

1 [Campaign and Governmental Conduct Code - Requiring Commissioners to File Behested  
2 Payment Reports]

3 **Ordinance amending the Campaign and Governmental Conduct Code to require**  
4 **members of City boards and commissions to file behested payment reports regarding**  
5 **the solicitation of charitable contributions.**

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

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

14 Section 1. The Campaign and Governmental Conduct Code is hereby amended by  
15 adding Chapter 6, Sections 3.600, 3.610, and 3.620, to read as follows:

16 **CHAPTER 6: BEHESTED PAYMENT REPORTING FOR COMMISSIONERS**

17 **SEC. 3.600. DEFINITIONS.**

18 *Whenever in this Chapter 6 the following words or phrases are used, they shall have the*  
19 *following meanings:*

20 *“Behested Payment Report” shall mean the Fair Political Practices Commission Form 803, or*  
21 *any other successor form, required by the Fair Political Practices Commission to fulfill the disclosure*  
22 *requirements imposed by California Government Code Section 82015(b)(2)(B)(iii), as amended from*  
23 *time to time.*

24 *“Charitable Contribution” shall mean any monetary or non-monetary contribution to a*  
25 *government agency, a bona fide public or private educational institution as defined in Section 203 of*

1 the California Revenue and Taxation Code, or a nonprofit organization that is exempt from taxation  
2 under Section 501(c) of the United States Internal Revenue Code.

3 “Commissioner” shall mean any member of a board or commission listed in Campaign and  
4 Governmental Conduct Code Section 3.1-103(a)(1); provided, however, that “Commissioner” shall not  
5 include any member of the Board of Supervisors.

6 **SEC. 3.610. REQUIRED FILING OF BEHESTED PAYMENT REPORTS**

7 (a) Any Commissioner who, directly or indirectly, requests or solicits any Charitable  
8 Contribution, or series of Charitable Contributions, of \$5,000 or more from a single source in a  
9 calendar year must file a Behested Payment Report with the Ethics Commission within 30 days of the  
10 date on which the Charitable Contribution was made, or if there has been a series of contributions,  
11 within 30 days of the date on which a Charitable Contribution causes the total amount of contributions  
12 to total \$5,000 or more in a calendar year.

13 (b) The Ethics Commission shall make available through its website all Behested Payment  
14 Reports it receives from Commissioners.

15 (c) A Commissioner who fails to comply with this Section 3.610 is subject to the administrative  
16 process and penalties set forth in Section 3.242(d).

17  
18 **SEC. 3.620. REGULATIONS.**

19 The Ethics Commission shall have the power to adopt rules, regulations, and guidelines for the  
20 implementation of this Chapter 6.

21  
22 Section 2. Effective Date. This ordinance shall become effective 30 days after  
23 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
24 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
25 of Supervisors overrides the Mayor’s veto of the ordinance.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

By: \_\_\_\_\_  
ANDREW SHEN  
Deputy City Attorney

n:\legana\as2016\1600703\01102237.docx