

members of the public from acting as intermediaries for City officers and employees with respect to certain prohibited gifts; 5) impose personal liability on City officials for failure to disclose certain relationships; 6) create generally applicable incompatible activity rules; and 7) require Ethics Commission and Board of Supervisors super-majority approval for amendments to certain ethics-related ordinances; and appropriating \$43,000 from the General Reserve in Fiscal Year 2023-24 to fund administrative costs required to implement the ordinance.

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

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

Section 1. Article I, Chapter 5 of the Campaign and Governmental Conduct Code is hereby amended by adding Section 1.503, to read as follows:

**SEC. 1.503. AMENDMENT OR REPEAL OF THIS CHAPTER.**

*The voters may amend or repeal this Chapter 5. The Board of Supervisors may amend this Chapter 5 if all of the following conditions are met:*

- (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.*

Section 2. The voters hereby re-authorize and re-enact in its entirety Article II, Chapter 1 of the Campaign and Governmental Conduct Code, in the process revising Sections 2.103, 2.115, 2.135, and 2.145, to read as follows:

## Proposition D

Motion ordering submitted to the voters, at an election to be held on March 5, 2024, an ordinance amending the Campaign and Governmental Conduct Code to 1) expand gift prohibitions for City officers and employees; 2) expand rules prohibiting bribery; 3) require ethics training for Form 700 filers; 4) prohibit members of the public from acting as intermediaries for City officers and employees with respect to certain prohibited gifts; 5) impose personal liability on City officials for failure to disclose certain relationships; 6) create generally applicable incompatible activity rules; and 7) require Ethics Commission and Board of Supervisors super-majority approval for amendments to certain ethics-related ordinances; and appropriating \$43,000 from the General Reserve in Fiscal Year 2023-24 to fund administrative costs required to implement the ordinance.

MOVED, That pursuant to Charter Section 15.102, the Ethics Commission hereby submits the following ordinance to the voters of the City and County of San Francisco, at an election to be held on March 5, 2024.

**Ordinance amending the Campaign and Governmental Conduct Code to 1) expand gift prohibitions for City officers and employees; 2) expand rules prohibiting bribery; 3) require ethics training for Form 700 filers; 4) prohibit**

Only the proposed legal text for Measure D is printed in this section, and this proposed text is found on page 27 of the original legislation. The remaining text was struck-through in the original legislation and is not included in this section. The excluded struck-through text may include important information that could be useful to voters. The Department of Elections encourages voters to review those pages as well. The full text of this measure is available online at [sfelections.org](http://sfelections.org) and in every public library. If you want a copy of the full text of the measure to be mailed to you, please contact the Department of Elections at (415) 554-4375 or [svote@sfgov.org](mailto:svote@sfgov.org) and a copy will be mailed at no cost to you.

**SEC. 2.100. FINDINGS.**

*(a) The voters find that public disclosure of the identity and extent of efforts of lobbyists to influence decision-making regarding local legislative and administrative matters is essential to protect public confidence in the responsiveness and representative nature of government officials and institutions. It is the purpose and intent of this Chapter 1 to impose reasonable registration and disclosure requirements to reveal information about lobbyists' efforts to influence decision-making regarding local legislative and administrative matters.*

*(b) To increase public confidence in the fairness and responsiveness of governmental decision making, it is the further purpose and intent of the people of the City and County of San Francisco to restrict gifts, campaign contributions, and bundled campaign contributions from lobbyists to City officers so that governmental decisions are not, and do not appear to be, influenced by the giving of personal benefits to City officers by lobbyists, or by lobbyists' financial support of City officers' political interests.*

*(c) Corruption and the appearance of corruption in the form of campaign consultants exploiting their influence with City officials on behalf of private interests may erode public confidence in the fairness and impartiality of City governmental decisions. The City and County of San Francisco has a compelling interest in preventing corruption or the appearance of corruption which could result in such erosion of public confidence. Prohibitions on campaign consultants lobbying current and former clients will protect public confidence in the electoral and governmental processes. It is the purpose and intent of the people of the City and County of San Francisco in enacting this Chapter to prohibit campaign consultants from exploiting or appearing to exploit their influence with City officials on behalf of private interests.*

**SEC. 2.103. AMENDMENT OR REPEAL OF CHAPTER.**

*The voters may amend or repeal this Chapter. The Board of Supervisors may amend this Chapter if all of the following conditions are met:*

*(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.*

**SEC. 2.105. DEFINITIONS.**

*Whenever used in this Chapter 1, the following words and phrases shall be defined as provided in this Section 2.105:*

*"Activity expenses" means any expense incurred or payment made by a lobbyist or a lobbyist's client at the behest of the lobbyist, or arranged by a lobbyist or a lobbyist's client at the behest of the lobbyist, which benefits in whole or in part any: officer of the City and County; candidate for City and County office; aide to a member of the Board of Supervisors; or member of the immediate family or the registered domestic partner of an officer, candidate, or aide to a member of the Board of Supervisors. An expense or payment is not an "activity expense" unless it is incurred or made within three months of a contact with the officer, candidate, or Supervisor's aide who benefits from the expense or payment, or whose immediate family member or registered domestic partner benefits from the expense or payment. "Activity expenses" include honoraria, consulting fees, salaries, and any other thing of value totaling more than \$25 in value in a consecutive three-month period, but do not include political contributions.*

*"Agency" shall mean a unit of City government that submits its own budget to the Mayor and Board of Supervisors pursuant to Article IX of the City Charter.*

*"Candidate" shall have the same meaning as set forth in Section 1.104 of this Code.*

*"Client" means the person for whom lobbyist services are performed by a lobbyist.*

*"Committee" shall be defined as set forth in the California Political Reform Act, California Government Code section 81000, et seq.*

*"Contact lobbyist" means any individual who (1) makes five or more contacts in a calendar month with officers of the City and County on behalf of the individual's employer; or (2) makes one or more contacts in a calendar month with an officer of the City and County on behalf of any person who pays or who becomes obligated to pay the individual or the individual's employer for lobbyist services. An individual is not a contact lobbyist if that individual is lobbying on behalf of a business of which the individual owns a 20% or greater share.*

*"Contribution" shall have the same meaning as set forth in the California Political Reform Act, California Government Code Section 81000, et seq.*

*"Controlled committee" shall have the same meaning as set forth in Section 1.104 of this Code, but shall not include any state committees.*

*"Dependent child" shall mean a child or stepchild of a public official, who is under 18 years old and whom the official is entitled to claim as a dependent on his or her federal tax return.*

*"Economic consideration" means any payments, fees, reimbursement for expenses, gifts, or anything else of value, provided that "economic consideration" does not include salary, wages or benefits furnished by a federal, state or local government agency.*

*"Employee" means any person who receives, reasonably expects to receive, or whose employer is obligated to provide, an Internal Revenue Service Form W-2 wage and tax statement.*

*"Employer" means any person who provides an Internal Revenue Service Form W-2 wage and tax statement to an employee who performs lobbyist services on behalf of that person.*

*"Expenditure lobbyist" means any person, other than any government entity, or officer or employee of a government entity acting in an official capacity, who, directly or indirectly, makes payments totaling \$2,500 or more in a calendar month to solicit, request, or urge other persons to communicate directly with an officer of the City and County in order to influence local legislative or administrative action. Examples of the types of activities the payment for which can count toward the \$2,500 threshold referred to in the previous sentence include but are not limited to public relations, media relations, advertising, public outreach, research, investigation, reports, analyses, and studies to the extent those activities are used to further efforts to solicit, request or urge other persons to communicate directly with an officer of the City and County. The following types of payments shall not be considered for the purpose of determining whether a person is an expenditure lobbyist: payments made to a registered contact lobbyist or the registered contact lobbyist's employer for lobbyist services; payments made to an organization for membership dues; payments made by an organization to distribute communications to its members; payments made by a news media organization to develop and distribute its publications; and payments made by a client to a representative to appear in an adjudicatory proceeding before a City agency or department.*

*"Gift" shall be defined as set forth in the Political Reform Act, Government Code Section 81000 et seq., and the regulations adopted thereunder.*

*"Gift of travel" shall mean payment, advance, or reimbursement for travel, including transportation, lodging, and food and refreshment connected with the travel.*

*"Lobbyist" means a contact lobbyist or expenditure lobbyist.*

*"Lobbyist services" means services rendered for the purpose of influencing local legislative or administrative action, including but not limited to contacts with officers of the City and County of San Francisco.*

*"Local legislative or administrative action" includes, but is not limited to, the drafting, introduction, consideration, modification, enactment, defeat, approval, veto, granting or denial by any officer of the City and County of any resolution, motion, appeal, application, petition, nomination, ordinance, amendment, approval, referral, permit, license, entitlement to use or contract.*

*"Measure" shall have the same meaning as set forth in Section 1.104 of this Code.*

"Officer of the City and County" means any officer identified in Section 3.203 of this Code, as well as any official body composed of such officers. In addition, for purposes of this Chapter, "officer of the City and County" includes (1) members of the Board of Education, Community College Board, First Five Commission, Law Library Board of Trustees, Local Agency Formation Commission, Health Authority Board, Housing Authority Commission, Parking Authority, Relocation Appeals Board, Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, Oversight Board of the Successor Agency, Successor Agency Commission, Transportation Authority, Workforce Investment San Francisco Board as well as any official body composed of such officers, and any person appointed as the chief executive officer under any such board or commission; (2) the Zoning Administrator, (3) the City Engineer, (4) the County Surveyor, and (5) the Bureau Chief of the Department of Public Works' Bureau of Street Use and Mapping.

"Person" means an individual, partnership, corporation, association, firm, labor union or other organization or entity, however organized.

"Public event" shall mean an event or gathering that any member of the public may attend, has been publicly announced and publicized in advance, and for which there is no admission cost or fee.

"Public hearing" means any open, noticed proceeding.

"State committee" shall mean a committee formed to support or oppose candidates for state office or state ballot measures.

#### **SEC. 2.106. LOBBYING CONTACTS.**

(a) Whenever used in this Chapter 1, "contact" means any communication, oral or written, including communication made through an agent, associate or employee, for the purpose of influencing local legislative or administrative action, except as provided in Subsections (b) and (c).

(b) The following activities are not "contacts" within the meaning of this Chapter 1.

(1) A representative of a news media organization gathering news and information or disseminating the same to the public, even if the organization, in the ordinary course of business, publishes news items, editorials or other commentary, or paid advertisements, that urge action upon local legislative or administrative matters;

(2) A person providing oral or written testimony that becomes part of the record of a public hearing; provided, however, that if the person making the appearance or providing testimony has already qualified as a contact lobbyist under this Chapter and is appearing or testifying on behalf of a client, the contact lobbyist's testimony shall identify the client on whose behalf the contact lobbyist is appearing or testifying;

(3) A person performing a duty or service that can be performed only by an architect or a professional engineer licensed to practice in the State of California;

(4) A person making a speech or producing any publication or other material that is distributed and made available to the public, through radio, television, cable television, or other medium of mass communication;

(5) A person providing written information in response to an oral or written request made by an officer of the City and County, provided that the written information is a public record available for public review;

(6) A person providing oral or written information pursuant to a subpoena, or otherwise compelled by law or regulation;

(7) A person submitting a written petition for local legislative or administrative action, provided that the petition is a public record available for public review;

(8) A person making an oral or written request for a meeting, or any other similar administrative request, if the request does not include an attempt to influence local legislative or administrative action;

(9) A person appearing before an officer of the City and County pursuant to any procedure established by law or regulation for levying an assessment against real property for the construction or

maintenance of an improvement;

(10) A person providing purely technical data, analysis, or expertise in the presence of a contact lobbyist;

(11) A person distributing to any officer of the City and County any regularly published newsletter or other periodical which is not primarily directed at influencing local legislative or administrative action;

(12) A person disseminating information or material on behalf of an organization or entity to all or a significant segment of the organization's or entity's employees or members;

(13) A person appearing as a party or a representative of a party in an administrative adjudicatory proceeding before a City agency or department;

(14) A person communicating, on behalf of a labor union representing City employees, regarding the establishment, amendment, or interpretation of a collective bargaining agreement or memorandum of understanding with the City, or communicating about a management decision regarding the working conditions of employees represented by a collective bargaining agreement or a memorandum of understanding with the City;

(15) A party or prospective party to a contract providing oral or written information in response to a request for proposals, request for qualifications, or other similar request, provided that the information is directed to the department or official specifically designated in the request to receive such information; negotiating the terms of the contract with the City after being selected to enter into the contract; or communicating in connection with the administration of an existing contract between the party and the City. For the purposes of this subsection (b)(15):

(A) A "party or prospective party" includes that party's officers or employees; a subcontractor listed in the contract, bid, or proposal; or that subcontractor's officers or employees. A "party or prospective party" does not include any other agent or associate, including any outside consultant or independent contractor.

(B) Communication "in connection with the administration of an existing contract" includes, but is not limited to, communication regarding: insurance and bonding; contract performance and/or default; requests for in-scope change orders; legislative mandates imposed on contractors by the City and County; payments and invoicing; personnel changes; prevailing wage verification; liquidated damages and other penalties for breach of contract; audits; assignments; and subcontracting. Communication "in connection with the administration of an existing contract" does not include communication regarding new contracts, or out-of-scope change orders.

(16) An officer or employee of a nonprofit organization or an organization fiscally sponsored by such a nonprofit organization communicating on behalf of their organization. For purposes of this subsection only, "nonprofit organization" means either an organization with tax exempt status under 26 United States Code Section 501(c)(3), or an organization with tax exempt status under 26 United States Code Section 501(c)(4) whose most recent federal tax filing included an IRS Form 990-N or an IRS Form 990-EZ, or an organization whose next federal tax filing is reasonably likely to include an IRS Form 990-N or an IRS Form 990-EZ.

(c) The following activities are not "contacts" for the purpose of determining whether a person qualifies as a contact lobbyist, but are "contacts" for purpose of disclosures required by this Chapter 1:

(1) A person providing oral information to an officer of the City and County in response to an oral or written request made by that officer;

(2) A person making an oral or written request for the status of an action; and

(3) A person participating in a public interested persons meeting, workshop, or other forum convened by a City agency or department for the purpose of soliciting public input.

#### **SEC. 2.107. NO CONFLICT WITH STATE BAR ACT.**

Nothing in this Chapter is intended to regulate attorneys engaged

in the practice of law under the California State Bar Act, Business and Professions Code sections 6000 et seq.

**SEC. 2.110. REGISTRATION AND DISCLOSURES; FEES; TERMINATION OF REGISTRATION.**

**(a) REGISTRATION OF LOBBYISTS REQUIRED.** Lobbyists shall register with the Ethics Commission and comply with the disclosure requirements imposed by this Chapter 1. Such registration shall occur no later than five business days of qualifying as a lobbyist. Contact lobbyists shall register prior to making any additional contacts with an officer of the City and County of San Francisco and expenditure lobbyists shall register prior to making any additional payments to influence local legislative or administrative action.

**(b) REGISTRATION.**

**(1) Contact lobbyists.** At the time of initial registration each contact lobbyist shall report to the Ethics Commission the following information:

(A) The name, business address, e-mail address, and business telephone number of the lobbyist;

(B) The name, business address, and business telephone number of each client for whom the lobbyist is performing lobbyist services;

(C) The name, business address, and business telephone number of the lobbyist's employer, firm or business affiliation;

(D) Each agency that the contact lobbyist has attempted, will attempt, or may attempt to influence on behalf of any client; and

(E) Any other information required by the Ethics Commission through regulation, consistent with the purposes and provisions of this Chapter.

**(2) Expenditure lobbyists.** At the time of initial registration each expenditure lobbyist shall report to the Ethics Commission the following information:

(A) The name, mailing address, e-mail address, and telephone number of the lobbyist;

(B) Expenditure lobbyists that are entities shall provide:

(i) a description of their nature and purpose(s);

(ii) if the expenditure lobbyist is a corporation, the names of the corporation's chief executive officer, chief financial officer, and secretary, any officer who authorized payments to influence local legislative and administrative action, and any person who owns more than 20 percent of the corporation;

(iii) if the expenditure lobbyist is a partnership, the name of each partner if the entity has fewer than 10, or the name of the partner with the greatest ownership interest if the entity has 10 or more partners;

(iv) for any other type of business entity, the name of each person with an ownership interest if the entity has fewer than 10 owners, or the name of the person with the greatest ownership interest in the entity, if the entity has 10 or more owners;

(C) Expenditure lobbyists that are individuals shall provide a description of their business activities;

(D) Each agency that the expenditure lobbyist has made, will make, or may make payments to influence; and

(E) Any other information required by the Ethics Commission through regulation, consistent with the purposes and provisions of this Chapter.

**(c) LOBBYIST DISCLOSURES.** For each calendar month, each lobbyist shall submit the following information no later than the fifteenth calendar day following the end of the month:

**(1) Contact lobbyists.** Each contact lobbyist shall report to the Ethics Commission the following information:

(A) The name, business address and business telephone number of each person from whom the lobbyist or the lobbyist's employer received or expected to receive economic consideration to influence local legislative or administrative action during the reporting period.

(B) The name of each officer of the City and County of San Francisco with whom the lobbyist made a contact during the reporting period.

(C) The date on which each contact was made.

(D) The local legislative or administrative action that the lobbyist sought to influence, including, if any, the title and file number of any resolution, motion, appeal, application, petition, nomination, ordinance, amendment, approval, referral, permit, license, entitlement, or contract, and the outcome sought by the client.

(E) The client on whose behalf each contact was made.

(F) The amount of economic consideration received or expected by the lobbyist or the lobbyist's employer from each client during the reporting period.

(G) All activity expenses incurred by the lobbyist during the reporting period, including the following information:

(i) The date and amount of each activity expense;

(ii) The full name and official position, if any, of the beneficiary of each activity expense, a description of the benefit, and the amount of the benefit;

(iii) The full name of the payee of each activity expense if other than the beneficiary;

(iv) Whenever a lobbyist is required to report a salary of an individual pursuant to this subsection (c)(1), the lobbyist need only disclose whether the total salary payments made to the individual during the reporting period was less than or equal to \$250, greater than \$250 but less than or equal to \$1,000, greater than \$1,000 but less than or equal to \$10,000, or greater than \$10,000.

(H) All campaign contributions of \$100 or more made or delivered by the lobbyist or the lobbyist's employer, or made by a client at the behest of the lobbyist or the lobbyist's employer during the reporting period to an officer of the City and County, a candidate for such office, a committee controlled by such officer or candidate, or a committee primarily formed to support or oppose such officer or candidate, or any committee primarily formed to support or oppose a measure to be voted on only in San Francisco. This report shall include such campaign contributions arranged by the lobbyist, or for which the lobbyist acted as an agent or intermediary.

The following information regarding each campaign contribution shall be submitted to the Ethics Commission:

(i) The amount of the contribution;

(ii) The name of the contributor;

(iii) The date on which the contribution was made;

(iv) The contributor's occupation;

(v) The contributor's employer, or if self-employed, the name of the contributor's business; and

(vi) The committee to which the contribution was made.

(I) For each contact at which a person providing purely technical data, analysis, or expertise was present, as described in Section 2.106(b)(10), the name, address, employer and area of expertise of the person providing the data, analysis or expertise.

(J) Any other information required by the Ethics Commission through regulation consistent with the purposes and provisions of this Chapter.

**(2) Expenditure lobbyists.** Each expenditure lobbyist shall report to the Ethics Commission the following information:

(A) The local legislative or administrative action that the lobbyist sought to influence, including, if any, the title and file number of any resolution, motion, appeal, application, petition, nomination, ordinance, amendment, approval, referral, permit, license, entitlement, or contract.

(B) The total amount of payments made during the reporting period to influence local legislative or administrative action.

(C) Each payment of \$1,000 or more made during the reporting period, including the date of payment, the name and address of each person receiving the payment, a description of the payment, and a description of the consideration for which the payment was made.

(D) All campaign contributions of \$100 or more made or delivered by the lobbyist or made at the behest of the lobbyist during the reporting period to an officer of the City and County, a candidate

for such office, a committee controlled by such officer or candidate, or a committee primarily formed to support or oppose such officer or candidate, or any committee primarily formed to support or oppose a measure to be voted on only in San Francisco. This report shall include such campaign contributions arranged by the lobbyist, or for which the lobbyist acted as an agent or intermediary.

The following information regarding each campaign contribution shall be submitted to the Ethics Commission:

- (i) The amount of the contribution;
- (ii) The name of the contributor;
- (iii) The date on which the contribution was made;
- (iv) The contributor's occupation;
- (v) The contributor's employer, or if self-employed, the name of the contributor's business; and
- (vi) The committee to which the contribution was made.

(E) Any other information required by the Ethics Commission through regulation, consistent with the purposes and provisions of this Chapter 1.

(d) **DUTY TO UPDATE INFORMATION.** Lobbyists shall amend any information submitted to the Ethics Commission through registration and monthly disclosures within five days of the changed circumstances that require correction or updating of such information.

(e) **REGISTRATION AND FILING OF DISCLOSURES BY ORGANIZATIONS.** The Ethics Commission is authorized to establish procedures to permit the registration and filing of contact lobbyist disclosures by a business, firm, or organization on behalf of the individual contact lobbyists employed by those businesses, firms, or organizations.

**(f) FEES; TERMINATION OF REGISTRATION.**

(1) At the time of registration each lobbyist shall pay a fee of \$500. On or before every subsequent February 1, each registered lobbyist shall pay an additional fee of \$500.

(2) Failure to pay the annual fee by February 1 shall constitute a termination of a lobbyist's registration with the Ethics Commission. The Ethics Commission is also authorized to establish additional processes for the termination of a lobbyist's registration.

(3) The Ethics Commission shall waive all registration fees for any full-time employee of a tax-exempt organization presenting proof of the organization's tax-exempt status under 26 U.S.C. Section 501(c)(3) or 501(c)(4).

(4) The Ethics Commission shall deposit all fees collected pursuant to this Section in the General Fund of the City and County of San Francisco.

**SEC. 2.115. LIMITS AND PROHIBITIONS.**

(a) **FUTURE EMPLOYMENT.** No lobbyist shall cause or influence the introduction or initiation of any local legislative or administrative action for the purpose of thereafter being employed or retained to secure its granting, denial, confirmation, rejection, passage, or defeat.

(b) **FICTITIOUS PERSONS.** No contact lobbyist shall contact any officer of the City and County in the name of any fictitious person or in the name of any real person, except with the consent of such real person.

(c) **EVASION OF OBLIGATIONS.** No lobbyist shall attempt to evade the obligations imposed by this Chapter through indirect efforts or through the use of agents, associates, or employees.

**(d) CAMPAIGN CONTRIBUTIONS - PROHIBITIONS.**

(1) No lobbyist shall make any contribution to a City elective officer or candidate for City elective office, including the City elective officer's or candidate's controlled committees, if that lobbyist (A) is registered to lobby the agency of the City elective officer or the agency for which the candidate is seeking election or (B) has been registered to lobby that agency in the previous 90 days.

(2) If a lobbyist has failed to disclose which agencies the lobbyist attempts to influence, as required by Section 2.110(b), the lobbyist may not make a contribution to any City elective officer or candidate for City elective office, or any City elective officer's or candidate's controlled committees.

**(e) BUNDLING OF CAMPAIGN CONTRIBUTIONS - PROHIBITIONS.**

(1) No lobbyist shall deliver or transmit, or deliver or transmit through a third party, any contribution made by another person to any City elective officer or candidate for City elective office, or any City elective officer's or candidate's controlled committees, if that lobbyist (A) is registered to lobby the agency for which the candidate is seeking election or the agency of the City elective officer or (B) has been registered to lobby that agency in the previous 90 days.

(2) If a lobbyist has failed to disclose which agencies the lobbyist attempts to influence, as required by Section 2.110(b), the lobbyist may not deliver or transmit, or deliver or transmit through a third party, any contribution made by another person to any City elective officer or candidate for City elective office, or any City elective officer's or candidate's controlled committees.

(f) **AGGREGATION OF AFFILIATED ENTITY CONTRIBUTIONS.** For purposes of the contribution limits imposed by subsections (e) and (f), the contributions of an entity whose contributions are directed and controlled by any lobbyist shall be aggregated with contributions made by that lobbyist as set forth in Section 1.114(c).

(g) **REGULATIONS.** The Ethics Commission may adopt regulations implementing this Section 2.115, but such regulations may not establish any exceptions from the limits and prohibitions set forth therein.

**SEC. 2.116. LOBBYIST TRAINING.**

(a) Each contact lobbyist must complete a lobbyist training session offered by the Ethics Commission within one year of the lobbyist's initial registration. Thereafter, contact lobbyists shall attend additional training sessions as required by the Executive Director, at his or her discretion.

(b) The Ethics Commission shall make lobbyist training sessions available on its website.

(c) On or before the deadline for completing any required lobbyist training session, each contact lobbyist must file a signed declaration with the Ethics Commission stating, under penalty of perjury, that the lobbyist has completed the required training session.

**SEC. 2.117. LOBBYING BY CAMPAIGN CONSULTANTS.**

(a) **PROHIBITION.** No campaign consultant, individual who has an ownership interest in the campaign consultant, or an employee of the campaign consultant shall communicate with any officer of the City and County who is a current or former client of the campaign consultant on behalf of another person or entity (other than the City and County) in exchange for economic consideration for the purpose of influencing local legislative or administrative action.

**(b) EXCEPTIONS.**

(1) This prohibition shall not apply to:

(A) an employee of a campaign consultant whose sole duties are clerical; or

(B) an employee of a campaign consultant who did not personally provide campaign consulting services to the officer of the City and County with whom the employee seeks to communicate in order to influence local legislative or administrative action.

(2) The exceptions in Subsection (b)(1) shall not apply to any person who communicates with an officer of the City and County in his or her capacity as an employee of the campaign consultant who is prohibited by Subsection (a) from making the communication.

(c) **DEFINITIONS.** Whenever the following words or phrases are used in this Section, they shall mean:

(1) "Campaign consultant" shall have the same meaning as in Article I, Chapter 5, Section 1.505 of this Code.

(2) "Campaign consulting services" shall have the same meaning as in Article I, Chapter 5, Section 1.505 of this Code.

(3) "Current client" shall mean a person for whom the campaign consultant has filed a client authorization statement pursuant to Article I, Chapter 5, Section 1.515(d) of this Code and not filed a client termination statement pursuant to Article I, Chapter 5, Section 1.515(f) of this Code. If such person is a committee as defined by Section 82013

*of the California Government Code, the current client shall be any individual who controls such committee; any candidate that such committee was primarily formed to support; and any proponent or opponent of a ballot measure that the committee is primarily formed to support or oppose.*

*(4) "Employee" shall mean an individual employed by a campaign consultant, but does not include any individual who has an ownership interest in the campaign consultant that employs them.*

*(5) "Former client" shall mean a person for whom the campaign consultant has filed a client termination statement pursuant to Article I, Chapter 5, Section 1.515(f) of this Code within the 60 months prior to communicating with the person.*

**SEC. 2.120. EMPLOYMENT OF CITY AND COUNTY OFFICERS OR EMPLOYEES; APPOINTMENT OF EMPLOYEE TO CITY AND COUNTY OFFICE.**

*(a) EMPLOYMENT OF CITY AND COUNTY OFFICERS OR EMPLOYEES. If any lobbyist employs or requests, recommends or causes a client of the lobbyist to employ, and such client does employ, any officer of the City and County, any immediate family member or registered domestic partner of an officer of the City and County, or any person known by such lobbyist to be a full-time employee of the City and County, in any capacity whatsoever, the lobbyist shall file within 10 days after such employment a statement with the Ethics Commission setting out the name of the employee, the date first employed, the nature of the employment duties, and the salary or rate of pay of the employee.*

*(b) APPOINTMENT OF EMPLOYEE TO CITY OFFICE. If an employee of a lobbyist is appointed to City or County office, the lobbyist shall file within 10 days after such appointment a statement with the Ethics Commission setting out the name of the employee, the date first employed, the nature of the employment duties, and the salary or rate of pay of the employee.*

*(c) REPORT OF SALARY. Whenever a filer is required to report the salary of an employee who is also an officer or employee of the City and County pursuant to this Section, the filer need only disclose whether the total salary payments made to the employee are less than or equal to \$250, greater than \$250 but less than or equal to \$1,000, greater than \$1,000 but less than or equal to \$10,000, or greater than \$10,000.*

**SEC. 2.130. EMPLOYMENT OF UNREGISTERED PERSONS.**

*It shall be unlawful knowingly to pay any contact lobbyist to contact any officer of the City and County of San Francisco, if said contact lobbyist is required to register under this Chapter and has not done so by the deadlines imposed in this Chapter.*

**SEC. 2.135. FILING UNDER PENALTY OF PERJURY; RE-TENTION OF DOCUMENTS; AUDITS.**

*(a) All information required under this Chapter shall be submitted to the Ethics Commission, in the format designated by the Commission, which may include an electronic format. The lobbyist shall verify, under penalty of perjury, the accuracy and completeness of the information provided under this Chapter.*

*(b) The lobbyist shall retain for a period of five years all books, papers and documents necessary to substantiate the registration and disclosure reports required by this Chapter. These records shall include, but not be limited to, copies of all fundraising solicitations sent by the lobbyist or his or her agent for an officer of the City and County, a candidate for such office, a committee controlled by such officer or candidate, or a committee primarily formed to support or oppose such officer or candidate, or any committee primarily formed to support or oppose a ballot measure to be voted on only in San Francisco.*

The text above contains the first 20 pages proposed text in Measure D which begins on page 27 of the legal text for this measure. The preceding pages of legal text include the struck-through text that this measure seeks to change. The pages with struck-through text have been excluded and include important information that could be useful to voters. The Department of Elections encourages voters to review those pages as well. The full text of this measure is available online at [sfelections.org](http://sfelections.org) and in every public library. If you desire a copy of the full text of the measure to be mailed to you, please contact the Department of Elections at (415) 554-4375 or [sfvote@sfgov.org](mailto:sfvote@sfgov.org) and a copy will be mailed at no cost to you.

## Proposition E

Ordinance amending the Administrative Code to 1) require a standardized community engagement process before the Police Commission changes policies or procedures regarding Police Department operations; 2) require the Commission and Department to consider administrative burdens on staff before changing such policies or procedures, and to streamline reporting and recordkeeping procedures; 3) modify the Department's use of force and vehicle pursuit policies, and establish a technology policy, to allow officers to use body-worn cameras and drones under certain circumstances; 4) limit new restrictions on the Department's use of technology unless approved by the Board of Supervisors; 5) streamline the process for the Department to install community safety cameras; and 6) permit the Department to use Surveillance Technology for at least one year before the corresponding Surveillance Technology Policy may be disapproved by the Board of Supervisors.

NOTE: Unchanged Code text and uncodified text are in plain font.

Additions to Codes are in *single-underline italics Times New Roman font*.

Deletions to Codes are in *strikethrough italics Times New Roman font*.

Asterisks (\* \* \* \*) indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. The Administrative Code is hereby amended by adding Chapter 96I, consisting of Sections 96I.1, 96I.2, 96I.3, and 96I.4, to read as follows:

**CHAPTER 96I:**

**POLICE DEPARTMENT POLICIES AND PROCEDURES**

**SEC. 96I.1. COMMUNITY ENGAGEMENT STANDARDS.**

*(a) Community Engagement Process. Before agendizing any proposal to establish, modify, or abolish policies or procedures related to Police Department operations, the Police Commission shall first publish a notice regarding the proposal on its website. The Department shall then have 90 days to hold community meetings to solicit public feedback on any existing policies or procedures that may be affected.*