impact on  
17 any community or a Protected Class.

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19 Section 3. Approval of Policy. The Board of Supervisors hereby approves FAMSF's  
20 Surveillance Technology Policy for the use of a camera management and video monitoring  
21 system.

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23 Section 4. Effective Date. This ordinance shall become effective 30 days after  
24 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
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1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
2 of Supervisors overrides the Mayor's veto of the ordinance.

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5 APPROVED AS TO FORM:  
6 DAVID CHIU, City Attorney

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7 By: /s/ Lauren Curry  
8 LAUREN CURRY  
9 Deputy City Attorney

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