

LEGISLATIVE DIGEST

[Campaign and Governmental Conduct Code - Disclosure Requirements for Campaign Fundraising and Prohibiting Campaign Contributions from Persons with Land Use Matters]

Ordinance amending the Campaign and Governmental Conduct Code to require disclosure of contributions solicited by City elective officers for ballot measure and independent expenditure committees; require disclosure of bundled campaign contributions; and prohibit campaign contributions to members of the Board of Supervisors, candidates for the Board, the Mayor, candidates for Mayor, and their controlled committees, from any person with pending or recently resolved land use matters.

Existing Law

The City's campaign finance laws do not require the disclosure of campaign contributions solicited by City elected officials for ballot measure and independent committees. These laws also do not generally require the disclosure of "bundling" of campaign contributions. (But the City's Lobbyist Ordinance does require lobbyists to disclose their involvement in campaign fundraising activities.)

City law prohibits campaign contributions from corporations and from persons who have a contract pending before the City. Campaign & Gov'tal Conduct Code §§ 1.114, 1.126.

Amendments to Current Law

1. Disclosure of campaign contributions solicited by a City elected official for ballot measure and independent expenditure committees

The proposal would require City elective officers, or subordinates working on their behalf, to disclose any contributions of \$10,000 that they have solicited for a ballot measure committee or independent expenditure committee within 24 hours after the contribution is made. These officers would need to disclose their involvement in the solicitation and other information about the potential relationships between the officers and the contributors to the Ethics Commission.

2. Disclosure of bundling of campaign contributions

The proposal would require candidate-controlled committees to identify the persons who have bundled \$5,000 or more in campaign contributions for their fundraising efforts. "Bundling" includes activities such as asking others for contributions, hosting fundraising events, or delivering contributions made by other persons. Committees that have benefited from such bundling would be required to identify their "bundlers," the contributions that have been

bundled by that person, whether the bundler is a member of a City board or commission, and whether the bundler has attempted to influence the officers who control such committees within the past 12 months. Committees would be required to disclose this information at the time that they file scheduled campaign statements with the Ethics Commission.

3. Prohibiting campaign contributions from persons with land use matters before the City

The proposal would prohibit persons with a financial interest in certain land use matters before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Department of Building Inspection, Office of Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, or Planning Department from making certain campaign contributions. Such persons could not make a campaign contribution to a Member of the Board of Supervisors, the Mayor, candidates for those offices, and their controlled committees from the filing or submission of the land use matter until six months have elapsed from the date that the board or commission renders a final decision or ruling. Members of the Board of Supervisors, the Mayor, candidates for those offices, and their controlled committees would also be prohibited from soliciting such campaign contributions.

Background Information

The Board of Supervisors may only amend the City's campaign finance laws (as established by Article I, Chapter 1 of the Campaign and Governmental Conduct Code) if:

- (a) the amendment furthers the purposes of this Chapter;
- (b) the Ethics Commission approves the proposed amendment in advance by at least a four-fifths vote of all its members;
- (c) the proposed amendment is available for public review at least 30 days before the amendment is considered by the Board of Supervisors or any committee of the Board of Supervisors; and
- (d) the Board of Supervisors approves the proposed amendment by at least a two-thirds vote of all its members.

Campaign & Gov'tal Conduct Code § 1.103.

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