

1 [Campaign and Governmental Conduct Code - Requiring Electronic Filing of Campaign
2 Statements]

3 **Ordinance amending the San Francisco Campaign and Governmental Conduct Code,**
4 **Section 1.112, to require the electronic filing of campaign statements submitted to the**
5 **Ethics Commission.**

6 NOTE: Additions are *single-underline italics Times New Roman*;
7 deletions are ~~*strike-through italics Times New Roman*~~.
8 Board amendment additions are double-underlined;
9 Board amendment deletions are ~~strike through normal~~.

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

10 Section 1. Findings.

11 1. The Political Reform Act of 1974, Government Code section 81000, et seq.,
12 requires certain candidates and committees to file campaign statements and reports with local
13 filing officers. The San Francisco Campaign and Governmental Conduct Code imposes
14 additional filing requirements on local candidates and committees. These state and local
15 filings disclose a candidate's contributors and the financial activity of committees. They also
16 provide necessary information for local campaign finance initiatives such as San Francisco's
17 public financing program.

18 2. In the decades since the enactment of the Political Reform Act, candidates and
19 committees have complied with their filing requirements by filing paper copies of their
20 campaign statements and reports with the appropriate local and state agencies. Locally, the
21 San Francisco Ethics Commission has endeavored to make its paper filings readily available
22 to the public through its website by scanning and posting these documents as portable
23 document format (PDF) files. But to scan and post these filings requires a substantial amount
24 of staff time, particularly around filing deadlines when the public often desires immediate
25 disclosure of campaign-related information.

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1 3. In July 2012, the Legislature approved Assembly Bill 2452 (AB 2452),
2 sponsored by Assemblyman Tom Ammiano, which authorizes local jurisdictions to require
3 candidates and committees to forego paper filings and to instead file their required statements
4 electronically. The Governor approved the legislation on July 13, 2012. The City and County
5 of San Francisco sponsored the legislation, and the Ethics Commission played a significant
6 role in ensuring its passage.

7 4. To conserve staff resources and make the information publicly available in a
8 shorter time-frame and more usable format, the San Francisco Ethics Commission should
9 take advantage of this recent change in state law. The public will be able to access the
10 information disclosed in campaign statements in a more timely manner, by eliminating any
11 manual processing of filings. An electronic filing system also allows the public to run searches
12 and compile information more easily. By moving to an electronic filing system, the Ethics
13 Commission also will no longer need to expend staff time and limited resources to accept,
14 process, and store copious campaign statements as paper copies.

15 5. The Board of Supervisors and the Ethics Commission find that the Ethics
16 Commission's electronic filing system will operate securely and effectively. The Board of
17 Supervisors and the Ethics Commission also find that the electronic filing system would not
18 unduly burden filers.

19 Section 2. The San Francisco Campaign and Governmental Conduct Code is hereby
20 amended by amending Section 1.112, to read as follows:

21 SEC. 1.112. ELECTRONIC CAMPAIGN DISCLOSURE.

22 (a) FILING ELECTRONIC CAMPAIGN STATEMENTS.

23 (1) Filing Electronic Copies of Campaign Statements Required by State Law.

24 Whenever any committee that meets the requirements of Subsection (b) of this Section is
25 required by the California Political Reform Act, California Government Code Section 81000 et

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1 seq., to file a campaign disclosure statement or report with the Ethics Commission, the
2 committee shall file ~~at the same time a copy of~~ the statement or report in an electronic format
3 with the Ethics Commission, provided the Ethics Commission has prescribed the format at
4 least 60 days before the statement or report is due to be filed.

5 (2) Filing Electronic Copies of Campaign Statements Required by Local Law.

6 Whenever any committee is required to file a campaign disclosure statement or report with the
7 Ethics Commission under this Chapter, the committee shall file the statement or report in an
8 electronic format, provided the Ethics Commission has prescribed the format at least 60 days
9 before the statement or report is due to be filed.

10 (3) Continuous Filing of Electronic Statements. Once a committee is subject

11 to the electronic filing requirements imposed by this Section, the committee shall remain
12 subject to the electronic filing requirements, regardless of the amount of contributions
13 received or expenditures made during each reporting period, until the committee terminates
14 pursuant to this Chapter and the California Political Reform Act, California Government Code
15 Section 81000 et seq.

16 (4) Disclosure of Expenditure Dates. All electronic statements filed under

17 this Section shall include the date any expenditure required to be reported on the statement
18 was incurred, provided that the Ethics Commission's forms accommodate the reporting of
19 such dates.

20 (b) COMMITTEES SUBJECT TO ELECTRONIC FILING REQUIREMENTS.

21 (1) A committee must file electronic copies of statements and reports *if it*

22 receives contributions or makes expenditures that total ~~\$5,000~~1,000 or more in a calendar year
23 and is:

24 (A) a committee controlled by a candidate for City elective office;

1 (B) a committee primarily formed to support or oppose a local
2 measure or a candidate for City elective office; or

3 (C) a general purpose recipient, independent expenditure or major
4 donor committee that qualifies, under state law, as a ~~city or~~ county general purpose committee
5 in the City and County of San Francisco; or

6 (D) a committee primarily formed to support or oppose a person seeking
7 membership on a San Francisco county central committee, including a committee controlled by the
8 person seeking membership on a San Francisco county central committee.

9 (2) The Ethics Commission may require additional committees not listed in
10 this Section to file electronically through regulations adopted at least 60 days before the
11 statement or report is due to be filed.

12 (c) VOLUNTARY ELECTRONIC FILING. Any committee not required to file electronic
13 statements by this Section may voluntarily opt to file electronic statements by submitting written notice
14 to the Ethics Commission. A committee that opts to file electronic statements shall be subject to the
15 requirements of this Section.

16 Section 3. Effective Date. This ordinance shall become effective 30 days from the
17 date of passage. If the effective date is prior to January 1, 2013, the ordinance shall not
18 become operative until January 1, 2013.

19 Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to
20 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
21 punctuation, charts, diagrams, or any other constituent part of the Campaign and
22 Governmental Conduct Code that are explicitly shown in this legislation as additions,
23 deletions, Board amendment additions, and Board amendment deletions in accordance with
24 the "Note" that appears under the official title of the legislation.

1 APPROVED AS TO FORM:
2 DENNIS J. HERRERA, City Attorney

3 By: _____
4 ANDREW SHEN
5 Deputy City Attorney

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