

1 [Additional Eligibility Requirements to Participate in Public Financing Program for Candidates  
2 for the Board of Supervisors.]

3 **Ordinance amending Section 1.140 of the San Francisco Campaign and Governmental**  
4 **Conduct Code, by amending section 1.140 to disqualify from participation in the City's**  
5 **public financing program any candidate who: (1) has any outstanding fines or penalties**  
6 **owed to the City that were imposed for violations of state or local campaign finance**  
7 **laws, the lobbyist ordinance, the campaign consultant ordinance, or local conflict of**  
8 **interest laws; (2) has not filed with the Ethics Commission any legally required**  
9 **campaign finance, campaign consultant, lobbyist or statement of economic interest**  
10 **forms; or (3) has been found by a court to have knowingly, willfully or intentionally**  
11 **violated state or local campaign finance laws within the previous five years.**

12 Note: Additions are single-underline italics Times New Roman;  
13 deletions are ~~strikethrough italics Times New Roman~~.  
14 Board amendment additions are double underlined.  
15 Board amendment deletions are ~~strikethrough-normal~~.

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

17 Section 1. The San Francisco Campaign and Governmental Conduct Code is hereby  
18 amended by amending section 1.140, to read as follows:

19 **SEC. 1.140. ELIGIBILITY TO RECEIVE PUBLIC FINANCING.**

20 (a) **Requirements.** To be eligible to receive public financing of campaign expenses  
21 under this Chapter, a candidate must:

22 (1) Be seeking election to the Board of Supervisors and be eligible to hold the office  
23 sought;

24 (2) Have filed a statement indicating that he or she intends to participate in the public  
25 financing program under Section 1.142(a) of this Chapter;

1 (3) Have received at least \$5,000 in qualifying contributions from at least 75  
2 contributors before the 70th day before the election;

3 (4) Be opposed by another candidate who has either established eligibility to receive  
4 public financing, or received contributions or made expenditures which in the aggregate equal  
5 or exceed \$5,000;

6 (5) Agree to the following conditions:

7 (A) The candidate bears the burden of proving that each contribution the candidate  
8 relies upon to establish eligibility is a qualifying contribution;

9 (B) The candidate bears the burden of proving that expenditures made with public  
10 funds provided under this Chapter comply with Section 1.148 of this Chapter;

11 (C) The candidate shall not make qualified campaign expenditures which in the  
12 aggregate exceed the expenditure limits specified in Section 1.130 of this Chapter, except as  
13 provided in Section 1.134 of this Chapter; and

14 (D) The candidate shall agree to participate in at least one debate with the candidate's  
15 opponents-;

16 (6) Have paid any outstanding late fines or penalties, owed to the City by the candidate or any  
17 of the candidate's previous campaign committees, which were imposed for violations of Chapters 1  
18 through 5 of this Article, the campaign finance provisions of the California Political Reform Act  
19 (Government Code sections 84100-85704), Chapter 1 of Article II of this Code or Chapters 1 or 2 of  
20 Article III of this Code, provided that the Ethics Commission had notified the candidate of such fines or  
21 penalties by the time of certification;


22 (7) Have filed any outstanding statements, reports or forms, owed to the City by the candidate  
23 or any of the candidate's previous campaign committees, which were required to be filed pursuant to  
24 Chapters 1 through 5 of this Article, the campaign finance provisions of the Political Reform Act  
25

1 (Government Code sections 84100-85704), or Chapter 1, Article III of this Code, provided that the  
2 Ethics Commission had notified the candidate of such outstanding forms by the time of certification;  
3 and

4 (8) Have no finding by a court within the prior five years that the candidate knowingly,  
5 willfully, or intentionally violated Chapters 1 through 4 of this Article or the campaign finance  
6 provisions of the California Political Reform Act (Government Code sections 84100-85704). For  
7 purposes of this section, a plea of nolo contendere shall be treated the same as a finding by a court of a  
8 willful violation.

9 (b) **Adjustment of Expenditure Limits and Thresholds.** Whenever the Ethics  
10 Commission pursuant to Section 1.130 adjusts the voluntary expenditure ceilings to reflect  
11 changes in the California Consumer Price Index, the Commission is authorized to adjust the  
12 threshold limits in subsections (a)(3) and (a)(4) of this Section, and Section 1.152, to reflect  
13 changes in the California Consumer Price Index.

14  
15 APPROVED AS TO FORM:  
16 DENNIS J. HERRERA, City Attorney

17 By:   
18 CHAD A. JACOBS  
19 Deputy City Attorney



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails Ordinance

**File Number:** 051033

**Date Passed:**

Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code, by amending section 1.140 to disqualify any candidate with outstanding fines or penalties for violations of state or local campaign finance laws from participation in the public finance program and to render ineligible for participation for five years candidates found by a court to have knowingly, willfully or intentionally violated state or local campaign finance laws.

August 9, 2005 Board of Supervisors — SUBSTITUTED

September 20, 2005 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick,  
Mirkarimi, Peskin, Sandoval

Excused: 1 - Elsbernd

September 27, 2005 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,  
Mirkarimi, Peskin, Sandoval


Absent: 1 - Alioto-Pier

File No. 051033

I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on September 27, 2005 by the Board of Supervisors of the City and County of San Francisco.

10.07.05

Date Approved

  
Gloria L. Young  
Clerk of the Board

  
Mayor Gavin Newsom