

FILE NO. 010940

ORDINANCE NO. *206-01*

1 [Public Internet Access – Prohibition on Use of Filtering Software]  
2 **Ordinance amending the San Francisco Administrative Code by adding Chapter 22C to**  
3 **prohibit the use of Internet filtering or content blocking technology (“filtering**  
4 **software”) on City-owned computers used as public Internet access terminals.**

5 Note: This entire Chapter is new.

6 Board amendment additions are double underlined.  
7 Board amendment deletions are ~~strikethrough normal~~.

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

10 Section 1. The San Francisco Administrative Code is hereby amended by adding  
11 Chapter 22C, to read as follows:

12 **CHAPTER 22C. PUBLIC INTERNET ACCESS**

13 Sec. 22C.1. Findings and Purpose of Chapter

14 Sec. 22C.2. Definitions

15 Sec. 22C.3. Prohibition on Use of Filtering Software

16 Sec. 22C.4. Appropriation Requests based on Loss of State or Federal Funding

17 **SEC. 22C.1. Findings and Purpose of Chapter.**

18 Existing Internet filters and content blocking technology (“filtering software”) regularly  
19 block access to useful and constitutionally protected information. Accordingly, the purpose of  
20 this Chapter is to ensure that where the City and County of San Francisco (“City”), or any  
21 department thereof, offers public Internet access through City-owned computers (“public  
22 Internet access terminals”), such terminals shall provide members of the public with  
23 uncensored access to information available on the Internet.  
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**SEC. 22C.2. Definitions.**

- (a) For purposes of this Chapter, "filtering software" shall mean any technology designed to block access to information, websites and other materials on the Internet based on the words, images or other content contained therein.
- (b) For purposes of this Chapter, "public Internet access terminals" shall mean any City-owned computers or other City-owned equipment designated by the City to provide Internet access to members of the public. "Public Internet access terminals" shall not include public Internet terminals designated by the City to be used exclusively or primarily by individuals under the age of 13.

**Sec. 22C.3. Prohibition on Use of Filtering Software.**

Where the City, or any department thereof, offers public Internet access through public Internet access terminals, the City shall not use or install internet filtering software on such public Internet access terminals.

**Sec. 22C.4. Appropriation Requests Based on Loss of State or Federal Funding.**

Where a City department provides public Internet access terminals and loses, or is at substantial risk of losing, Federal or State government funding or subsidies ("Funding") as a result of compliance with the prohibition on use of filtering software under this Chapter, the department head, or his or her designee, shall notify the Board of Supervisors and the Controller, in writing, of the department's estimated loss of Funding within 90 days of discovery of this potential or actual loss of Funding for the applicable fiscal year. In such notice, the department head, or his or her designee, shall also indicate the extent to which such loss of revenue may cause a negative impact on the quality, quantity or availability of the department's services or operations. Where a department establishes that such loss of Funding will cause the department to substantially reduce the quality, quantity or availability of its services or operations, the Board of Supervisors and the Mayor shall treat such information

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1 as a significant factor in favor of granting the department a funding appropriation in an amount  
2 equal to the estimated loss of Funding during the applicable fiscal year.

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4 APPROVED AS TO FORM:  
5 LOUISE H. RENNE, City Attorney

6 By: *Adine Varah*  
7 ADINE K. VARAH  
8 Deputy City Attorney  
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# City and County of San Francisco

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

## Tails Ordinance

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**File Number:** 010940

**Date Passed:**

Ordinance amending the San Francisco Administrative Code by adding Chapter 22C to prohibit the use of Internet filtering or content blocking technology ("filtering software") on City-owned computers used as public Internet access terminals.

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October 1, 2001 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

October 1, 2001 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee

Absent: 2 - Daly, Maxwell

October 9, 2001 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Absent: 1 - Daly

File No. 010940

I hereby certify that the foregoing Ordinance was FINALLY PASSED on October 9, 2001 by the Board of Supervisors of the City and County of San Francisco.

OCT 19 2001

\_\_\_\_\_  
Date Approved



\_\_\_\_\_  
Gloria L. Young  
Clerk of the Board



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Mayor Willie L. Brown Jr.