

[Exceptions to the Ban on Compensated Advocacy.]

**Ordinance amending Section 3.224 of the Campaign and Governmental Conduct Code to clarify that the exception to the ban on compensated advocacy for City officers who are licensed attorneys applies to City officers who are licensed attorneys engaged in the practice of law, which includes representing clients in communications with the City Attorney's Office, District Attorney's Office, the Public Defender's Office, attorneys in the Tax Collector's Office or Sheriff's Department, outside legal counsel hired by the City, and City officers and employees who are named in a pending litigation matter or are witnesses or potential witnesses in a pending litigation matter.**

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

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

Section 1. The San Francisco Campaign and Governmental Conduct Code is hereby amended by amending Section 3.224, to read as follows:

**SEC. 3.224. PROHIBITION ON REPRESENTING PRIVATE PARTIES BEFORE OTHER CITY OFFICERS AND EMPLOYEES— COMPENSATED ADVOCACY.**

(a) Prohibition. No officer of the City and County shall directly or indirectly receive any form of compensation to communicate orally, in writing, or in any other manner on behalf of any other person with any other officer or employee of the City and County with the intent to influence a government decision.

(b) Exceptions. This section shall not apply to any communication by: (1) an officer of the City and County on behalf of the City and County; (2) an officer of the City and County on behalf of a business, union, or organization of which the officer is a member or full-

1 time employee; (3) an associate, partner or employee of an officer of the City and County,  
2 unless it is clear from the totality of the circumstances that the associate, partner or employee  
3 is merely acting as an agent of the City and County officer; or (4) a City officer ~~acting~~ in his or  
4 her capacity as a licensed attorney engaged in the practice of law, which includes representing  
5 clients in communications with the City Attorney's Office, District Attorney's Office, Public  
6 Defender's Office, attorneys in the Tax Collector's Office or Sheriff's Office, outside legal counsel  
7 hired by the City, ~~or~~ representatives of the City who are named in a pending litigation matter  
8 or witnesses or potential witnesses in a pending litigation matter.

9 (c) Waiver. The Ethics Commission may waive the prohibitions in this  
10 section for any member of a City board or commission who, by law, must be appointed to  
11 represent any profession, trade, business, union or association.

12 APPROVED AS TO FORM:  
13 DENNIS J. HERRERA, City Attorney

14 By:

15   
16 CHAD A. JACOBS  
17 Deputy City Attorney  
18  
19  
20  
21  
22  
23  
24  
25



# City and County of San Francisco

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

## Tails Ordinance

**File Number:** 051837

**Date Passed:**

Ordinance amending Section 3.224 of the Campaign and Governmental Conduct Code to clarify that the exception to the ban on compensated advocacy for City officers who are licensed attorneys applies to City officers who are licensed attorneys engaged in the practice of law, which includes representing clients in communications with the City Attorney's Office, District Attorney's Office, the Public Defender's Office, attorneys in the Tax Collector's Office or Sheriff's Department, outside legal counsel hired by the City, and City officers and employees who are named in a pending litigation matter or are witnesses or potential witnesses in a pending litigation matter.

May 2, 2006 Board of Supervisors — PASSED ON FIRST READING

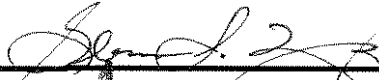
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick,  
Mirkarimi, Peskin, Sandoval  
Excused: 1 - Maxwell

May 9, 2006 Board of Supervisors — FINALLY PASSED

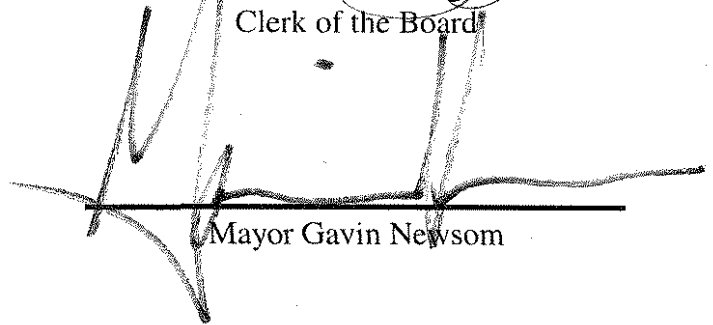
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,  
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 051837

I hereby certify that the foregoing Ordinance  
was **FINALLY PASSED** on May 9, 2006 by  
the Board of Supervisors of the City and  
County of San Francisco.

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

5/15/06  
\_\_\_\_\_  
Date Approved

  
\_\_\_\_\_  
Mayor Gavin Newsom