[Disclosure of lobbying by campaign consultants.]

Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending section 2.117 to require campaign consultants to disclose lobbying contacts with any officer of the City and County.

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 2.117, to read as follows:

SEC. 2.117. LOBBYING BY CAMPAIGN CONSULTANTS.

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

(b) EXCEPTIONS.

(1) This prohibition shall not apply to:

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

(B) an employee of a campaign consultant who did not personally provide campaign consulting services to the officer of the City and County with whom the employee seeks to communicate in order to influence local legislative or administrative action.
(2) The exceptions in Subsection (b)(1) shall not apply to any person who communicates with an officer of the City and County in his or her capacity as an employee of the campaign consultant who is prohibited by Subsection (a) from making the communication.

(c) DISCLOSURE. Each campaign consultant who communicates with any officer of the City and County, or staff person of such officer, on behalf of another person or entity (other than the City and County) in exchange for economic consideration for the purpose of influencing local legislative or administrative action shall file a quarterly report with the Ethics Commission containing the following information:

(1) The names, addresses and telephone numbers of each current and former client for whom the campaign consultant provides campaign consulting services during the reporting period and each former client who is an officer of the City and County for whom the campaign consultant provided campaign consulting services during the past 60 months;

(2) The names, addresses and telephone numbers of each current lobbying client person on whose behalf the filer provided lobbyist services in the preceding quarter during the reporting period;

(3) The total economic consideration promised by or received from each person listed in subsection (2) lobbying clients during the preceding quarter in exchange for lobbyist services during the reporting period;

(4) For each person listed in subsection (2), the local legislative or administrative action the filer was retained to influence, and the outcome sought by the filer;

(5) The name of each officer of the City and County, or staff person of such officer, whom the campaign consultant contacted in seeking to influence a local legislative or administrative action and the number of contacts with each such individual officer or staff person during the reporting period.
DEFINITIONS. Whenever the following words or phrases are used in this Section, they shall mean:

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

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

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

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

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

(6) "Staff person" shall be defined by regulation by the Ethics Commission, and shall include any person who works for an elected official and holds a position designated by Article 3, Chapter 1 of the Campaign and Governmental Conduct Code to file financial disclosures pursuant to Disclosure Category 1.
(6) "Lobbying client" shall mean the person for whose benefit lobbyist services are performed.
APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By:

MOLLIE M. LEE
Deputy City Attorney

Supervisor Peskin
BOARD OF SUPERVISORS
Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending Section 2.117 to require campaign consultants to disclose lobbying contacts with any officer of the City and County.

July 29, 2008 Board of Supervisors — SUBSTITUTED

October 7, 2008 Board of Supervisors — PASSED ON FIRST READING
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

October 21, 2008 Board of Supervisors — FINALLY PASSED
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
I hereby certify that the foregoing Ordinance was FINALLY PASSED on October 21, 2008 by the Board of Supervisors of the City and County of San Francisco.

10/30/2008
Date Approved

Mayor Gavin Newsom