

1 [Campaign Consultants Lobbying Current And Former Clients.]

2
3 **Ordinance amending Article II, Chapter 1, Section 2.100, adding section 2.117 to Article**
4 **II, Chapter 1, and adding section 1.545 to Article I, Chapter 5 of the Campaign and**
5 **Governmental Conduct Code to prohibit campaign consultants and employees of**
6 **campaign consultants from lobbying current and former clients.**

7 Note: Additions are single-underline italics Times New Roman;
8 deletions are ~~strikethrough italics Times New Roman~~.
9 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

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

11 Section 1. The San Francisco Campaign and Governmental Conduct Code is hereby
12 amended by amending Section 2.100, to read as follows:

13 **SEC. 2.100. FINDINGS.**

14 (a) The Board of Supervisors finds that public disclosure of the identity and extent of
15 efforts of lobbyists to influence decision-making regarding local legislative and administrative
16 matters is essential to protect public confidence in the responsiveness and representative
17 nature of government officials and institutions. It is the purpose and intent of the Board of
18 Supervisors to impose on lobbyists reasonable registration and disclosure requirements to
19 reveal information about lobbyists' efforts to influence decision-making regarding local
20 legislative administrative matters.

21 (b) Corruption and the appearance of corruption in the form of campaign consultants
22 exploiting their influence with City officials on behalf of private interests may erode public confidence
23 in the fairness and impartiality of City governmental decisions. The City and County of San Francisco
24 has a paramount interest in preventing corruption or the appearance of corruption which could result
25 in such erosion of public confidence. Prohibitions on campaign consultants lobbying current and

1 former clients will protect public confidence in the electoral and governmental processes. It is the
2 purpose and intent of the people of the City and County of San Francisco in enacting this Chapter to
3 prohibit campaign consultants from exploiting or appearing to exploit their influence with City officials
4 on behalf of private interests.

5
6 Section 2. The San Francisco Campaign and Governmental Conduct Code is hereby
7 amended by adding Section 2.117, to read as follows:

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

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

16 (b) Exceptions. This prohibition shall not apply to:

17 (1) This prohibition shall not apply to:

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

19 (B2) an employee of a campaign consultant who (A) did not personally provide
20 campaign consulting services to the officer of the City and County with whom the employee seeks to
21 communicate in order to influence local legislative or administrative action-and (B) does not have
22 an ownership interest in an entity that qualifies as a campaign consultant.

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

1 (c) Definitions. Whenever the following words or phrases are used in this section, they
2 shall mean:

3 (1) "Campaign Consultant" shall have the same meaning as in Article I, Chapter 5,
4 section 1.505 of this Code.

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

7 (3) "Current client" shall mean a person for whom the campaign consultant has filed a
8 client authorization statement pursuant to Article I, Chapter 5, section 1.515(d) of this Code and not
9 filed a client termination statement pursuant to Article I, Chapter 5, section 1.515(f) of this Code. If
10 such person is a committee as defined by section 82013 of the California Government Code,
11 the current client shall be any individual who controls such committee; any candidate that
12 such committee was primarily formed to support; and any proponent or opponent of a ballot
13 measure that the committee is primarily formed to support or oppose.

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

17 (5) "Former client" shall mean a person for whom the campaign consultant has filed a
18 client termination statement pursuant to Article I, Chapter 5, section 1.515(f) of this Code within the 42
19 48 months prior to communicating with the person.

20
21 Section 3. The San Francisco Campaign and Governmental Conduct Code is hereby
22 amended by adding Section 1.545, to read as follows:

23 **SEC. 1.545. CONSTRUCTION WITH OTHER LAWS.**

24 Lobbying by campaign consultants and employees of campaign consultants is governed by the
25 applicable provisions of Article II, Chapter 1 of this Code, including section 2.117, which prohibits

1 campaign consultants and employees of campaign consultants from communicating with current and
2 former clients on behalf of another person or entity for the purpose of influencing local legislative or
3 administrative action in exchange for economic consideration.

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

7
8 By:



CHAD A. JACOBS
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: 031656

Date Passed:

Ordinance amending Article II, Chapter 1, Section 2.100, adding section 2.117 to Article II, Chapter 1, and adding section 1.545 to Article I, Chapter 5 of the Campaign and Governmental Conduct Code to prohibit campaign consultants and employees of campaign consultants from lobbying current and former clients.

October 21, 2003 Board of Supervisors — SUBSTITUTED

January 13, 2004 Board of Supervisors — SUBSTITUTED

February 3, 2004 Board of Supervisors — PASSED ON FIRST READING

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

February 10, 2004 Board of Supervisors — FINALLY PASSED

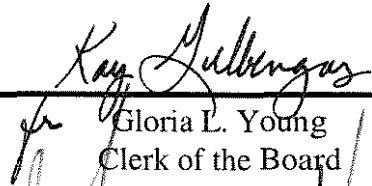
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin
Absent: 1 - Sandoval

File No. 031656


I hereby certify that the foregoing Ordinance was FINALLY PASSED on February 10, 2004 by the Board of Supervisors of the City and County of San Francisco.

FEB 20 2004

Date Approved



for Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom