FILE NO. 071290

ORDINANCE NO.

1	[Filing of Mass Mailings Paid for with Independent Expenditures.]
2	Ordinance amending the Campaign and Governmental Conduct Code by amending
3	section 1.161 and repealing section 1.162 to require persons making independent
4	expenditures to pay for mass mailings that support or oppose candidates for City
5	elective office to file those mailings and itemizations of costs with the Ethics
6	Commission.
7 8	Note: Additions are <u>single-underline italics Times New Roman</u> ; deletions are <del>strikethrough italics Times New Roman</del> . Board amendment additions are <u>double underlined</u> .
9	Board amendment deletions are strikethrough normal.
10	Be it ordained by the People of the City and County of San Francisco:
11	Section 1. The San Francisco Campaign and Governmental Conduct Code is hereby
12	amended by amending section 1.161, to read as follows:
13	SEC. 1.161. DISCLOSURE AND FILING REQUIREMENTS FOR MASS MAILINGS.
14	(a) DISCLOSURE MASS MAILINGS BY CANDIDATES.
15	(1) Disclosure. In addition to the requirements set forth in California
16	Government Code Section 84305, each mass mailing paid for by a candidate for City elective
17	office with funds raised for the candidate's campaign shall include on the outside of each piece of
18	mail in the mass mailing the following statement in not less than 14 point type and in a color or
19	print which contrasts with the background so as to be easily legible: "paid for by
20	(insert candidate's name and street address)." A post office box may be stated in lieu of a
21	street address if the candidate's address is a matter of public record with the San Francisco
22	Ethics Commission.
23	<del>(b) FILING.</del>
24	<u>(2) Filing.</u>
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1	$(\underline{i})$ Each candidate for City elective office who pays for a mass mailing shall,
2	within five working days after the date of the mailing, file two of the original pieces of the
3	mailing with the San Francisco Ethics Commission.
4	(2ii) Each candidate for City elective office who pays for a mass mailing shall,
5	within five working days after the date of the mailing, file an itemized disclosure statement with
6	the San Francisco Ethics Commission for that mailing.
7	(3 <u>iii) Each</u> A-candidate for City elective office who pays for a mass mailing shall
8	file the original pieces of mail and the itemized disclosure statement required by subsections
9	(b)(1) and $(b)(2)$ $(a)(2)(i)$ and $(a)(2)(ii)$ within 48 hours of the date of the mailing if the date of the
10	mailing occurs within the final 16 days before the election.
11	(4iv) Every original filed pursuant to this subsection shall be clearly legible.
12	(b) MASS MAILINGS BY PERSONS OTHER THAN CANDIDATES.
13	(1) Disclosure. Any person who makes independent expenditures for a mass mailing
14	which supports or opposes any candidate for City elective office shall place the following statement on
15	the mailing in typeface no smaller than 14 points:
16	Notice to Voters
17	(Required by City and County of San Francisco)
18	This mailing is not authorized or approved by
19	any candidate for City and County office
20	or by any election official. It is paid for by
21	[name and committee identification number].
22	[address, city, state].
23	Total Cost of this mailing is [amount].
24	<u>(2) Filing.</u>
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1	(i) Each person who makes independent expenditures of \$500.00 or more for a mass
2	mailing which supports or opposes any candidate for City elective office shall, within five working days
3	after the date of the mailing, file two of the original pieces of the mailing with the San Francisco Ethics
4	Commission.
5	(ii) Each person described in subsection (b)(2)(i) shall, within five working days after
6	the date of the mailing, file an itemized disclosure statement with the San Francisco Ethics Commission
7	for that mailing.
8	(iii) Each person described in subsection (b)(2)(i) shall file the original pieces of mail
9	and the itemized disclosure statement required by subsections $(b)(2)(i)$ and $(b)(2)(ii)$ within 48 hours of
10	the date of the mailing if the date of the mailing occurs within the final 16 days before the election.
11	(iv) Every original filed pursuant to this subsection shall be clearly legible.
12	(c) DEFINITIONS.
13	(1) For the purposes of this Section, "Itemized disclosure statement" shall mean a
14	detailed description of the separate costs associated with a mass mailing, including but not
15	limited to photography, design, production, printing, distribution and postage. Each cost shall
16	be disclosed on a form promulgated by the San Francisco Ethics Commission in a manner
17	that demonstrates each separate charge or payment for each mass mailing.
18	(2) For the purposes of this Section, "Mass mailing" shall be defined as set forth in the
19	California Political Reform Act (Government Code Section 81000 et seq.), provided that the
20	mass mailing is paid for by a candidate for City elective office with funds raised for the candidate's
21	campaign, and that the mass mailing advocates for or against one or more candidates for City
22	elective office.
23	Section 2. The San Francisco Campaign and Governmental Conduct Code is hereby
24	amended by repealing section 1.162, to read as follows:
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1	SEC. 1.162. INDEPENDENT EXPENDITURES FOR MASS MAILINGS.
2	Any person who makes independent expenditures for a mass mailing which support or oppose
3	any candidate for City elective office shall place the following statement on the mailing in typeface no
4	smaller than 14 points:
5	Notice to Voters
6	(Required by City and County of San Francisco)
7	This mailing is not authorized or approved by
8	any candidate for City and County office
9	or by any election official. It is paid for by
10	(name and committee identification number).
11	<del>(address, city, state).</del>
12	Total cost of this mailing is (amount).
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17	APPROVED AS TO FORM: DENNIS J. HERRERA, City Attorney
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19	By: JONATHAN GIVNER
20	Deputy City Attorney
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	Supervisor Daly