

FILE NO. 130413

ORDINANCE NO. 158-13

[Municipal Elections Code - Publication of Legal Text of Proposed Measures]

1
2 **Ordinance amending the Municipal Elections Code to specify that the Voter Information**
3 **Pamphlet will not include a portion of the legal text of any ballot measure initiative**
4 **ordinance, declaration of policy or bond measure that exceeds 100 pages.**

5 NOTE: Additions are *single-underline italics Times New Roman*;
6 deletions are *strike-through italics Times New Roman*.
7 Board amendment additions are double-underlined;
8 Board amendment deletions are ~~strikethrough-normal~~.

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

10 Section 1. The Municipal Elections Code is hereby amended by amending Section
11 500, to read as follows:

12 **SEC. 500. VOTER INFORMATION PAMPHLET; CONTENTS; FORMAT.**

13 With respect to any election to be held in the City and County, the Director of Elections
14 shall prepare a voter information pamphlet. The voter information pamphlet shall contain, in
15 addition to any other material required by the Charter or by general law, the following
16 materials:

17 (a) **General contents:**

- 18 (1) A table of contents;
19 (2) An index of candidates and measures;
20 (3) A brief explanation of the purpose and use of the pamphlet;
21 (4) A summary of voters' rights, including a description of the right provided to
22 every elector by California Elections Code sections 9295 and 13314 to seek a writ of mandate
23 or an injunction prior to the publication of the Voter Information Pamphlet, requiring any or all
24 of the materials submitted for publication in the Pamphlet to be amended or deleted;

1 (5) A brief description of the rules and procedures that govern the submission,
2 selection and publication of ballot arguments in the pamphlet, including a statement explaining
3 that each person entitled to submit a "Proponent's" or "Opponent's" argument is chosen
4 pursuant to the priority list stated in Section 545 of this Code;

5 (6) A disclaimer that neither the Director of Elections nor any other City
6 agency, official or employee verifies the accuracy of information contained in the ballot
7 arguments or candidate qualification statements appearing in the pamphlet, and an
8 explanation that any person submitting a ballot argument or qualifications statement bears the
9 sole responsibility for claims made therein;

10 (7) Artwork, graphics and other material which the Director of Elections
11 determines will make the pamphlet easier to understand or more useful to the voter;

12 (8) Definitions of terms appearing in the pamphlet; and

13 (9) A sample ballot.

14 (b) **Contents as to candidates:**

15 (1) The candidate qualification statement of each candidate for City elective
16 office;

17 (2) A brief statement of the term, compensation, and duties of each City
18 elective office appearing in the pamphlet; and

19 (3) Any notice required by the Campaign Finance Reform Ordinance or the
20 Political Reform Act, Government Code Section 85600, informing voters whether the
21 candidate has adopted the applicable voluntary expenditure ceiling.

22 (c) **Contents as to measures:**

23 (1) The identification of each measure by letter and title;

24 (2) The City Attorney's statement or question for each measure;
25

1 (3) The digest of each measure prepared by the Ballot Simplification
2 Committee;

3 (4) The Controller's financial analysis of each measure;

4 (5) An explanation of how the measure qualified for submission to the voters;

5 (A) If the measure was submitted to the voters by the Board of
6 Supervisors, the explanation required by Subsection (c)(5) of this Section shall identify those
7 Supervisors who voted for submission of the measure and those Supervisors who voted
8 against submission of the measure,

9 (B) If the measure was submitted to the voters by four or more
10 members of the Board of Supervisors, the explanation required by Subsection (c)(5) of this
11 Section shall identify those Supervisors who submitted the measure,

12 (C) If the measure was submitted to the voters by initiative petition, the
13 explanation required by Subsection (c)(5) of this Section shall include the number of valid
14 signatures of registered San Francisco voters that were required to qualify the measure for
15 the ballot, and the date on which the Director of Elections certified that the measure qualified
16 for the ballot;

17 ~~(6) The full text of each measure to be voted upon at the election;~~

18 ~~(7)~~ (6) The opponent, proponent, rebuttal and paid arguments, if any, for or
19 against each measure;

20 (7) The full legal text of each Charter amendment to be voted upon at the
21 election. For each Charter amendment, the Department of Elections shall cause to be printed
22 immediately below the Ballot Simplification Committee digest, in no less than 10-point bold
23 type, a statement substantially as follows: "The above statement is an impartial analysis of
24 Measure . The full text of this measure appears at page (insert page number)."
25

1 (87) The full legal text of each measure other than a Charter amendment to be
2 voted upon at the election, unless the legal text of a the measure as submitted to the Department of
3 Elections exceeds 100 pages. In that event, the voter information pamphlet shall contain the first
4 20 pages of the legal text of the measure as submitted to the Department of Elections,
5 provided that the Board of Supervisors may adopt a resolution, effective no later than the 94th
6 day prior to the date of the election, requiring the Director of Elections to include the full legal
7 text of a measure in the voter information pamphlet. the Director of Elections may in his or
8 her discretion omit the text or, in consultation with the City Attorney, prepare a fair and
9 impartial excerpt of the text to include in the voter information pamphlet.

10 (A) If the full legal text of a measure is printed in the voter information
11 pamphlet, the Department of Elections shall cause to be printed immediately below the Ballot
12 Simplification Committee digest, in no less than 10-point bold type, a statement substantially as
13 follows: "The above statement is an impartial analysis of Measure _____. The full text of this measure
14 appears at page (insert page number)."

15 (B) If less than the full legal text of a measure is entirely omitted from printed
16 in the voter information pamphlet, the Department of Elections shall:

17 (i) cause the full legal text to be posted on the Department's
18 website, provided to the Main Library and every branch library of the San Francisco Public
19 Library, and mailed to any voter upon request;

20 (ii) cause to be printed immediately below the Ballot Simplification
21 Committee digest, in no less than 10-point bold type, a statement substantially as follows: "The above
22 statement is an impartial analysis of Measure _____. An excerpt of the text of this measure
23 appears at page (insert page number). The full text of this measure is available online at
24 (insert website address) and in every public library. If you desire a copy of the full text of the
25

1 measure to be mailed to you, please contact the Department of Elections at (insert telephone number
2 and email address) and a copy will be mailed at no cost to you."; and

3 (iii) cause to be printed immediately below the excerpt of legal text
4 in the voter information pamphlet, in no less than 10-point bold type, a statement substantially
5 as follows: "The text above contains the first 20 pages of Measure _____ but does not include
6 the remaining pages of the measure. The pages that have been excluded may include
7 important information that could be useful to voters, and the Department of Elections
8 encourages voters to review those pages as well. The full text of this measure is available
9 online at (insert website address) and in every public library. If you desire a copy of the full
10 text of the measure to be mailed to you, please contact the Department of Elections at (insert
11 telephone number and email address) and a copy will be mailed at no cost to you."

12 ~~_____ (C) If an excerpt of the legal text of a measure is printed in the voter~~
13 ~~information pamphlet, the Department of Elections shall cause to be printed immediately~~
14 ~~below the Ballot Simplification Committee digest, in no less than 10-point bold type, a~~
15 ~~statement substantially as follows: "The above statement is an impartial analysis of Measure~~
16 ~~_____. An excerpt of the text of this measure appears at page (insert page number). If you~~
17 ~~desire a copy of the full text of the measure, please call the Department of Elections at (insert~~
18 ~~telephone number) and a copy will be mailed at no cost to you." Additionally, the Department~~
19 ~~of Elections shall cause to be printed immediately preceding the excerpt of the text a~~
20 ~~statement substantially as follows: "The text printed below is an excerpt of the full text of~~
21 ~~Measure _____. If you desire a copy of the full text of the measure, please call the~~
22 ~~Department of Elections at (insert telephone number) and a copy will be mailed at no cost to~~
23 ~~you."~~

1 Measures, and the material specified in this Section relating to said measures, shall be
2 printed in the voter information pamphlet in the same order in which designated upon the
3 ballot.

4 If space allows, the items specified in Subsection (c)(1) to (c)(5) of this Section shall be
5 printed together on the same page of the voter information pamphlet. This page shall be
6 known as the "ballot measure title page." The ballot measure title page shall also indicate: ~~the~~
7 ~~page number at which the full text of the measure is printed;~~ the page number at which the
8 arguments for or against the measure are printed; and, if applicable the page number at which
9 the definitions of terms appearing on ballot measure title page are printed.

10 The format of the voter information pamphlet shall be determined by the Director of
11 Elections, subject to the approval of the Ballot Simplification Committee.

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13 Section 2. Effective Date. This ordinance shall become effective 30 days from the
14 date of passage.

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16 Section 3. This section is uncodified. In enacting this Ordinance, the Board intends to
17 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
18 punctuation, charts, diagrams, or any other constituent part of the Municipal Elections Code
19 that are explicitly shown in this legislation as additions, deletions, Board amendment
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1 additions, and Board amendment deletions in accordance with the "Note" that appears under
2 the official title of the legislation.

3
4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By:



7 JON GIVNER
8 Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

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

File Number: 130413

Date Passed: July 16, 2013

Ordinance amending the Municipal Elections Code to specify that the Voter Information Pamphlet will include a portion of the legal text of any initiative ordinance, declaration of policy or bond measure that exceeds 100 pages.

June 27, 2013 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

June 27, 2013 Rules Committee - RECOMMENDED AS AMENDED

July 09, 2013 Board of Supervisors - PASSED, ON FIRST READING


Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

July 16, 2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130413

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 7/16/2013 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

Mayor

7/26/13

Date Approved