

TEXT OF PROPOSED ORDINANCE PROPOSITION K

[District Election Expenditure limits]
AMENDING THE CAMPAIGN FINANCE REFORM ORDINANCE, SAN FRANCISCO ADMINISTRATIVE CODE, ARTICLE XII, SECTIONS 16.503, 16.510-4 AND 16.510-5, TO ESTABLISH VOLUNTARY SPENDING CAPS FOR CANDIDATES FOR THE BOARD OF SUPERVISORS. THE SPENDING CAP FOR THE GENERAL ELECTION WOULD BE \$75,000, AND THE SPENDING CAP FOR THE RUN-OFF ELECTION WOULD BE \$20,000.

Note: Additions are underlined; deletions are indicated by ~~strikethrough~~.

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

Section 1. Article XII of the San Francisco Administrative Code is hereby amended by amending Sections 16.503, 16.510-4 and 16.510-5 to read as follows:

SEC. 16.503. DEFINITIONS. Whenever in this Article the following words or phrases are used, they shall mean:

(a) "Candidate" shall mean any individual listed on the ballot for election to any City and County elective office or who otherwise has taken affirmative action to seek nomination or election to such office.

(b) "Charitable organization" shall mean an entity exempt from taxation pursuant to Title 26, Section 501 of the United State Code.

(c) "Committee" shall mean any person acting, or any combination of two or more persons acting jointly, in behalf of or in opposition to a candidate or to the qualification for the ballot or adoption of one or more measures.

(d) "Contribution" shall be defined as set forth in Government Code of the State of California (commencing at Section 81000); provided, however, that "contribution" shall include loans of any kind or nature.

(e) "Election" shall mean any primary, general or runoff municipal election held in the City and County of San Francisco for City elective office. With respect to the offices of Public Defender and Assessor, primary and general elections are separate elections for purposes of this ordinance. The primary election period for these offices shall extend from January 1 of the first year of an election cycle up to and including the date of the primary election, and the general election period for these offices shall extend from the day following the primary election up to and including December 31 of the fourth year of the election cycle. With respect to the offices of Mayor, City Attorney, District Attorney, Sheriff, ~~and~~ Treasurer ~~and Supervisor~~, general and runoff elections are separate elections for the purposes of this ordinance. The general election peri-

od shall extend from January 1 of the first year of an election cycle up to and including the date of the general election, and the runoff election period shall extend from the date of the general election up to and including December 31 of the fourth year of the election cycle.

(f) "Enforcement authority" shall mean the District Attorney of the City and County of San Francisco for criminal enforcement and the City Attorney for civil enforcement. Nothing in this Article shall be construed as limiting the authority of any law enforcement agency or prosecuting attorney to enforce the provisions of this Article under any circumstances where such law enforcement agency or prosecuting attorney otherwise has lawful authority to do so.

(g) "Measure" shall mean any City and County Charter amendment or other election, whether by initiative, referendum or recall procedure or otherwise, or circulated for purposes of submission to a popular vote at any election, whether or not the proposition qualifies for the ballot.

(h) "Person" shall mean any individual, partnership, corporation, association, firm, committee, club or other organization or group of persons, however organized.

(i) "City elective office" shall include and be limited to the offices of Mayor, Member of the Board of Supervisors, City Attorney, District Attorney, Treasurer, Sheriff, Assessor, Public Defender, Member of the Board of Education of the San Francisco Unified School District and Member of the Governing Board of the San Francisco Community College District.

(j) "Election cycle" shall mean a four-year period preceding a term of office as defined by the San Francisco Charter, beginning on January 1, and ending on December 31 of the fourth year thereafter.

(k) "Qualified campaign expenditure" for candidates includes all of the following:

(1) Any expenditure made by a candidate, officeholder or committee controlled by the candidate or officeholder, for the purpose of influencing or attempting to influence the actions of the voters for or against the election of any candidate for City elective office;

(2) A nonmonetary contribution provided to the candidate, officeholder or committee controlled by the candidate or officeholder;

(3) That portion of the total cost of a slate mailing or mailing of other campaign literature produced or authorized by more than one candidate which is the cost actually paid or incurred by the committee or controlled committee of the candidate.

SEC. 16.510-4. AMOUNT OF EXPENDITURE CEILINGS (a) In primary elec-

tions, any candidate for Assessor or Public Defender who agrees to expenditure ceilings shall not make total qualified campaign expenditures exceeding \$175,000. In general elections, any candidate for Assessor or Public Defender who agrees to expenditure limits shall not make total qualified campaign expenditures exceeding \$100,000.

(b) In general elections, any candidate for Mayor who agrees to expenditure ceilings shall not make total qualified campaign expenditures exceeding \$600,000. In run-off elections, any candidate for Mayor who agrees to expenditure limits shall not make total qualified campaign expenditures exceeding \$400,000.

(c) In general elections, any candidate for City Attorney, District Attorney, Treasurer or Sheriff who agrees to expenditure ceilings shall not make total qualified campaign expenditures exceeding \$175,000. In run-off elections, any candidate for City Attorney, District Attorney, Treasurer or Sheriff who agrees to expenditure limits shall not make total qualified campaign expenditures exceeding \$100,000.

(d) ~~In general elections, any candidate for the Board of Supervisors who agrees to expenditure ceilings shall not make total qualified campaign expenditures exceeding \$75,000. In run-off elections, any candidate for the Board of Supervisors who agrees to expenditure limits shall not make total qualified campaign expenditures exceeding \$20,000. Any candidate for the Board of Supervisors who agrees to expenditure ceilings shall not make total qualified campaign expenditures exceeding \$250,000.~~

(e) Any candidate for the Board of Education of the San Francisco Unified School District or the Governing Board of the San Francisco Community College District who agrees to expenditure ceilings shall not make total qualified campaign expenditures exceeding \$75,000.

(f) The Ethics Commission is authorized to adjust annually the expenditure ceilings imposed by this Section to reflect the change in the California Consumer Price Index for that year.

SEC. 16.510-5. TIME PERIODS FOR EXPENDITURES. (a) For purposes of the expenditure ceilings for the offices of Assessor and Public Defender, qualified campaign expenditures made at any time on or before the date of the primary shall be considered primary election expenditures, and qualified expenditures made after date of the primary election shall be considered general election expenditures. However, in the event that payments are

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made but the goods or services are not used during the period purchased, the payments shall be considered qualified campaign expenditures for the time period in which they are used. Payments for goods or services used during both time periods shall be prorated.

(b) For purposes of the expenditure ceilings for the offices of City Attorney, District Attorney, Treasurer, ~~and~~ Sheriff ~~and~~ Supervisor, qualified campaign expenditures made at any time before the general election shall be considered general election expenditures, and qualified expenditures made after the general election shall be considered run-off election expenditures. However, in the event that payments are made but the goods or services are not used during the period purchased, the payments shall be considered qualified campaign expenditures for the time period in which they are used. Payments for goods or services used during both time periods shall be prorated.

**REMEMBER TO VOTE ON
TUESDAY NOVEMBER 2, 1999**

Polls open at 7 a.m. and close at 8 p.m.

**The location of your polling place is shown
on the back cover of this pamphlet.**