

FILE NO. 080162

ORDINANCE NO. 239-08

1 [Disclosure of lobbying by campaign consultants.]

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

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

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

10 Section 1. The San Francisco Campaign and Governmental Conduct Code is hereby
11 amended by amending Section 2.117, to read as follows:

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

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

19 (b) EXCEPTIONS.

20 (1) This prohibition shall not apply to:

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

22 (B) an employee of a campaign consultant who did not personally provide campaign
23 consulting services to the officer of the City and County with whom the employee seeks to
24 communicate in order to influence local legislative or administrative action.

25
Supervisor Peskin, Supervisor Daly
BOARD OF SUPERVISORS

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

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

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

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

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

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

21 (5) The name of each officer of the City and County, or staff person of such officer, whom the
22 campaign consultant contacted in seeking to influence a local legislative or administrative action and
23 the number of contacts with each such individual officer or staff person during the reporting period.
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1 (ed) DEFINITIONS. Whenever the following words or phrases are used in this Section,
2 they 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 consultant 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
9 and not filed a client termination statement pursuant to Article I, Chapter 5, Section 1.515(f) of
10 this Code. If such person is a committee as defined by Section 82013 of the California
11 Government Code, the current client shall be any individual who controls such committee; any
12 candidate that such committee was primarily formed to support; and any proponent or
13 opponent of a ballot measure that the committee is primarily formed to support or oppose.

14 (4) "Employee" shall mean an individual employed by a campaign consultant, but does
15 not include any individual who has an ownership interest in the campaign consultant that
16 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
19 within the ~~48~~ 60 months prior to communicating with the person.


20 (6) "Staff person" shall be defined by regulation by the Ethics Commission, and shall
21 include any person who works for an elected official and holds a position designated by Article
22 3, Chapter 1 of the Campaign and Governmental Conduct Code to file financial disclosures
23 pursuant to Disclosure Category 1.

1 ~~(6) "Lobbying client" shall mean the person for whose benefit lobbyist services are~~
2 performed.

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

By: 
MOLLIE M. LEE
Deputy City Attorney



City and County of San Francisco

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Tails

Ordinance

File Number: 080162

Date Passed:

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

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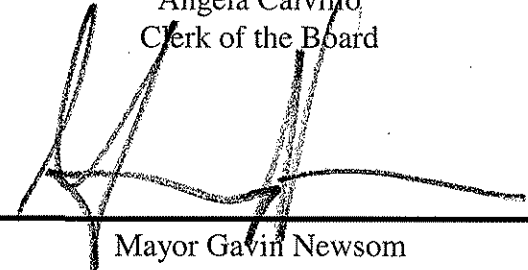
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on October 21, 2008
by the Board of Supervisors of the City and
County of San Francisco.



Angela Calvillo
Clerk of the Board

10/30/2008

Date Approved



Mayor Gavin Newsom