

1 [Administrative Code - Extending Sunset Date of Sentencing Commission]

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3 **Ordinance amending the Administrative Code to extend the sunset date of the San**
4 **Francisco Sentencing Commission to June 30, 2026.**

5 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
6 **Additions to Codes** are in *single-underline italics Times New Roman font*.
7 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.
8 **Board amendment additions** are in double-underlined Arial font.
9 **Board amendment deletions** are in ~~Arial font~~.
10 **Asterisks (* * * *)** indicate the omission of unchanged Code
11 subsections or parts of tables.

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

13 Section 1. Background.

14 (a) The San Francisco Sentencing Commission ("Commission") was established in
15 2012 by Ordinance No. 10-12 to encourage the development of criminal sentencing strategies
16 that reduce recidivism, prioritize public safety and victim protection, emphasize fairness,
17 employ evidence-based best practices, and efficiently utilize San Francisco's criminal justice
18 resources. Codified in Chapter 5 of the Administrative Code as Article XXV, the Commission
19 was reauthorized once in 2015 by Ordinance No. 87-15, and a second time in 2018 by
20 Ordinance No. 5-18. Article XXV. The Commission is scheduled to sunset on June 30, 2023,
21 pursuant to Administrative Code Section 5.25-5.

22 (b) Section 5.25-5 provides, however, that Article XXV will not sunset if the Board of
23 Supervisors adopts an ordinance continuing its existence. Section 5.25-5 also directs the
24 Commission to submit a report to the Board recommending whether the Commission should
25 continue to operate and, if so, whether the Board should consider amendments that would

1 enhance the capacity of the Commission to further its goals, along with draft amendments to
2 implement its recommendations.

3 (c) At the December 13, 2022, Commission meeting, the Commission decided to
4 recommend that it continue to operate. This recommendation is contained in the Annual
5 Report dated December 13, 2022, which was sent as an attachment to a letter to the Clerk of
6 the Board of Supervisors dated December 23, 2022. The letter, including the attached Annual
7 Report for the Commission, is on file with the Clerk of the Board of Supervisors in File No.
8 230569.

9
10 Section 2. Section 5.25-5 of Article XXV of the Administrative Code is hereby
11 amended to read as follows:

12 * * * *

13 **SEC. 5.25-5. SUNSET CLAUSE.**

14 Notwithstanding Rule 2.21 of the Board of Supervisors Rules of Order, which provides
15 that advisory bodies created by the Board should sunset within three years, this Article XXV
16 shall expire on June 30, ~~2023~~2026 unless the Board of Supervisors adopts an ordinance
17 continuing its existence. In the event this Article expires, the City Attorney shall cause it to be
18 removed from the Administrative Code. The Commission shall submit a report to the Board of
19 Supervisors by January 1, ~~2023~~2026 recommending whether the Commission should continue
20 to operate, and if so, whether the Board of Supervisors should consider legislative changes
21 that would enhance the capacity of the Commission to achieve the goals underlying this
22 Article. The Commission's recommendations shall include drafts of ordinances that would
23 implement its recommendations.

1 Section 3. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor's veto of the ordinance.

5
6 Section 4. Retroactivity. The provisions of this ordinance shall be retroactive to June
7 30, 2023, if the effective date of the ordinance occurs after that date. Notwithstanding the
8 effective date of the ordinance, it is the intent of the Board of Supervisors that the authority
9 conferred on the Commission shall be without interruption, and that the incumbent public
10 members of the Commission shall continue to hold their seats until they are removed by their
11 respective appointing authorities.

12
13 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
14 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
15 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
16 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
17 additions, and Board amendment deletions in accordance with the "Note" that appears under
18 the official title of the ordinance.

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21 APPROVED AS TO FORM:
22 DAVID CHIU, City Attorney

23 By: /S/ Sarah Crowley
24 SARAH CROWLEY
25 Deputy City Attorney

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City and County of San Francisco

Tails Ordinance

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

File Number: 230569

Date Passed: July 18, 2023

Ordinance amending the Administrative Code to extend the sunset date of the San Francisco Sentencing Commission to June 30, 2026.

July 10, 2023 Rules Committee - RECOMMENDED AS COMMITTEE REPORT

July 11, 2023 Board of Supervisors - PASSED ON FIRST READING

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Safai,
Stefani and Walton
Excused: 1 - Ronen

July 18, 2023 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen,
Safai, Stefani and Walton

File No. 230569

I hereby certify that the foregoing
Ordinance was **FINALLY PASSED** on
7/18/2023 by the Board of Supervisors of the
City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

Date Approved