

FILE NO. 060387

ORDINANCE NO. 130-06

[Purchase of Voting System and Preparation of a Backup Plan for Elections; Contracts for Voting Equipment]

Ordinance amending the San Francisco Municipal Elections Code by adding Section 980 to Article IX ~~relating to contracts for the purchase of voting systems and requiring to require~~ the Director of Elections to prepare a backup plan for elections whenever the voting system intended to be used in the next election is pending certification from the California Secretary of State and to require the Board of Supervisors to give great consideration to whether the voting system has been certified by the California Secretary of State.

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 Municipal Elections Code is hereby amended by adding Section 980 to read as follows:

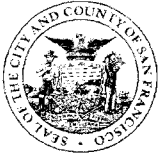
SEC. 980 PURCHASE OF VOTING SYSTEM AND PREPARATION OF BACKUP PLAN; CONTRACTS FOR VOTING EQUIPMENT.

~~The Director~~ Department of Elections shall not enter into any contract for a voting system unless such voting system is either certified by the California Secretary of State or the contract includes a provision that the voting system will be certified prior to the election in which that voting system will be used. In the event a voting system is pending certification by the California Secretary of State, the Director of Elections ~~shall prepare a backup plan that for~~ any election for which the voting system that the Department of Elections intends to use in compliance with the San Francisco Charter and state law at that election is pending

1 certification from the California Secretary of State. This backup plan shall be included as part of
2 the written plan submitted to the Elections Commission pursuant to Section 13.103.5 of the Charter.
3 The backup plan shall include a plan to implement the "instant runoff" requirements set forth in
4 Section 13.102 of the Charter, if applicable, and shall comply with the San Francisco Charter
5 and state law and provide for alternate vote-counting methods and procedures, including but not
6 limited to the possibility of entering into a contract with an alternate vendor, if available, that has a
7 certified voting system that could be used in the next election. In addition, when the event the
8 Board of Supervisors is considering the approval of a contract for a voting equipment system,
9 it, the Board of Supervisors shall give great consideration to whether the voting system that
10 equipment complies at the time of signing the contract with the San Francisco Charter and
11 has gained all necessary certifications from the California Secretary of State. meets the
12 "instant runoff" requirements set forth in Section 13.102 of the Charter.

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

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16 By: 
17 Miguel Márquez
18 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: 060387

Date Passed:

Ordinance amending the San Francisco Municipal Elections Code by adding Section 980 to Article IX to require the Director of Elections to prepare a backup plan for elections whenever the voting system intended to be used in the next election is pending certification from the California Secretary of State and to require the Board of Supervisors to give great consideration to whether the voting system has been certified by the California Secretary of State.

June 6, 2006 Board of Supervisors — PASSED ON FIRST READING


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

June 13, 2006 Board of Supervisors — FINALLY PASSED

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

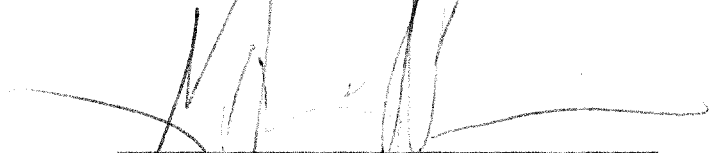
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I hereby certify that the foregoing Ordinance was FINALLY PASSED on June 13, 2006 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

06.22.2006
Date Approved



Mayor Gavin Newsom