FILE NO. 261018

LEGISLATIVE DIGEST

[Campaign and Governmental Conduct Code - Form 700 (Statement of Economic Interests) Filing Requirements]

Ordinance amending the Campaign and Governmental Conduct Code to update and clarify Form 700 (Statement of Economic Interests) filing requirements by adding, deleting, and changing titles of certain designated agencies, officials, and employees to reflect organizational and staffing changes; adding the San Francisco Revitalization and Economic Recovery Financing District and the Mayor's Office of Victim and Witness Rights to the Code; and refining disclosure requirements for certain designated officials and employees.

Existing Law

The Political Reform Act of 1974, California Government Code section 87300, et seq., requires that San Francisco adopt a Conflict of Interest Code and review and update the Code every two years. The City's Conflict of Interest Code is set forth in Article III, Chapter 1 of the Campaign and Governmental Conduct Code. The Code designates those City officials and employees who periodically must file public statements disclosing their personal financial interests. The Code also specifies the types of financial interests that each designated official and employee must disclose — i.e., disclosure categories — that designated officials and employees must disclose.

Amendments to Current Law

The proposed amendments to the Conflict of Interest Code add, delete, and change the titles of designated employees to reflect organizational and staffing changes made by City departments and agencies since the Code was last amended in 2024. The proposed amendments also revise the disclosure requirements applicable to some designated officials and employees. The proposed amendments amend the sections of the Conflict of Interest Code governing the following local agencies:

- Airport
- Arts Commission
- Assessor-Recorder
- Department of Child Support Services
- City Attorney
- Controller
- Department of Disability and Aging Services
- Office of Economic and Workforce Development
- Department of Emergency Management

- Entertainment Commission
- Ethics Commission
- Film Commission
- Fire Department
- General Services Agency – City Administrator
- General Services Agency – Department of Technology
- Health Service System
- Department of Homelessness and Supportive Housing
- Department of Human Resources
- Human Rights Commission
- Human Services Agency
- Juvenile Probation Commission
- Public Library
- Local Agency Formation Commission
- Planning Department
- Department of Police Accountability
- Police Department
- Port
- Department of Public Health
- Public Utilities Commission
- Public Works
- Recreation and Park Department
- Retiree Health Care Trust Fund
- Retirement System
- Sheriff
- San Francisco Unified School District
- Office of Small Business
- San Francisco County Transportation Authority
- Treasurer-Tax Collector
- War Memorial and Performing Arts Center
- Department on the Status of Women

The proposed amendments add new sections of the Conflict of Interest Code for the San Francisco Revitalization and Economic Recovery Financing District and the Mayor's Office of Victim and Witness Rights.

Background Information

The City's Conflict of Interest Code must list those employees and officers who make or participate in the making of governmental decisions on behalf of the City. Cal. Gov. Code §§ 87300, 87302(a). A City employee or officer "makes a governmental decision" when the employee or officer: (1) authorizes or directs an action; (2) votes on a matter; (3) appoints a

person; (4) obligates or commits his or her agency to any course of action; or (5) enters into any contractual agreement on behalf of his or her agency. Cal. Code Regs. § 18704(a). A City employee or officer "participates in making a governmental decision" when the employee or officer directly, "without significant substantive review," "provides information, an opinion, or a recommendation for the purpose of affecting a government decision." *Id*. at § 18704(b). The City's Conflict of Interest Code should not include employees who carry out solely clerical or ministerial tasks. *Id*. at § 18704(d)(1).

4903-0854-9840, v. 1