

FILE NO. 030652

ORDINANCE NO. 183-03

1 [Amendments to the Municipal Elections Code.]

2  
3 Ordinance amending the Municipal Elections Code to amend Sections 110, 200, 250,  
4 260, 300, 360, 370, 500, 510, 530, 535, 550, 590, 595, and 800, add Sections 225 and 270,  
5 and delete Section 930 to: Conform the Municipal Elections Code to recent changes in  
6 the Charter; change the deadlines for submission of materials for publication in the  
7 Voter Information Pamphlet; specify the public examination periods for each category  
8 of material submitted for publication in the Voter Information Pamphlet; modify the  
9 deadlines for delivery of the Voter Information Pamphlet prior to each general and  
10 special election; specify language for inclusion in the Voter Information Pamphlet  
11 concerning ballot measures which concern the same subject matter and which may  
12 have conflicting provisions; explicitly incorporate the State law that applies to local  
13 ballot designations; explicitly state the rules concerning ballot printing after the death  
14 of a candidate; impose a 100-word limit on bond measure statements; add definitions;  
15 correct outdated code references; codify departmental practice; and clarify ambiguous  
16 language.

17 Note: Additions are single-underline italics Times New Roman;  
18 deletions are ~~strikethrough italics Times New Roman~~.  
19 Board amendment additions are double underlined.  
Board amendment deletions are ~~strikethrough normal~~.

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

21 Section 1. The San Francisco Municipal Elections Code, Article I, is hereby amended  
22 by amending Section 110, to read as follows:  
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1           Sec. 110. DEFINITIONS.

2           Whenever the following terms are used in this Municipal Elections Code, these  
3 definitions shall apply:

4           (a) "Measure" means an ordinance, charter amendment, referendum, recall,  
5 declaration of policy, or bond measure that will be voted on only in the City and County of San  
6 Francisco.

7           (b) "Signed and sworn statement" means a statement signed under penalty of perjury under  
8 the laws of the State of California, that includes the original signature of the signer. Facsimile or  
9 electronically produced or reproduced signatures are not original signatures for purposes of this  
10 Article.

11           (c) "Voter" means an individual who is registered to vote in the City and County of San  
12 Francisco.

13           Section 2. The San Francisco Municipal Elections Code, Article II, is hereby amended  
14 by amending Sections 200, 250 and 260, and adding Sections 225 and 270, to read as  
15 follows:

16           Sec. 200. NOMINATION AND RECALL OF ELECTIVE OFFICERS;  
17 INCORPORATION OF STATE LAW.

18           Except as otherwise provided by the Charter or this Municipal Elections Code,  
19 nomination of elective officers shall be made pursuant to California Elections Code Section  
20 10220 et seq., and the recall of elective officers shall be made pursuant to California Elections  
21 Code Section 11000 et seq. If the official proposed to be removed at a recall election is recalled,  
22 the vacancy shall be filled pursuant to Charter sections 3.100(14) and 13.101.5.

23           Sec. 225. BALLOT DESIGNATIONS.

1           The submission and form of ballot designations shall be governed by California Elections Code  
2 Section 13107 and any implementing regulations, rules or guidelines issued by the California Secretary  
3 of State.

4           Sec. 250. WITHDRAWAL OF NOMINATION; WITHDRAWAL OF SUPPORT.

5           A nominator may withdraw his or her nomination of a candidate by notifying the  
6 candidate at least 72 hours before the close of the nomination period and filing with the Director of  
7 Elections, at any time up until 5:00 p.m. on the last day of the nomination period, a signed and  
8 sworn statement of withdrawal stating that the nominator provided the candidate with the required  
9 72 hours notice. at any time up until 5:00 p.m. of the last day of the nomination period. The signed and  
10 sworn statement of withdrawal shall indicate that the nominator informed the candidate, at least 72  
11 hours before the close of the nomination period, of the nominator's intent to withdraw. No nominator  
12 may withdraw his or her nomination of a candidate after 5:00 p.m. on the last day of the nomination  
13 period.

14           ~~In addition,~~ s Supporters who are not nominators but who authorize use of their name in  
15 the candidate qualification statement may withdraw this authorization by filing with the Director  
16 of Elections a signed and sworn statement of withdrawal at any time up until 5:00 p.m. on of  
17 the last day of the nomination period. No supporter may withdraw his or her authorization after  
18 5:00 p.m. on the last day of the nomination period.

19           Sec. 260. WITHDRAWAL OF CANDIDACY.

20           The name of every candidate who has been duly and regularly nominated shall be  
21 placed on the ballot under the title of the office for which he or she is a candidate, provided  
22 that a candidate whose nomination has been completed may withdraw as a candidate by filing  
23 a signed and sworn statement of withdrawal with the Director of Elections no fewer than 67  
24 days before the election. No candidate may withdraw as a candidate after 5:00 p.m. on the 67<sup>th</sup> day  
25 before the date of the election.

1           Sec. 270. DEATH OF CANDIDATE.

2           The Director of Elections shall not print a candidate's name upon the ballot or the candidate's  
3 Candidate Qualification Statement in the Voter Information Pamphlet if, before 5:00 p.m. on the 67<sup>th</sup>  
4 day before the date of the election, the Director ascertains that the candidate has died. If the Director  
5 ascertains after 5:00 p.m. on the 67<sup>th</sup> day before the date of the election that the candidate has died, the  
6 Director shall print the candidate's name on the ballot and the candidate's Candidate Qualification  
7 Statement in the Voter Information Pamphlet, provided that the candidate's declaration of candidacy  
8 otherwise complied with all legal requirements.

9           Section 3. The San Francisco Municipal Elections Code, Article III, is hereby amended  
10 by amending Sections 300, 360 and 370, to read as follows:

11           Sec. 300. DEADLINES FOR SUBMISSION OF MEASURES.

12           (a)   Charter Amendments and Bond Measures. Except as provided in Subsection (c) of  
13 this Section, proposed Charter amendments and bond measures shall be submitted to the  
14 voters at the next election held no fewer than 102 days after the date said measure is  
15 received by the Director of Elections.

16           The ~~Director of Elections shall have the discretion to submit to the voters~~ Board of Supervisors  
17 may submit, and the Director of Elections shall have the discretion to accept, one proposed Charter  
18 amendment or bond measure per election that is received fewer than 102 days before the  
19 date of the election, provided that said measure is received no fewer than 95 days before the  
20 date of the election.

21           (b)   Measures Submitted by the Mayor, Board of Supervisors, or Four or More Supervisors.  
22 Measures Ordinances and declarations of policy proposed by a majority of the Board of  
23 Supervisors or by four or more Supervisors pursuant to Charter Section 2.113, or by the  
24 Mayor pursuant to Charter Section 3.100(15), shall be submitted to the voters at the next  
25

1 election held no fewer than 90 days after the date said measure is transmitted to the Director  
2 of Elections.

3 (c) Measures Proposed by Initiative Petition. Measures proposed by initiative petition  
4 pursuant to Charter Sections 14.101 or 9.110 and Charter amendments proposed by initiative  
5 petition shall be submitted to the voters upon certification of the sufficiency of the petition  
6 signatures by the Director of Elections. An initiative petition shall be submitted to the Director  
7 of Elections no fewer than 120 days before the date of the election for which the initiative is  
8 intended. The Director of Elections shall certify the sufficiency of the petition signatures, or  
9 determine the insufficiency of the signatures, no later than 30 days after the date the petition  
10 is received.

11 (1) Except as provided in Subdivisions (2) and (3) of this subsection, a vote on an  
12 initiative shall occur at the next general municipal or Statewide election occurring no fewer  
13 than 90 days from the date of the certificate of sufficiency executed by the Director of  
14 Elections. Any initiative petition that is certified by the Director of Elections to contain the  
15 requisite number of valid signatures, but that is certified within 90 days of an election, shall not  
16 be placed on the ballot for that election but shall be placed on the ballot at the next general  
17 municipal or Statewide election.

18 (2) The Director of Elections shall call for a special municipal election on an initiative  
19 if the initiative petition complies with the requirements of Charter Section 14.101.

20 (3) The Board of Supervisors may call for a special municipal election on an  
21 initiative pursuant to Charter Section 14.101, provided that the special election occurs no  
22 fewer than 90 days from the date the certificate of sufficiency is executed by the Director of  
23 Elections.

1           Sec. 360. MEASURES CONCERNING THE SAME SUBJECT MATTER; COMPETING  
2 AND CONFLICTING MEASURES; COMPLEMENTARY MEASURES.

3           When two or more proposed measures concern the same subject matter, the Director of  
4 Elections shall publish in the Voter Information Pamphlet the following statement on the ballot  
5 measure title page for each of the measures:

6           Propositions ( ) and ( ) concern the same subject matter. If both measures are adopted by  
7 the voters, and if there is a conflict between provisions of the two measures, then some or  
8 all of the measure approved by fewer votes would not go into effect.

9           ~~When two or more proposed measures are of the same general purpose, the Director of~~  
10 ~~Elections shall so declare. If there is a conflict between two or more such measures adopted at~~  
11 ~~the same election, then the measure receiving the highest affirmative vote shall prevail.~~

12           In case two or more measures adopted at the same election have conflicting  
13 provisions and are tied for the highest vote, they shall be resubmitted at the next ensuing  
14 general election.

15           Sec. 370. WITHDRAWAL OF MEASURES:

16           (a) Measures Proposed by the Mayor or Board of Supervisors. Measures proposed by  
17 the Mayor or Board of Supervisors pursuant to Section 300(a) or (b) of this Article may be  
18 withdrawn at any time up until and including the legal deadline for submission of the measure  
19 to the Director of Elections. The Mayor and Board of Supervisors cannot withdraw measures after  
20 the legal deadline for submission of the measure to the Director of Elections.

21           (b) Measures Proposed by Four or More Supervisors.

22           (1) Unanimous Withdrawal. Measures proposed by four or more members of the  
23 Board of Supervisors pursuant to Section 300(b) of this Article may be withdrawn at any time up  
24 until and including the legal deadline for submission of the measure to the Director of Elections if each  
25 of the Supervisors who submitted the measure files with the Director of Elections a signed and sworn

1 statement of withdrawal before the legal deadline for submission of the measure. The four or more  
2 Supervisors who submitted the measure cannot withdraw the measure after the legal deadline for  
3 submission of the measure to the Director of Elections.

4 (2) Withdrawal of Support by One or More Supervisors. Measures proposed by four or  
5 more members of the Board of Supervisors pursuant to Section 300(b) of this Article shall be  
6 withdrawn if one or more of the Supervisors withdraw their support for the proposed measure,  
7 and following this withdrawal fewer than four Supervisors continue to support the proposed  
8 measure. For purposes of this subsection, a Supervisor may withdraw his or her support for a  
9 measure by filing with the Director of Elections a signed and sworn statement of withdrawal at  
10 any time up until 72 hours before the legal deadline for submission of the measure to the  
11 Director of Elections. Following such a withdrawal, additional members of the Board of  
12 Supervisors may join in support of the proposed measure provided that they do so in writing  
13 before the legal deadline for submission of the measure to the Director of Elections. No  
14 Supervisor may withdraw his or her support for a measure pursuant to this subsection if fewer than 72  
15 hours remain before the legal deadline for submission of the measure to the Director of Elections.

16 (c) Initiatives. Once submitted to the Department of Elections, measures proposed  
17 by initiative petition may not be withdrawn.

18 Section 4. The San Francisco Municipal Elections Code, Article V, is hereby amended  
19 by amending Sections 500, 510, 530, 535, 550, 590 and 595, and deleting Sections 555, 560,  
20 565, 570 and 585, to read as follows:

21 Sec. 500. VOTER INFORMATION PAMPHLET; CONTENTS; FORMAT.

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

- 1 (a) General contents:
- 2 (1) A table of contents;
- 3 (2) An index of candidates and measures;
- 4 (3) A brief explanation of the purpose and use of the pamphlet;
- 5 (4) A summary of voters' rights, including a description of the right provided to every
- 6 elector by California Elections Code sections 9295 and 13314 to seek a writ of mandate or an
- 7 injunction prior to the publication of the Voter Information Pamphlet, requiring any or all of the
- 8 materials submitted for publication in the Pamphlet to be amended or deleted;
- 9 (5) A brief description of the rules and procedures that govern the submission,
- 10 selection and publication of ballot arguments in the pamphlet, including a statement explaining
- 11 that each person entitled to submit a "Proponent's" or "Opponent's" argument is chosen
- 12 pursuant to the priority list stated in Section 545 of this Code;
- 13 (6) A disclaimer that neither the Director of Elections nor any other City agency,
- 14 official or employee verifies the accuracy of information contained in the ballot arguments or
- 15 candidate qualification statements appearing in the pamphlet, and an explanation that any
- 16 person submitting a ballot argument or qualifications statement bears the sole responsibility
- 17 for claims made therein;
- 18 (7) Artwork, graphics and other material which the Director of Elections determines
- 19 will make the pamphlet easier to understand or more useful to the voter;
- 20 (8) Definitions of terms appearing in the pamphlet; and
- 21 (9) A sample ballot.
- 22 (b) Contents as to candidates:
- 23 (1) The candidate qualification statement of each candidate for an elective office of
- 24 the City and County;
- 25



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

3 (3) Any notice required by the Campaign Finance Reform Ordinance, *Administrative*  
4 *Code Section 16.510-3*, or the Political Reform Act, Government Code Section 85600 ~~85601~~ *et*  
5 *seq.*, informing voters whether the candidate has adopted the applicable voluntary expenditure  
6 ceiling.

7 (c) Contents as to measures:

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

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

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

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

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

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

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

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

24 (6) The full text of each measure to be voted upon at the election; and  
25

1 (7) The opponent, proponent, rebuttal and paid arguments, if any, for or against  
2 each measure; and

3 (8) A disclaimer before any opponent, proponent or rebuttal argument that is  
4 submitted by the Board of Supervisors or by one or more members of the Board of  
5 Supervisors for or against any measure, stating, "The Board of Supervisors authorized the  
6 submission of the following argument. As of the date of the publication of this Voter  
7 Information Pamphlet, the following Supervisors endorse the measure [insert names of  
8 Supervisors who have by 5:00 p.m. on the deadline for the submission of proponent and  
9 opponent arguments set forth in section 535 of this Code notified the Department of Elections  
10 in writing that they endorse the measure]; oppose the measure [insert the names of  
11 Supervisors who have by 5:00 p.m. on the deadline for the submission of proponent and  
12 opponent arguments set forth in section 535 of this Code notified the Department of Elections  
13 in writing that they oppose the measure]; take no position on the measure [insert the names of  
14 the Supervisors who have by 5:00 p.m. on the deadline for the submission of proponent and  
15 opponent arguments set forth in section 535 of this Code either failed to notify the Department  
16 of Elections that they support or oppose the measure or notified the Department of Elections  
17 in writing that they have not taken a position on the measure]." This disclaimer shall not be  
18 counted towards the number of words permitted in each argument.

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

22 The items specified in Subsection (c)(1) to (c)(5) of this Section shall be printed  
23 together on the same page of the voter information pamphlet. This page shall be known as  
24 the "ballot measure title page." The ballot measure title page shall also indicate: the page  
25 number at which the full text of the measure is printed; the page number at which the

1 arguments for or against the measure are printed; and, if applicable the page number at which  
2 the definitions of terms appearing on ballot measure title page are printed.

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

5 The voter information pamphlet shall be mailed to each registered San Francisco voter  
6 ~~so as to be received~~ at least 21 ~~10~~ days prior to each general, ~~runoff~~ or special municipal  
7 election.

8 Sec. 510. CITY ATTORNEY STATEMENT OR QUESTION.

9 (a) Format. ~~Except as provided in subsection (c) of this section,~~ The City Attorney shall  
10 prepare a general statement of any ballot measure to be submitted to the voters, followed by  
11 the words "yes" and "no," so arranged that voters may indicate a choice upon the ballot. The  
12 general statement or question shall not exceed 30 words, except where the subject measure  
13 is unusually complex, in which case the general statement or question shall not exceed 100 words.

14 (b) Deadline. The general question or statement for any measure shall be  
15 transmitted to the Director of Elections no fewer than 85 days prior to the election to which it  
16 relates, for printing and inclusion in the voter information pamphlet.

17 (c) Bond Measures. ~~The City Attorney shall not prepare the general statement of a bond~~  
18 measure where the Board of Supervisors approves a general statement of the measure by ordinance or  
19 resolution. The general statement of a bond measure shall not exceed 100 words.

20 Sec. 530. BALLOT ARGUMENTS; PROCEDURES.

21 (a) Rules for Submission. These procedures shall govern the submission and  
22 publication of ballot arguments for or against any measure submitted to the voters.

23 (b) Authorship. The Board of Supervisors, or any member or members of the Board  
24 of Supervisors authorized by that body; the Mayor; any proponent of an initiative measure or a  
25 referendum; any individual voter who is eligible to vote on the measure, or group of such

1 voters; or association or organization; or any combination thereof, may submit a written  
2 argument for or against any measure for publication in the voter information pamphlet. When  
3 the Board of Supervisors authorizes a member or members of that body to submit and sign a  
4 written proponent or opponent argument for or against any measure for publication in the  
5 voter information pamphlet, or assigns that right to another person pursuant to section 550 of  
6 this Code, the Board shall provide such authorization by motion and need not take any further  
7 action, including voting on or otherwise approving the actual text of the argument before it is  
8 submitted for publication. ~~No argument shall exceed 300 words in length.~~

9 (c) Authorization Signatures Required. A ballot argument shall not be accepted unless  
10 accompanied by the signature or signatures of the person or persons submitting it, or, if  
11 submitted on behalf of an association or organization, the name of the association or  
12 organization and the signature of at least one of its principal officers who is a registered San  
13 Francisco voter. The association or organization submitting the argument must clearly  
14 indicate whether it wishes the name of the officer submitting the argument to be printed as  
15 part of the argument. The names of additional associations, organizations, or individuals who  
16 are registered San Francisco voters may be submitted as co-authors of the argument. The  
17 names and titles of all co-authors, and the name and title of any other person to be included in  
18 the text of the argument as printed in the voter information pamphlet, shall be counted against  
19 the 300-word limit specified in Section 575 of this Article. Such names and titles shall be  
20 subject to the per-word fee specified in Section 830 of this Code.

21 (d) Consent Required. A ballot argument which includes in its text the name of a  
22 individual or entity, other than a co-author of the argument, which is represented as being for  
23 a measure, or which is represented as supporting or endorsing the views expressed in the  
24 argument, shall not be accepted unless the argument is accompanied by a statement of  
25

1 consent signed by such individual or entity. The consent of an entity shall be signed by an  
2 officer or other duly authorized representative.

3 Sec. 535. BALLOT ARGUMENTS; DEADLINES FOR SUBMISSION, CORRECTION,  
4 AND WITHDRAWAL.

5 (a) Proponent and Opponent Arguments. Ballot arguments submitted for selection as  
6 the "proponent's" argument for or "opponent's" argument against a measure as provided in  
7 Section 545 must be submitted to the Director of Elections no later than noon of the eighty-  
8 first ~~eightieth~~ ~~seventy-seventh~~ day prior to the election at which the measure is to be voted  
9 upon.

10 (b) Rebuttal Arguments. Rebuttal arguments as provided for in Section 550 must be  
11 submitted to the Director of Elections no later than noon of the seventy-seventh ~~seventy-sixth~~  
12 ~~seventieth~~ day prior to the election at which the measure is to be voted upon.

13 (c) Paid Arguments. Ballot arguments submitted for publication as paid arguments  
14 for or against a measure as provided for in Section 560 must be submitted to the Director of  
15 Elections no later than noon of the seventy-sixth ~~seventy-fourth~~ ~~seventieth~~ day prior to the  
16 election at which the measure is to be voted upon.

17 (d) Modification or Withdrawal of Submitted Arguments. Arguments may be changed or  
18 withdrawn by the persons submitting them at any time up to and including the last day for  
19 submission. No person may change an argument, except as provided in subsection (e) (d), and no  
20 person may withdraw an argument, after the deadline for submission of the argument.

21 (e) Correction of Submitted Arguments. Grammatical, ~~and~~ spelling and factual errors  
22 contained in an a proponent or opponent argument may be corrected by the person  
23 submitting the argument at any time up until noon of the seventy-eighth ~~seventy-fifth~~ ~~sixty-~~  
24 ~~eighth~~ day prior to the election. Grammatical, spelling and factual errors contained in a  
25 rebuttal argument may be corrected by the person submitting the argument at any time up

1 until noon of the seventy-sixth day prior to the election. Grammatical, spelling and factual  
2 errors contained in a paid argument may be corrected by the person submitting the argument  
3 at any time up until noon of the seventy-fifth day prior to the election. For purposes of this  
4 subsection, the determination of what constitutes a grammatical, or spelling or factual error  
5 shall be made by the Director of Elections. No person may correct grammatical, spelling or  
6 factual errors contained in an argument after the deadline specified in this subsection. noon of  
7 ~~the seventy-fifth day prior to the election.~~

8 Sec. 550. PROPONENT AND OPPONENT ARGUMENTS; REBUTTALS;  
9 ASSIGNMENT OF ARGUMENTS.

10 (a) Exchange of Proponent and Opponent Arguments. Upon selection of the  
11 "proponent's" argument for and "opponent's" argument against a measure, the Director of  
12 Elections shall immediately send copies of both to the persons whose arguments have been  
13 selected. The authors of the direct arguments may each prepare and submit a rebuttal  
14 argument not to exceed 250 words. Rebuttal arguments shall be printed in the same manner  
15 as the direct arguments and in a location immediately following the appropriate direct  
16 arguments. If no direct argument is submitted in support of or in opposition to a measure, the  
17 Director of Elections shall not accept or publish any rebuttal argument.

18 (b) When the Board of Supervisors authorizes a member or members of that body to  
19 submit and sign a rebuttal argument to any proponent or opponent argument for or against  
20 any measure for publication in the voter information pamphlet, or assigns that right to another  
21 person pursuant to section 550 of this Code, the Board shall provide such authorization by  
22 motion and need not take any further action, including voting on or otherwise approving the  
23 actual text of the rebuttal argument before it is submitted for publication.

24 (c) Assignment of Proponent and Opponent Arguments. A person who is entitled,  
25 pursuant to Section 545(a)(1)(A), (B) or (C) or Section 545(a)(2)(A), (B) or (C), to submit the

1 proponent or opponent argument for a particular measure may assign the right to submit the  
2 argument to another person, provided that the assignee is eligible to submit an argument  
3 pursuant to Section 530(b) of this Code.

4 ~~(d) — A person who is entitled, pursuant to Section 545(a)(2)(A), (B) or (C), to submit the~~  
5 ~~opponent argument for a particular measure may assign the right to submit the argument to another~~  
6 ~~person, provided that the assignee is eligible to submit an argument pursuant to Section 530(b) of this~~  
7 ~~Code.~~

8 (d) (e) Assignment of Rebuttal Arguments. The author of a direct proponent or opponent  
9 argument may assign to another person the right to submit a rebuttal argument, provided that  
10 the assignee is eligible to submit an argument pursuant to Section 530(b) of this Code.

11 Sec. 590. VOTER INFORMATION PAMPHLET; PUBLIC EXAMINATION.

12 California Elections Code Sections 9295 and 13313 require that certain materials submitted for  
13 publication in the voter information pamphlet shall be subject to a 10-day public examination period.  
14 The public examination period for each category of material is specified below, and commences one  
15 day after the deadline for submitting that material to the Department of Elections and ends ten days  
16 later. Following the close of the public examination period for each category of material, the  
17 Department of Elections may proceed with publication of that material.

18 (a) Candidate Materials.

19 (1) Candidate Qualification Statements. Candidate qualification statements submitted  
20 pursuant to Section 220 of this Article shall be available for public examination starting no later than  
21 noon on the eighty-seventh day prior to the election. The public examination period shall end at noon  
22 on the seventy-seventh day prior to the election.

23 (2) Ballot Designations. Candidate ballot designations submitted pursuant to Section 225  
24 of this Article shall be available for public examination starting no later than noon on the eighty-  
25

1 seventh day prior to the election. The public examination period shall end at noon on the seventy-  
2 seventh day prior to the election.

3 (b) Ballot Measure Materials.

4 (1) Controller Statements. Statements prepared by the Controller pursuant to section 520 of  
5 this Article shall be available for public examination starting no later than noon on the eighty-fourth  
6 day prior to the election. The public examination period shall end at noon on the seventy-fourth day  
7 prior to the election.

8 (2) City Attorney Statements or Questions. Statements or questions prepared by the City  
9 Attorney pursuant to section 510 of this Article shall be available for public examination starting no  
10 later than noon on the eighty-fourth day prior to the election. The public examination period shall end  
11 at noon on the seventy-fourth day prior to the election.

12 (3) Proponent and Opponent Arguments. Proponent and opponent arguments submitted  
13 pursuant to section 535(a) of this Article shall be available for public examination starting no later  
14 than noon on the ~~seventy-seventh~~ ~~seventy-ninth~~ day prior to the election. The public examination  
15 period shall end at noon on the ~~sixty-seventh~~ ~~sixty-ninth~~ day prior to the election.

16 (4) Rebuttal Arguments. Rebuttal arguments submitted pursuant to section 535(b) of this  
17 Article shall be available for public examination starting no later than noon on the seventy-fifth day  
18 prior to the election. The public examination period shall end at noon on the ~~sixty-third~~ ~~sixty-fifth~~ day  
19 prior to the election.

20 (5) Paid Arguments. Paid arguments submitted pursuant to section 535(c) of this  
21 Article shall be available for public examination starting no later than noon on the seventy-  
22 fourth day prior to the election. The public examination period shall end at noon on the sixty-  
23 third day prior to the election.

24 (c) Other Materials. For all other materials submitted for publication in the voter  
25 information pamphlet that are subject to a 10-day public examination period pursuant to California



1 Elections Code Sections 9295 and 13313, but for which an examination period is not specified by this  
2 Section, the examination period shall commence no later than noon on the sixty-ninth day prior to the  
3 election and shall end at noon on the tenth day after the date of commencement.

4 ~~For all materials to be placed in the voter information pamphlet for an election, the 10-day~~  
5 ~~period for public examination of election materials related to that election provided for in California~~  
6 ~~Elections Code Section 9295 shall commence no later than noon on the sixty-ninth day prior to said~~  
7 ~~election.~~

8 Sec. 595. VOTER INFORMATION PAMPHLET TO CONTAIN INFORMATION ON  
9 ENGLISH LANGUAGE CLASSES.

10 (a) It is the City's policy to urge and encourage all individuals who cannot speak  
11 English to take English language ~~these~~ courses, and thereby enhance their ability to participate  
12 in and contribute to the process of deliberation vital to the democratic process.

13 (b) The Director of Elections is directed, in those instances in which a separate  
14 ballot pamphlet or pamphlets in a foreign language are distributed, to place in such  
15 pamphlets, in the corresponding language, information as to the time, place, nature and  
16 telephone numbers of free English language classes in public and private schools and  
17 agencies in the City.

18 Section 5. The San Francisco Municipal Elections Code, Article VIII, is hereby  
19 amended by amending Section 800 and deleting section 830, as follows:

20 Sec. 800. CHARTER AUTHORIZATION.

21 The fees imposed by this Article are adopted pursuant to Charter Section 13.109.

22 ~~These fees shall not become operative until January 1, 1998.~~

23 Section 6. The San Francisco Municipal Elections Code, Article IX, is hereby amended  
24 by deleting Section 930, as follows:

25 ~~SEC. 930. VACANCY RESULTING FROM RECALL.~~

1 *If the official proposed to be removed at a recall election is recalled, the mayor shall appoint a*  
2 *successor pursuant to Charter Sections 2.102, 3.100(14), and 6.107.*

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

5 By:   
6 Julia A. Moll  
7 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

**File Number:** 030652

**Date Passed:**

Ordinance amending the Municipal Elections Code to amend Sections 110, 200, 250, 260, 300, 360, 370, 500, 510, 530, 535, 550, 590, 595, and 800, add Sections 225 and 270, and delete Section 930 to: conform the Municipal Elections Code to recent changes in the Charter; change the deadlines for submission of materials for publication in the Voter Information Pamphlet; specify the public examination periods for each category of material submitted for publication in the Voter Information Pamphlet; modify the deadlines for delivery of the Voter Information Pamphlet prior to each general and special election; specify language for inclusion in the Voter Information Pamphlet concerning ballot measures which concern the same subject matter and which may have conflicting provisions; explicitly incorporate the State law that applies to local ballot designations; explicitly state the rules concerning ballot printing after the death of a candidate; impose a 100-word limit on bond measure statements; add definitions; correct outdated code references; codify departmental practice; and clarify ambiguous language.

July 8, 2003 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Excused: 1 - Newsom

July 8, 2003 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Excused: 1 - Newsom

July 15, 2003 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

File No. 030652

I hereby certify that the foregoing Ordinance was FINALLY PASSED on July 15, 2003 by the Board of Supervisors of the City and County of San Francisco.

JUL 25 2003

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Date Approved





Gloria L. Young  
Clerk of the Board



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Mayor Willie L. Brown Jr.