



ETHICS COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

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February 8, 2021

To: Members of the Ethics Commission

From: Eric Willett, Senior Investigative Analyst

Subject: **AGENDA ITEM 9 – Discussion and possible action on proposed expansion of the Fixed Penalty Policy for implementation as the new Streamlined Administrative Resolution Program**

Summary: This report provides the Commission with an expanded Fixed Penalty Policy informed by recent Interested Persons meetings for consideration and possible action at the February Commission meeting.

Action Requested: Staff proposes adoption of the attached expanded Fixed Penalty Policy for implementation as part of the new Streamlined Administrative Resolution Program.

Introduction

Staff [presented](#) to the Commission at the August 16, 2019 Commission Meeting a description of various process improvements underway to increase the efficiency and effectiveness of the Commission's enforcement program. Among those improvements were the proposed revision and expansion of the Commission's existing [Fixed Penalty Policy](#) (the "Policy"), which the Commission first adopted in July 2013. After the Commission expressed its approval that Staff do so, former Chair Chiu requested development of a plan that would govern Staff's review and proposal process. Staff [presented](#) that plan at the subsequent Commission Meeting on September 20, 2019. Following two Interested Persons meetings held last month to further solicit public comment, this memorandum and attachments present the Commission with an expanded Fixed Penalty Policy that Staff propose to implement in the new Streamlined Administrative Resolution Program.

Existing Fixed Penalty Policy

At its July 22, 2013 meeting, the Ethics Commission approved a policy that established fixed penalties for violations of certain provisions of the Campaign Finance Reform Ordinance ("CFRO"), San Francisco Campaign and Governmental Conduct Code ("SF C&GCC") section 1.100, et seq. Violations of the several provisions of law included in the

Fixed Penalty Policy are generally discovered during a review of campaign finance statements or other disclosure statements and, in general, require little if any additional investigation or other evidence to show that the violation occurred. While the Policy generally requires a respondent to enter into a stipulated order with the Commission, each respondent remains free to exercise his or her rights under the Enforcement Regulations to move through the hearing process for any alleged violation of law.

The Policy establishes an accelerated timeline whereby the Commission and a respondent might resolve a matter and encourages accelerated settlement by incentivizing settlements sooner rather than later in the administrative enforcement process. The scheduled penalties create a baseline that Staff may reduce or increase depending on mitigating or aggravating factors that apply in a given instance. In matters involving more than one violation, whether multiple instances of the same code section or violations of different code sections, the respondent is liable for the penalty amount of each violation. Finally, in the case of liability arising for disclosure statements that require amendment, the Policy provides that a respondent must amend such statements prior to the Commission's consideration of any proposed stipulation.

The existing Policy provides that Staff are bound by its provisions until the Commission changes them.

Outline of Revision Process

As first discussed during the Commission's August 2019 and September 2019 meetings, Staff has proposed to revise the Fixed Penalty Policy in both substantive and procedural aspects, and to develop a revised Policy for the Commission's consideration that would result in the expansion of the current policy to be implemented as a new "Streamlined Administrative Resolution Program" (the "Program").

Substantively, Staff assessed what additional kinds of violations might be handled through the Program and included violations not only from the area of campaign finance but also from the lobbying and governmental ethics contexts.

Procedurally, Staff reassessed the penalty schedule and the mitigating and aggravating factors, and identified discretionary considerations that might exclude a respondent from participating in the Program. Staff also identified circumstances under the Program in which warning letters might be appropriate in lieu of administrative penalties.

While assessing the proposed revisions, Staff consulted internally across the Commission's program areas and externally with peer agencies in other jurisdictions to elicit a better understanding of where an expanded Fixed Penalty Policy may be most appropriate. In particular, Staff reviewed closely the Fair Political Practices Commission's (the "FPPC") regulations governing that agency's streamlined settlement processes, including proposed and subsequently adopted regulations governing a recent expansion of those processes, and likewise consulted with staff at the FPPC about how they implement their streamlined and warning letter programs. Staff also hosted Interested Persons meetings to solicit feedback from stakeholders during two different stages along the evolution of the proposed policy, [initially](#) to solicit feedback on the proper scope of the Commission's review and [more recently](#) to solicit feedback on the substance of Staff's proposal.

Specifically, Staff pursued the following process in developing the revised Policy that it now brings to the Commission for its consideration and possible adoption:

1. Completed the analysis of considerations and approaches based on internal feedback and information from other jurisdictions to help evaluate what might be useful to apply in this jurisdiction;
2. Hosted at least two Interested Persons meetings to solicit focused input regarding the scope of a revised Fixed Penalty Policy and potential revisions;
3. Drafted revised Fixed Penalty Policy that will govern implementation of the Streamlined Administrative Resolution Program;
4. Hosted at least two further Interested Persons meetings to solicit specific feedback in response to the draft revisions;
5. Revised the draft as appropriate;
6. Present findings and recommendations before the Commission for discussion and potential adoption, and iterate if necessary;
7. After Commission approval, begin implementation of the new Program.

Streamlined Administrative Resolution Program

The Program is designed to provide accountability for violations of City laws while reducing the amount of time and resources required for a more formal case resolution. It does so by establishing a standardized method for resolving an expanded range of matters through a streamlined stipulated settlement with the Ethics Commission, and by establishing a framework of standardized penalty formulas for violations of forty-one provisions across three articles of the SF C&GCC. In keeping with the existing Fixed Penalty Policy, Staff has sought to include in this expanded version only those violation types that require little, if any, additional investigation or other evidence to show that the violation occurred. Because these matters will be handled through a streamlined administrative procedure, the Program will allow the Commission's investigative and enforcement staff to reserve a larger share of investigative resources for broader scope investigations of greater severity, complexity, and breadth.

Because stipulations resolved through the Program apply standardized penalty formulas and may provide summary descriptions of the violation at issue, matters resolved under the Program will generally result in a penalty that is less severe, and in a description of the violation and surrounding events that is less detailed, in comparison to matters resolved through the regular administrative enforcement process. Notwithstanding these distinctions, both processes require action by the Commission in a publicly noticed meeting.

Staff welcomes any questions and further input from the Commission on the Program as proposed and looks forward to implementing the Program once adopted.

Proposed Revised Fixed Penalty Policy and Streamlined Administrative Resolution Program

Revisions Proposed February 8, 2021

Overview: Participation in the Streamlined Administrative Resolution Program

The Streamlined Administrative Resolution Program (SARP) is designed to provide accountability for violations of City laws while reducing the amount of time and resources required for a more formal case resolution by allowing certain types of cases to be resolved by more a standardized method for resolving matters through a streamlined stipulated settlement with the Ethics Commission. To achieve this end, SARP establishes a framework of standardized fine formulas for violations of certain provisions of the San Francisco Campaign and Government Conduct Code (SF C&GCC). Violations of the sections identified below generally require little, if any, additional investigation or other evidence to show that the violation occurred. Because these matters will be handled through a streamlined administrative procedure, SARP will allow the Commission's investigative and enforcement program to reserve a larger share of its investigative resources for broader scope investigations of greater severity, complexity, or breadth.

The Commission's regular administrative enforcement process generally results in a penalty that is proportional to the violation but of a higher amount and includes a fuller description of the violation and surrounding events than matters resolved through the Streamlined Administrative Resolution Program. Stipulations resolved through SARP apply standardized fine formulas and may provide summary descriptions of the violation at issue. Both processes require action by the Commission in a publicly noticed meeting.

General Eligibility Guidelines

Based upon mitigating or aggravating circumstances, the Director of Enforcement may include or exclude any respondent from participating in the Streamlined Administrative Resolution Program.

- Mitigating circumstances may result in the issuance of a Warning Letter instead of assessing a fixed administrative penalty.
- Aggravating circumstances may result in application of the normal enforcement process instead of treating the violation under the Streamlined Administrative Resolution Program.

To be eligible for streamlined treatment, Respondents must agree to the following general requirements:

1. Sign and submit to the Enforcement Division a Streamlined Administrative Resolution Stipulation, Decision, and Order subject to the provisions of Enforcement Regulation Section 12(A), prior to the Executive Director's Probable Cause determination; and
2. Provide payment electronically or by check, cashier's check, or money order within ten days of the Commission's ratification of a proposed stipulation.

Fixed Fine Penalties

Stipulations resolved through SARP apply standardized fine formulas that are calculated as shown in the SARP Penalty Tables document.

Warning Letters

The Enforcement Division may issue a confidential Warning Letter in lieu of an administrative enforcement penalty based on a consideration of factors including but not limited to the following:

1. Respondent had relatively low level of experience.
2. Respondent self-reported the violations to the Commission before public discovery or remedied the violation before any contact from the Enforcement Division.
3. Public harm resulting from the violation was minimal.
4. Respondent's fundraising and expenditure activity during the relevant election cycle was modest.
5. Whether Respondent committee was controlled by or supported an unsuccessful candidate.
6. Good cause (such as illness, incapacity, or death) prevented or impacted performance of duties.
7. Respondent engaged in minimal activity during the reporting period for which respondent filer failed to file or omitted activity on a filing.
8. Respondent's noncompliance represents a small percentage of overall activity for the reporting period.
9. Respondent committee has terminated, or non-committee Respondent has otherwise ceased all activity that would have required registration and disclosure under the law.
10. Fraudulent activity of third party caused Respondent to unknowingly commit the violation.
11. Activity Respondent omitted from filing was reported by another participant in the transaction.
12. Respondent omitted activity from one filing but timely reported that activity on another filing.
13. The same Respondent, candidate, committee, or principal officer has not been issued a Warning Letter for the same type of violation within the last five years.

Exclusions

The Director of Enforcement may exclude a Respondent from treatment under the Streamlined Administrative Resolution Program based on a consideration of factors including but not limited to the following:

1. Evidence demonstrates that the Respondent intended to violate the law or to conceal such violations.
2. Respondent failed to cooperate with an investigation, for example by withholding documents or declining to participate in the interview process, presenting false or altered evidence, making false statements regarding material facts, or interfering with a witness.
3. The same respondent has paid a prior penalty to the Commission for the same type of violation within the last five years.
4. Public harm resulting from the violation was more than minimal.
5. The Commission has reason to believe the respondent may have committed other violations not yet resolved that do not qualify for a streamlined penalty.

Types of Violations Eligible for Streamlined Administrative Resolution Program

In the following Appendices, **SARP-Index 1** lists the provisions of law that may be subject to treatment under the Streamlined Administrative Resolution Program, **SARP-Table 1** summarizes specific eligibility and exclusionary guidelines for violations within that streamlined program, and **SARP-Table 2** identifies the penalties for violations of specific provisions that are eligible to be pursued through that streamlined program.

APPENDIX

SARP Index 1 –Provisions of law included within the Streamlined Administrative Resolution Program

CAMPAIGN FINANCE AND REPORTING PROVISIONS

1. Sponsored Committee incorrectly named (SF C&GCC § 1.106; Gov't Code § 84102(a))
2. Major Donor notification by recipient committee (SF C&GCC § 1.106; Gov't Code § 84105)
3. Major Donor Campaign statement non-filing (SF C&GCC §§ 1.106 and 1.135)
4. Recipient and Independent Expenditure Committees Campaign statement non-filing (SF C&GCC §§ 1.106, 1.135; Gov't Code § 84200)
5. Campaign statement omission (SF C&GCC § 1.106)
6. Cash contribution or expenditure of \$100 or more (SF C&GCC § 1.106; Gov't Code § 84300)
7. Candidate and Treasurer Training (SF C&GCC § 1.107)
8. Failure to deposit contributions into or make expenditures from the Campaign Contribution Trust Account (SF C&GCC § 1.108)
9. Campaign recordkeeping (SF C&GCC § 1.109; Gov't Code § 84104)
10. Contribution limits (SF C&GCC § 1.114)
11. Contributor information (SF C&GCC § 1.114.5)
12. Loan limit violations (SF C&GCC § 1.116)
13. Payment of accrued expenses beyond deadline (SF C&GCC § 1.118)
14. Post-election legal proceedings contribution limit violations (SF C&GCC § 1.120)
15. Pre-candidacy fundraising (SF C&GCC § 1.122(a))
16. Improper expenditure (SF C&GCC § 1.122(b))
17. Bundled contributions reporting (SF C&GCC § 1.125)
18. Contractor contribution (SF C&GCC § 1.126)
19. Threshold Report violation (SF C&GCC § 1.152)
20. Disclaimer violations (SF C&GCC §§ 1.161, 1.162)

CAMPAIGN CONSULTANT PROVISIONS

- 21. Registration report or client authorization statement non-filing (SF C&GCC § 1.515(a)-(d))
- 22. Campaign consultant quarterly report non-filing (SF C&GCC § 1.515(e))
- 23. Lobbying by campaign consultant (SF C&GCC § 2.117)

LOBBYIST PROVISIONS

- 24. Lobbyist registration non-filing or failure to update (SF C&GCC § 2.110(a), (b), (d))
- 25. Lobbyist monthly report non-filing (SF C&GCC § 2.110(c))
- 26. Lobbyist monthly report omission or failure to update (SF C&GCC § 2.110(c)–(d))
- 27. Unlawful political contributions (SF C&GCC § 2.115(e))
- 28. Unlawful bundling (SF C&GCC § 2.115(f))
- 29. Failure to complete training (SF C&GCC § 2.116)
- 30. Lobbyist recordkeeping (SF C&GCC § 2.135)

FINANCIAL DISCLOSURE AND GOVERNMENTAL ETHICS PROVISIONS

- 31. Non or late filing of Statement of Economic Interest (Form 700) (SF C&GCC §§ 3.102, 3.242)
- 32. Omission of required information on Statement of Economic Interest (Form 700) (SF C&GCC §§ 3.102, 3.242)
- 33. Failure to follow required procedures when recusing for a conflict of interest (SF C&GCC § 3.209(a))
- 34. Conflict of interest recusal notification non-filing (SF C&GCC § 3.209(b))
- 35. Gift limit (SF C&GCC § 3.216(b))
- 36. Gifts of travel reporting disclosures (SF C&GCC § 3.216(d))

PERMIT CONSULTANT PROVISIONS

- 37. Registration or quarterly report non-filing (SF C&GCC § 3.410(b) or (c))

MAJOR DEVELOPER PROVISIONS

- 38. Major Developer report non-filing (SF C&GCC § 3.520)

BEHESTED PAYMENTS PROVISIONS

- 39. Officer Behested Payment report non-filing by officer (SF C&GCC § 3.610)
- 40. Donor Behested Payment report non-filing by officer (SF C&GCC § 3.620)
- 41. Recipient Behested Payment report non-filing by officer (SF C&GCC § 3.630)

APPENDIX

SARP Table 1 - Conduct-Specific Provisions
Eligible for Streamlined Administrative Resolution Program

CAMPAIGN FINANCE AND REPORTING PROVISIONS

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific factors indicating potential for Warning Letter include	Specific exclusions from the Streamlined Administrative Resolution Program include
1.	Sponsored committee incorrectly named	SF C&GCC § 1.106; Gov't Code § 84102(a)	The committee name must be amended and comply with committee naming requirements on subsequent campaign communications, if applicable, and campaign statements.	<ul style="list-style-type: none"> Name included essentially all required elements and was not misleading. 	<ul style="list-style-type: none"> Name was misleading or ambiguous. The committee had activity over \$100,000 for the reporting period during which the committee name was incorrect.
2.	Major donor notification by recipient committee	SF C&GCC § 1.106; Gov't Code § 84105		<ul style="list-style-type: none"> The respondent recipient committee has been in existence less than one year. The respondent recipient committee has not previously been required to send out the major donor notification. The extent to which persons who would have received the notifications nevertheless timely filed as Major Donors, if required. 	

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific factors indicating potential for Warning Letter include	Specific exclusions from the Streamlined Administrative Resolution Program include
3.	Major Donor Campaign Statement non-filing	SF C&GCC §§ 1.106 and 1.135	An individual or entity who failed to file a major donor campaign statement or report must file the statement or report with the Commission.	<ul style="list-style-type: none"> • First-time major donor filer and the individual or entity who qualified as a major donor was not sent the major donor notification as required. • Contributions for the calendar year were \$30,000 or less. 	<ul style="list-style-type: none"> • Contributions for the calendar year exceeded \$50,000. • The contributions also required 24 Hour Reports to be filed within the last 16 days before the relevant election and the recipient of the contribution did not file a 24-Hour Report before the relevant election.
4.	Recipient Committee Campaign statement non-filing	SF C&GCC §§ 1.106, 1.135; Gov't Code § 84200	An individual or entity who failed to file a campaign statement or report must file the statement or report with the Commission.	<ul style="list-style-type: none"> • The committee had less than \$5,000 of activity for the statement period. • The committee disclosed the otherwise undisclosed activity on a separate, timely filed statement or report. • The committee meets the requirements for administrative termination. 	<ul style="list-style-type: none"> • Omitted filing would have disclosed contributions combined with expenditures that totaled or exceeded \$50,000. • Omitted filing was part of a pattern of campaign statements or reports not timely filed. • Omitted filing was a 24-Hour Report required to be filed by a committee as defined in Section 82013 subsections (a) and (b) during the San Francisco pre-election reporting period and not filed before the election <i>unless</i> (1) investigators determine that the amount required to be reported was

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific factors indicating potential for Warning Letter include	Specific exclusions from the Streamlined Administrative Resolution Program include
					<p><i>de minimis</i> in relation to the total campaign or (2) the contribution or expenditure was reported on another report or statement which the same committee filed before the election.</p> <ul style="list-style-type: none"> • Omitted filing would have reported activity that would have resulted in a change to the disclosure of the committees' top contributors, as required by SF C&GCC Section 1.161 or Government Code Section 84503.
5.	Campaign statement omission	SF C&GCC § 1.106	The committee must file an amended campaign statement or report that includes all required information.	<ul style="list-style-type: none"> • The committee independently amended its campaign statement prior to contact from the Enforcement Division. • The activity the committee omitted amounted to less than \$2,000 or 5% of overall contributions or expenditures reported in the reporting period. • The committee reported the otherwise 	<ul style="list-style-type: none"> • The total amount the committee omitted was more than 20% of its total contributions or expenditures for the reporting period, or the total amount the committee omitted totaled or exceeded \$25,000.

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific factors indicating potential for Warning Letter include	Specific exclusions from the Streamlined Administrative Resolution Program include
				<p>omitted activity on a different statement or report prior to any relevant election.</p> <ul style="list-style-type: none"> The committee meets the requirements for administrative termination. 	
6.	Cash contribution or expenditure of \$100 or more	SF C&GCC § 1.106; Gov't Code § 84300	The committee must disclose the source of each improper cash contribution or recipient of each improper cash expenditure as an itemized contribution or expenditure on the appropriate campaign statement or report and, in the case of contributions, either (1) have refunded to the source of the improper contribution prior to contact by the Enforcement Division or (2) forfeit the contribution to the San Francisco General Fund if already contacted by the Enforcement Division.	<ul style="list-style-type: none"> The aggregate amount received or spent in cash is less than \$500. 	<ul style="list-style-type: none"> Failure to timely and accurately disclose cash contribution or expenditure on campaign statement or report. Cash contributions and expenditures of \$100 or more in aggregate exceed either \$1,000 or 10% of total campaign contributions or expenditures of the committee for the reporting period. The committee made impermissible personal use of campaign funds. The campaign records may have been insufficient to determine if use of cash concealed other violations.
7.	Candidate and Treasurer Training	SF C&GCC § 1.107	An individual who did not complete candidate or treasurer training must provide	<ul style="list-style-type: none"> Must be the individual's first offense. 	

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific factors indicating potential for Warning Letter include	Specific exclusions from the Streamlined Administrative Resolution Program include
			documentation of having subsequently completed the training.		
8.	Failure to deposit contributions into or make expenditures from the Campaign Contribution Trust Account	SF C&GCC § 1.108	The committee must disclose all contributions or expenditures on the appropriate campaign statement or report.	<ul style="list-style-type: none"> • Disclosure of each improper contribution or expenditure was reported timely on the correct campaign statement or report of the committee. • The candidate or his or her wholly owned business is the source of 50% or more of the committee funds for the election. • The activity was isolated to the period before the committee raised \$2,000. 	<ul style="list-style-type: none"> • The total amount of all contributions not deposited into a campaign bank account during the statement period exceeds \$10,000 or 10% of the total contributions received for that period. • The total amount of all campaign expenditures not from the campaign bank account during the statement period exceeds \$10,000 or 10% of the total amount of all campaign expenditures for that period. • The respondent made personal use of campaign funds.
9.	Campaign recordkeeping	SF C&GCC § 1.109; Gov't Code § 84104		<ul style="list-style-type: none"> • The missing records do not rise to the level to be considered a material finding, such that the committee will have been found to have substantially complied with the 	<ul style="list-style-type: none"> • The lack of recordkeeping inhibited audit efforts. • The lack of recordkeeping made it impracticable to determine if an individual substantially complied with mandatory campaign reporting requirements.

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific factors indicating potential for Warning Letter include	Specific exclusions from the Streamlined Administrative Resolution Program include
				recordkeeping obligation.	<ul style="list-style-type: none"> The lack of recordkeeping may have inhibited discovery of other violations.
10.	Contribution limits	SF C&GCC § 1.114	The committee must have refunded the amount in excess of the limit to the source of the contribution prior to contact by the Enforcement Division or must forfeit the amount in excess of the limit to the San Francisco General Fund if already contacted by the Enforcement Division.	<ul style="list-style-type: none"> The total amount received in excess of the contribution limit is less than \$500 in the aggregate. Must be a contributor's first offense. 	<ul style="list-style-type: none"> Committee knew or should have known that the contribution came from a corporation, limited liability company, or limited liability partnership. Staff has reason to believe the contribution was made to influence official action. The aggregate amount received over the limit is \$2000 or more. Staff has reason to believe that the contributor tried to conceal excess contributions. Candidate contributions by individual contributor exceeded contribution limit by \$1,000, in the aggregate.
11.	Contributor information	SF C&GCC § 1.114.5	The committee must disclose the contributor information on an amendment to the appropriate campaign statement or report.	<ul style="list-style-type: none"> The total contributions of \$100 or more without contributor information does not exceed 5% of total campaign contributions received by the committee or \$2000 for the reporting period. 	<ul style="list-style-type: none"> The percentage of contributions without contributor information for contributions of \$100 or more exceeds 25% of total campaign contributions of the committee for the reporting period.

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific factors indicating potential for Warning Letter include	Specific exclusions from the Streamlined Administrative Resolution Program include
				<ul style="list-style-type: none"> Must be a committee's first offense. 	<ul style="list-style-type: none"> The total amount of contributions of \$100 or more without contributor information exceeds \$10,000 for the reporting period. Staff has reason to believe that the campaign records may have been insufficient to determine if lack of contributor information concealed other violations.
12.	Loan limit violations	SF C&GCC § 1.116	The committee must either have reported the loan activity accurately on its filings or file an amended campaign statement or report that includes all required information.	<ul style="list-style-type: none"> The loan exceeded the limit by no more than 15% of the applicable loan limit. 	<ul style="list-style-type: none"> The loan exceeded the limit by more than 50% of the applicable loan limit.
13.	Payment of accrued expenses beyond deadline	SF C&GCC § 1.118	The committee must have properly disclosed the accrued expenses.	<ul style="list-style-type: none"> The aggregate amount of in-kind contribution(s) received, or accrued expenses forgiven or paid beyond the deadline, is less than \$1500 or 5% of overall contributions or expenditures reported in the reporting period. The committee meets the requirements for 	<ul style="list-style-type: none"> The aggregate amount of in-kind contribution(s) received, or accrued expenses forgiven or paid beyond the deadline, is at least \$10,000 or 20% of overall contributions or expenditures reported in the reporting period.

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific factors indicating potential for Warning Letter include	Specific exclusions from the Streamlined Administrative Resolution Program include
				administrative termination.	
14.	Post-election legal proceedings contribution limit violations	SF C&GCC § 1.120	The committee must forfeit the amount it received in excess of the limit to the San Francisco General Fund.	<ul style="list-style-type: none"> The aggregate amount received is \$500 or less. The committee meets the requirements for administrative termination. 	<ul style="list-style-type: none"> Staff has reason to believe that the contribution was made to influence official action. The aggregate amount received over the limit is \$2000 or more.
15.	Pre-candidacy fundraising	SF C&GCC § 1.122(a)	The candidate or committee must file the required campaign statements or reports that include all required information.	<ul style="list-style-type: none"> The committee had less than \$2,000 of pre-candidacy fundraising activity. The committee made no pre-candidacy expenditures. 	<ul style="list-style-type: none"> Evidence demonstrates that the person tried to conceal pre-candidacy contributions. Evidence demonstrates that the person made \$5,000 or more in expenditures with pre-candidacy contributions.
16.	Improper expenditure	SF C&GCC § 1.122(b)		<ul style="list-style-type: none"> The expenditure amount was less than \$1500 or 5% of expenditures during the reporting period and disclosure of the expenditure was reported timely on the correct campaign statement or report of the committee. 	<ul style="list-style-type: none"> Evidence demonstrates that the committee tried to conceal unlawful expenditures. The total amount of unlawful expenditures was more than 20% of the total expenditures for the committee for the reporting period or the total amount of unlawful expenditures totaled or exceeded \$25,000 for the election cycle.

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific factors indicating potential for Warning Letter include	Specific exclusions from the Streamlined Administrative Resolution Program include
17.	Bundled contributions reporting	SF C&GCC § 1.125	The committee must file the relevant (or amend a prior) report that includes all information required pursuant to SF C&GCC section 1.125(b).	<ul style="list-style-type: none"> • The committee came into compliance prior to contact by the Enforcement Division. • The total value of bundled contributions required to have been reported for that reporting period was less than \$5,000. 	<ul style="list-style-type: none"> • Evidence demonstrates that the committee tried to conceal bundled contributions. • The total value of bundled contributions required to have been reported for that reporting period was \$15,000 or more. • The bundler of the contributions is a named party in, or the subject of, a governmental decision before the respondent or the respondent's agency or before the agency to which the respondent is seeking office.
18.	Contractor contribution	SF C&GCC § 1.126	The committee must have refunded the unlawful contractor contribution to the source of the contribution prior to contact by the Enforcement Division or forfeit the contribution to the San Francisco General Fund if already contacted by the Enforcement Division.	<ul style="list-style-type: none"> • The aggregate amount received is \$500 or less. 	<ul style="list-style-type: none"> • Evidence demonstrates that the contributor tried to conceal unlawful contributions. • Aggregate contributions by contributor and affiliated entities exceeded contribution limit to a single committee by \$1,000 or to multiple committees by \$2,000.

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific factors indicating potential for Warning Letter include	Specific exclusions from the Streamlined Administrative Resolution Program include
19.	Threshold Report violation	SF C&GCC § 1.152	The candidate or committee must file the required threshold report.	<ul style="list-style-type: none"> The Report was filed within five calendar days of having met the applicable threshold. 	
20.	Disclaimer violations	SF C&GCC §§ 1.161, 1.162 *	The committee must have corrected the advertisement or mass mailing, if the committee knew or should have known that the disclaimer was incorrect, including by contact from the Enforcement Division.	<p>The degree to which the communication substantially complied with the disclaimer requirements, including by consideration of the following:</p> <ul style="list-style-type: none"> The advertisement included the “paid for by” requirement but not in the same manner and immediately adjacent to the committee name; The advertisement included the required disclaimers but in a font type, color, position, or size that does not comply with a requirement but is nevertheless legible; Disclaimer included a committee name that does not match the name as stated in the statement of 	<p>The advertisement or mass mailing contains two or more missing or incorrect disclosures or display requirements in the disclaimer and one or more of the missing or incorrect disclosures is the:</p> <ul style="list-style-type: none"> “paid for by” requirement; committee name requirement; top contributor information; statement that the advertisement was not authorized by a candidate or committee controlled by a candidate; <p>sizing requirement, to the extent that the disclosure is not legible to the average viewer.</p> <p>The extent to which the communication is likely to result in confusion regarding the identity of the candidate or committee responsible for the advertisement, or confusion regarding the identity of a top</p>

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific factors indicating potential for Warning Letter include	Specific exclusions from the Streamlined Administrative Resolution Program include
				<p>organization but clearly identifies the source of the advertisement;</p> <ul style="list-style-type: none"> • Disclaimer failed to include a street address but other identifying information, such as a website address, is included; • Disclaimer included top contributors as required but inadvertently listed them in incorrect order; • Required size (if written) or duration (if spoken) of disclaimer is incorrect, but the required information is nevertheless identifiable, and the remainder of the disclaimer is correct; • Disclaimer failed to use the precise disclaimer language but is substantially correct. 	<p>contributor, sponsor, controlling candidate, or ballot measure supported or opposed.</p>

CAMPAIGN CONSULTANT PROVISIONS

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific factors indicating potential for Warning Letter include	Specific exclusions from the Streamlined Administrative Resolution Program include
Non-Filing of Required Public Disclosures					
21.	Registration report or client authorization statement	SF C&GCC §1.515(a)-(d)	An individual who failed to file a Campaign Consultant registration report or client authorization statement must file the late report or statement with the Commission.	<ul style="list-style-type: none"> The consultant can demonstrate that he or she provided the report or statement to his or her employer or firm which did not file the report. 	<ul style="list-style-type: none"> Staff has reason to believe that the filer may have tried to conceal consultant activity. The consultant failed to file multiple reports.
22.	Campaign consultant quarterly report	SF C&GCC § 1.515(e)	An individual who failed to file a Campaign Consultant quarterly report must file the late report with the Commission.	<ul style="list-style-type: none"> The consultant can demonstrate that he or she provided the report to his or her employer or firm which did not file the report. The total activity the consultant was required to have reported for that reporting period was less than \$1,250. No history of failing to file registration reports. 	<ul style="list-style-type: none"> The total activity the consultant was required to have reported for that reporting period is greater than \$10,000. Staff has reason to believe that the filer tried to conceal consultant activity. The consultant failed to file multiple reports. The undisclosed activity included campaign contributions, gifts, City contracts, or appointments to public office received.

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific factors indicating potential for Warning Letter include	Specific exclusions from the Streamlined Administrative Resolution Program include
Prohibited Activities					
23.	Lobbying by campaign consultant	SF C&GCC § 2.117		<ul style="list-style-type: none"> Must be campaign consultant's first unlawful lobbying offense. 	<ul style="list-style-type: none"> Staff has reason to believe that the campaign consultant tried to conceal lobbying activity.

LOBBYIST PROVISIONS

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific Factors indicating potential for Warning Letter include	Specific Exclusions from the Streamlined Administrative Resolution Program include
Non-Filing of Required Public Disclosures					
24.	Lobbyist Registration violations	SF C&GCC § 2.110(a), (b), (d)	An individual who failed to register must file a registration.	<ul style="list-style-type: none"> The lobbyist can demonstrate they provided the report to the employer or firm who did not file the report. No history of not filing or properly amending registration reports. 	<ul style="list-style-type: none"> Staff has reason to believe that the lobbyist tried to conceal lobbying activity. Multiple reports not filed or properly amended within the last five years.
25.	Monthly Report non-filing	SF C&GCC § 2.110(c)	An individual who failed to file a monthly Lobbyist Report must file the late report with the Ethics Commission.	<ul style="list-style-type: none"> The lobbyist can demonstrate they provided the report to the employer or 	<ul style="list-style-type: none"> The total required activity to be reported by the lobbyist, lobbying firm, lobbyist employer, or person for that

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific Factors indicating potential for Warning Letter include	Specific Exclusions from the Streamlined Administrative Resolution Program include
				firm who did not file the report. <ul style="list-style-type: none"> • The total required activity to be reported for that reporting period was less than \$5,000. • No history of not filing monthly reports. 	reporting period is greater than \$50,000. <ul style="list-style-type: none"> • Staff has reason to believe that the filer tried to conceal lobbying activity. • Multiple monthly reports not filed within the last three years. • Evidence demonstrated the lobbyist did not disclose a substantial amount of lobbying activity during the period. • The undisclosed activity included campaign contributions.
26.	Monthly report filed with an omission or failed to update	SF C&GCC §2.110(c)–(d)	The lobbyist must file an amended lobbyist monthly report that includes all required information.	<ul style="list-style-type: none"> • The lobbyist, lobbying firm, lobbyist employer, or person had less than \$5,000 of activity not reported. 	<ul style="list-style-type: none"> • The total unreported activity to be reported for that reporting period is greater than 20% of the activity required to be reported for that reporting period or is greater than \$50,000.
Prohibited Activities and Other Requirements					
27.	Unlawful political contributions	SF C&GCC § 2.115(e)	If the committee received the contribution pursuant to section 1.114(g), it must forfeit the contribution to the San Francisco General Fund.	<ul style="list-style-type: none"> • Must be lobbyist's first unlawful contribution offense. 	<ul style="list-style-type: none"> • Staff has reason to believe that the contributor tried to conceal prohibited contributions.

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific Factors indicating potential for Warning Letter include	Specific Exclusions from the Streamlined Administrative Resolution Program include
					<ul style="list-style-type: none"> Contributions by contributor exceeded contribution limit by \$1,000 in the aggregate.
28.	Unlawful bundling	SF C&GCC § 2.115(f)	If the committee received the contribution pursuant to section 1.114(g), it must forfeit the amount of unlawfully bundled contributions and Respondent must pay the amount of the total unlawfully bundled contributions.	<ul style="list-style-type: none"> Must be lobbyist's first unlawful bundling offense. 	<ul style="list-style-type: none"> Staff has reason to believe that the lobbyist tried to conceal unlawfully bundled contributions. Unlawfully bundled contributions by the lobbyist equaled or exceeded \$2,500.
29.	Lobbyist Training	SF C&GCC § 2.116	An individual who did not complete the lobbyist training must subsequently complete the training.	<ul style="list-style-type: none"> Lobbyist completed the training not less than six months after the deadline. 	<ul style="list-style-type: none"> Evidence of additional violations that in the aggregate are more than de minimis.
30.	Lobbyist recordkeeping	SF C&GCC § 2.135		<ul style="list-style-type: none"> Degree to which scope of missing records are considered material 	<ul style="list-style-type: none"> The lack of recordkeeping made it impracticable to determine if a person substantially complied with the Act's lobbyist reporting requirements. The lack of recordkeeping inhibited discovery of other violations.

FINANCIAL DISCLOSURE AND GOVERNMENTAL ETHICS PROVISIONS

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific Factors indicating potential for Warning Letter include	Specific Exclusions from the Streamlined Administrative Resolution Program include
Economic Interests Disclosure Statements					
31.	Non- or late-filing of Statement of Economic Interest (Form 700)	SF C&GCC §§ 3.102, 3.242	An individual who failed to timely file a Statement of Economic Interests must file the missing statement with the Commission or their filing officer.	<ul style="list-style-type: none"> The non- or late-filed Statement of Economic Interests is a Leaving Office Statement. No history of failing to file reports and no significant history of late-filed reports. 	<ul style="list-style-type: none"> Filer had a conflict of interest violation under Sections 1090 or 87100 involving an economic interest required to be disclosed on the Statement. Filer is a board or commission member and acted on agendized items in violation of SF C&GCC section 3.1-102.5(c).
32.	Omission of required information on Statement of Economic Interest (Form 700)	SF C&GCC §§ 3.102, 3.242	The filer must file an amended Statement of Economic Interests disclosing the previously undisclosed economic interest.	<ul style="list-style-type: none"> The omitted interest was a gift or source of income the aggregate value of which was \$500 or less. The filer has not performed the duties of the office or position for six months or more due to illness or otherwise. 	<ul style="list-style-type: none"> The omitted interest was a gift or source of income from a source that was regulated by or qualified as a restricted source as to the filer's agency. The undisclosed economic interest caused a conflict of interest violation under Sections 1090 or 87100.

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific Factors indicating potential for Warning Letter include	Specific Exclusions from the Streamlined Administrative Resolution Program include
Recusals					
33.	Failure to follow required procedures when recusing for a conflict of interest	SF C&GCC § 3.209(a)	The individual must have properly identified a potential conflict of interest regarding the governmental decision and actually recused him or herself from discussing or acting on the matter.	<ul style="list-style-type: none"> In publicly identifying the conflict of interest, the individual failed to provide sufficient detail to be understood by the public, as provided in Regulation 18707, subdivision (a). 	<ul style="list-style-type: none"> The individual did not properly absent themselves from the meeting until after the discussion, vote, or any other disposition of the matter was concluded.
34.	Non- or late-filing of conflict of interest recusal notification	SF C&GCC § 3.209(b)	The individual who failed to timely file a Recusal Notification must have properly disclosed a potential conflict of interest regarding the governmental decision and actually recused him- or herself at the time of the applicable agenda item and must subsequently file the outstanding Recusal Notification.	<ul style="list-style-type: none"> The non-filing was the individual's first offense. 	
Gifts					
35.	Gift limit	SF C&GCC § 3.216(b)	Following contact by the Enforcement Division, the person must return, donate, or reimburse the gift pursuant to 2 C.C.R. § 18941(c).	<ul style="list-style-type: none"> The respondent does not have a history of accepting unlawful gifts. Staff has no reason to believe that the respondent made, participated in making, or 	<ul style="list-style-type: none"> The gift giver is a named party in, or the subject of, a governmental decision before the respondent or the respondent's agency or

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific Factors indicating potential for Warning Letter include	Specific Exclusions from the Streamlined Administrative Resolution Program include
				sought to influence governmental decisions for which the gift giver was a named party in, or the subject of.	otherwise a restricted source. <ul style="list-style-type: none"> The fair market value of the gift is more than \$200 over the gift limit.
36.	Gifts of travel reporting disclosures	SF C&GCC § 3.216(d)	An individual who failed to timely file a Gifts of Travel Report must file the report with the Commission.	<ul style="list-style-type: none"> No evidence that the filer had a conflict of interest violation under Sections 1090 or 87100. The gift of travel was reported on the relevant Statement of Economic Interests. 	<ul style="list-style-type: none"> The gift giver is a named party in, or the subject of, a governmental decision before the respondent or the respondent's agency or otherwise a restricted source. The filer failed to report the gift of travel on a Statement of Economic Interests, if required. Evidence demonstrates that the filer tried to conceal the true value of the gift. Multiple prior gift of travel reports were not filed.

PERMIT CONSULTANT PROVISIONS

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific Factors indicating potential for Warning Letter include	Specific Exclusions from the Streamlined Administrative Resolution Program include
Non-Filing of Required Public Disclosure					
37.	Registration or Quarterly Report	SF C&GCC § 3.410(b) or (c)	An individual who failed to timely file a Permit Consultant registration or quarterly report must file with the Ethics Commission the report or amend a report that had omissions.	<ul style="list-style-type: none"> No history of not timely filing reports or failing to include material information. In the case of quarterly reports, the total activity the consultant was required to have reported for that reporting period was less than \$5,000. 	<ul style="list-style-type: none"> Multiple reports not timely filed or substantial material information omitted within a one-year period. Staff has reason to believe that the filer tried to conceal consultant activity.

MAJOR DEVELOPER PROVISIONS

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific Factors indicating potential for Warning Letter include	Specific Exclusions from the Streamlined Administrative Resolution Program include
Non- or Late-Filing of Required Public Disclosure					
38.	Major Developer Report	SF C&GCC § 3.520	An individual who failed to timely file a Major Developer report must file the report with the Commission.	<ul style="list-style-type: none"> The total required activity to be reported for that reporting period was less than \$15,000. No history of not timely filing reports. 	<ul style="list-style-type: none"> The total activity the developer was required to have reported for that reporting period is greater than \$30,000 in donations. Staff has reason to believe that the filer tried to conceal charitable contributions. Multiple reports not timely filed within a one-year period.

BEHESTED PAYMENTS PROVISIONS

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific Factors indicating potential for Warning Letter include	Specific Exclusions from the Streamlined Administrative Resolution Program include
Non- or Late-Filing of Required Public Disclosures					
39.	Officer Behested Payment report	SF C&GCC § 3.610	A behesting officer who failed to timely file a Behested Payment report must file the report.	<ul style="list-style-type: none"> No history of not timely filing reports. No perceived or actual personal benefit to the behesting officer. First-time behested payment report filer. 	<ul style="list-style-type: none"> The total payments the officer was required to have reported for that report is greater than \$7,500. Multiple reports not timely filed within a six-month period. The behesting officer obtained a perceived or actual personal benefit.

Item	Provision	Applicable Law(s)	Specific Eligibility Guidelines	Specific Factors indicating potential for Warning Letter include	Specific Exclusions from the Streamlined Administrative Resolution Program include
				<ul style="list-style-type: none"> The amount not reported was \$3,000 or less for a single Form 3610 filing. 	
40.	Donor Behested Payment report	SF C&GCC § 3.620	An interested party who failed to timely file a Behested Payment report must file the report.	<ul style="list-style-type: none"> No history of not timely filing reports. First-time behested payment report filer. The amount not reported was \$30,000 or less for a single Form 3620 filing. The report was filed within 100 days of when it was due. 	<ul style="list-style-type: none"> The total payments the donor was required to have reported for that report is greater than \$50,000. Multiple reports not timely filed within a six-month period.
41.	Recipient Behested Payment Report	SF C&GCC § 3.630	A recipient of a behested payment who failed to timely file a Behested Payment report must file the report.	<ul style="list-style-type: none"> No history of not timely filing reports. First-time behested payment report filer. The amount not reported was \$300,000 or less for a single Form 3630 filing. The report was filed within 100 days of when it was due. 	<ul style="list-style-type: none"> The total payments the respondent was required to have reported for that report is greater than \$500,000. Multiple reports not timely filed within a six-month period.

APPENDIX

SARP Table 2 – Penalties for Eligible Violations of Provisions
within the Streamlined Administrative Resolution Program

CAMPAIGN FINANCE AND REPORTING PROVISIONS

Item	Provision	Applicable Law(s)	Penalty Basis for Streamlined Settlement of Eligible Violations		
<i>If the respondent takes any corrective action required and the matter is settled ...</i>			Within 30 days of first contact with Enforcement Division	Within 60 days of first contact with Enforcement Division	Within 90 days of first contact with Enforcement Division and before the Division issues a Probable Cause Report
1.	Sponsored committee incorrectly named	SF C&GCC § 1.106; Gov't Code § 84102(a)	\$500 per reporting period	\$700 per reporting period	\$900 per reporting period
2.	Major donor notification by recipient committee	SF C&GCC § 1.106; Gov't Code § 84105	\$500 per reporting period	\$700 per reporting period	\$900 per reporting period
3.	Major Donor campaign statement non-filing	SF C&GCC §§ 1.106 and 1.135	\$500 plus 5% of contributions made, whichever is greater, per omitted statement (unless statement or report was due before the relevant election, but filed later than four days before the election, then the 5% is increased to 10%)	\$700 plus 10% of contributions made, whichever is greater, per omitted statement (unless statement or report was due before the relevant election, but filed later than four days before the election, then the 10% is increased to 15%)	\$900 plus 15% of contributions made, whichever is greater, per omitted statement (unless statement or report was due before the relevant election, but filed later than four days before the election, then the 15% is increased to 20%)

Item	Provision	Applicable Law(s)	Penalty Basis for Streamlined Settlement of Eligible Violations		
<i>If the respondent takes any corrective action required and the matter is settled ...</i>			Within 30 days of first contact with Enforcement Division	Within 60 days of first contact with Enforcement Division	Within 90 days of first contact with Enforcement Division and before the Division issues a Probable Cause Report
4.	Recipient and IE Committee Campaign statement non-filing	SF C&GCC §§ 1.106, 1.135; Gov't Code § 84200	\$500 plus 5% of contributions received or expenditures made, whichever is greater, per omitted statement (unless statement or report was due before the relevant election, but filed later than four days before the election, then the 5% is increased to 10%)	\$700 plus 10% of contributions received or expenditures made, whichever is greater, per omitted statement (unless statement or report was due before the relevant election, but filed later than four days before the election, then the 10% is increased to 15%)	\$900 plus 15% of contributions received or expenditures made, whichever is greater, per omitted statement (unless statement or report was due before the relevant election, but filed later than four days before the election, then the 15% is increased to 20%)
5.	Campaign statement omission	SF C&GCC § 1.106	\$500 plus 10% of omitted contributions received or expenditures made, whichever is greater, per statement (unless statement or report was due before the relevant election, but filed later than four days before the election, then the 10% is increased to 30%)	\$700 plus 20% of omitted contributions received or expenditures made, whichever is greater, per statement (unless statement or report was due before the relevant election, but filed later than four days before the election, then the 20% is increased to 40%)	\$900 plus 30% of contributions received or expenditures made, whichever is greater, per omitted statement (unless statement or report was due before the relevant election, but filed later than four days before the election, then the 30% is increased to 50%)

Item	Provision	Applicable Law(s)	Penalty Basis for Streamlined Settlement of Eligible Violations		
<i>If the respondent takes any corrective action required and the matter is settled ...</i>			Within 30 days of first contact with Enforcement Division	Within 60 days of first contact with Enforcement Division	Within 90 days of first contact with Enforcement Division and before the Division issues a Probable Cause Report
6.	Cash contribution or expenditure of \$100 or more	SF C&GCC § 1.106; Gov't Code § 84300	An amount equal to 25% of the amount of the contribution or expenditure	An amount equal to 50% of the amount of the contribution or expenditure	An amount equal to 100% of the amount of the contribution or expenditure
7.	Candidate and Treasurer Training	SF C&GCC § 1.107	\$500	\$700	\$900
8.	Failure to deposit contributions into or make expenditures from the Campaign Contribution Trust Account	SF C&GCC § 1.108	\$500 plus 10% of the amount not processed through the campaign bank account per statement period during which a violation occurred	\$700 plus 20% of the amount not processed through the campaign bank account per statement period during which a violation occurred	\$900 plus 30% of the amount not processed through the campaign bank account per statement period during which a violation occurred
9.	Campaign recordkeeping	SF C&GCC § 1.109; Gov't Code § 84104	\$1,000 plus 5% of undocumented contributions received or expenditures made, whichever is greater	\$1,500 plus 10% of contributions received or expenditures made, whichever is greater	\$2,000 plus 15% of contributions received or expenditures made, whichever is greater
10.	Contribution limits	SF C&GCC § 1.114	Respondent must forfeit to the General Fund the amount of each excess contribution	Respondent must forfeit to the General Fund the amount of each excess contribution and must pay a penalty equal to the amount of the total excess contribution(s)	Respondent must forfeit to the General Fund the amount of each excess contribution and must pay two times the amount of the total excess contribution(s)

Item	Provision	Applicable Law(s)	Penalty Basis for Streamlined Settlement of Eligible Violations		
<i>If the respondent takes any corrective action required and the matter is settled ...</i>			Within 30 days of first contact with Enforcement Division	Within 60 days of first contact with Enforcement Division	Within 90 days of first contact with Enforcement Division and before the Division issues a Probable Cause Report
11.	Contributor information	SF C&GCC § 1.114.5	\$500 plus 10% of all contributions received without complete contributor information	\$700 plus 20% of all contributions received without complete contributor information	\$900 plus 30% of all contributions received without complete contributor information
12.	Loan limit violations	SF C&GCC § 1.116	\$500	\$1,500	\$2,500
13.	Payment of accrued expenses beyond deadline	SF C&GCC § 1.118	Respondent must forfeit to the General Fund the amount of each accrued expense in excess of the contribution limit	Respondent must forfeit to the General Fund the amount of each accrued expense in excess of the contribution limit and pay a penalty equal to that amount	Respondent must forfeit to the General Fund the amount of each accrued expense in excess of the contribution limit and pay two times that amount
14.	Post-election legal proceedings contribution limit violations	SF C&GCC § 1.120	Respondent must forfeit to the General Fund the amount of each post-election legal proceeding contribution in excess of the contribution limit	Respondent must forfeit to the General Fund the amount of each post-election legal proceeding contribution in excess of the contribution limit and pay a penalty equal to that amount	Respondent must forfeit to the General Fund the amount of each post-election legal proceeding contribution in excess of the contribution limit and pay a penalty equal to that amount

Item	Provision	Applicable Law(s)	Penalty Basis for Streamlined Settlement of Eligible Violations		
<i>If the respondent takes any corrective action required and the matter is settled ...</i>			Within 30 days of first contact with Enforcement Division	Within 60 days of first contact with Enforcement Division	Within 90 days of first contact with Enforcement Division and before the Division issues a Probable Cause Report
15.	Pre-candidacy fundraising	SF C&GCC § 1.122(a)	Respondent must forfeit the amount of each contribution received prior to declaring their candidacy	Respondent must forfeit the amount of each contribution received prior to declaring their candidacy and pay a penalty equal to that amount of the total of contribution(s) received prior to declaring their candidacy	Respondent must forfeit the amount of each contribution received prior to declaring their candidacy and pay two times that amount of the total contribution(s) received prior to declaring their candidacy
16.	Improper expenditure	SF C&GCC § 1.122(b)	\$500 plus 10% of unlawful expenditures made	\$700 plus 20% of unlawful expenditures made	\$900 plus 30% of unlawful expenditures made
17.	Bundled contributions reporting	SF C&GCC § 1.125	\$500 plus 10% of unreported bundled contributions per report, (unless statement or report was due before the relevant election, but filed later than seven days before the election, then the 10% is increased to 30%)	\$700 plus 20% of unreported bundled contributions per report, (unless statement or report was due before the relevant election, but filed later than seven days before the election, then the 20% is increased to 40%)	\$900 plus 30% of unreported bundled contributions per report, (unless statement or report was due before the relevant election, but filed later than seven days before the election, then the 30% is increased to 50%)

Item	Provision	Applicable Law(s)	Penalty Basis for Streamlined Settlement of Eligible Violations		
<i>If the respondent takes any corrective action required and the matter is settled ...</i>			Within 30 days of first contact with Enforcement Division	Within 60 days of first contact with Enforcement Division	Within 90 days of first contact with Enforcement Division and before the Division issues a Probable Cause Report
18.	Contractor contribution	SF C&GCC § 1.126	Respondent must forfeit to the General Fund the amount of each unlawful contribution	Respondent must forfeit to the General Fund the amount of each unlawful contribution and pay a penalty equal to the amount of the total unlawful contribution(s)	Respondent must forfeit to the General Fund the amount of each unlawful contribution and pay two times the amount of the total unlawful contribution(s)
<i>If filed more than five calendar days after meeting the applicable threshold and regarding ...</i>			A subsequent threshold report the omission of which did not negatively impact the administration of the public financing program	A subsequent threshold report the omission of which negatively impacted the administration of the public financing program (i.e. by prejudicing an opponent's IEC)	An initial threshold report
19.	Threshold Report violation	SF C&GCC § 1.152	\$25 a day after the committee met the threshold, not to exceed \$750	\$25 a day, not to exceed \$1,500	\$25 a day, not to exceed \$2,000
<i>If the matter is settled ...</i>			Within 30 days of first contact with Enforcement Division	Within 60 days of first contact with Enforcement Division	Within 90 days of first contact with Enforcement Division and prior to the issuance of a probable cause report by the Enforcement Division
20.	Disclaimer violations	SF C&GCC §§ 1.161, 1.162	\$500	\$500 plus 2% of each advertisement buy	\$1,000 plus 3% of each advertisement buy

CAMPAIGN CONSULTANT PROVISIONS

Item	Provision	Applicable Law(s)	Penalty Basis for Streamlined Settlement of Eligible Violations		
<i>If the respondent takes any corrective action required and the matter is settled ...</i>			Within 30 days of first contact with Enforcement Division	Within 60 days of first contact with Enforcement Division	Within 90 days of first contact with Enforcement Division and before Division issues Probable Cause Report
21.	Registration report or client authorization statement non-filing	SF C&GCC §1.515(a)-(d)	\$500	\$700	\$900
22.	Campaign consultant quarterly report non-filing	SF C&GCC § 1.515(e)	\$500 plus 10% of all payments reported received or made for campaign consultant activity, whichever is greater	\$700 plus 20% of all payments received or made for campaign consultant activity, whichever is greater	\$900 plus 30% of all payments received or made for campaign consultant activity, which is greater
23.	Lobbying by campaign consultant	SF C&GCC § 2.117	\$500 plus 10% of all payments received for lobbying activity	\$700 plus 20% of all payments received for lobbying activity	\$900 plus 30% of all payments received for lobbying activity

LOBBYIST PROVISIONS

Item	Provision	Applicable Law(s)	Penalty Basis for Streamlined Settlement of Eligible Violations		
<i>If the respondent takes any corrective action required and the matter is settled ...</i>			Within 30 days of first contact with Enforcement Division	Within 60 days of first contact with Enforcement Division	Within 90 days of first contact with Enforcement Division and before Division issues Probable Cause Report
24.	Lobbyist Registration non-filing or failure to update	SF C&GCC § 2.110(a), (b), (d)	\$500	\$700	\$900
25.	Monthly Report non-filing	SF C&GCC § 2.110(c)	\$500 plus 10% of all payments reported received or made for lobbying activity, whichever is greater	\$700 plus 20% of all payments received or made for lobbying activity, whichever is greater	\$900 plus 30% of all payments received or made for lobbying activity, which is greater

Item	Provision	Applicable Law(s)	Penalty Basis for Streamlined Settlement of Eligible Violations		
<i>If the respondent takes any corrective action required and the matter is settled ...</i>			Within 30 days of first contact with Enforcement Division	Within 60 days of first contact with Enforcement Division	Within 90 days of first contact with Enforcement Division and before Division issues Probable Cause Report
26.	Monthly report filed with an omission or failed to update	SF C&GCC §2.110(c)–(d)	\$500 plus 15% of all unreported payments received or made for lobbying activity, whichever is greater	\$700 plus 25% of all unreported payments received or made for lobbying activity, whichever is greater	\$900 plus 35% of all unreported payments received or made for lobbying activity, whichever is greater
27.	Unlawful political contributions	SF C&GCC § 2.115(e)	Recipient must forfeit the amount of each unlawful contribution. -and- Contributor must pay to the SF General Fund the amount of each unlawful contribution(s)	Recipient must forfeit the amount of each unlawful contribution. -and- Contributor must pay to the SF General Fund two times the amount of the total unlawful contribution(s)	Recipient must forfeit the amount of each unlawful contribution. -and- Contributor must pay to the SF General Fund three times the amount of the total unlawful contribution(s)
28.	Unlawful bundling	SF C&GCC § 2.115(f)	Recipient must forfeit the amount of unlawfully bundled contributions. -and- Bundler must pay to the SF General Fund the amount of the total unlawfully bundled contributions	Recipient must forfeit the amount of unlawfully bundled contributions. -and- Bundler must pay to the SF General Fund two times the amount of the total unlawfully bundled contributions	Recipient must forfeit the amount of unlawfully bundled contributions. -and- Bundler must pay to the SF General Fund three times the unlawfully bundled contributions

Item	Provision	Applicable Law(s)	Penalty Basis for Streamlined Settlement of Eligible Violations		
<i>If the respondent takes any corrective action required and the matter is settled ...</i>			Within 30 days of first contact with Enforcement Division	Within 60 days of first contact with Enforcement Division	Within 90 days of first contact with Enforcement Division and before Division issues Probable Cause Report
29.	Lobbyist Training	SF C&GCC § 2.116	Lobbyist must demonstrate that they completed the training and pay \$500	Lobbyist must demonstrate that they completed the training and pay \$700	Lobbyist must demonstrate that they completed the training and pay \$900
30.	Lobbyist recordkeeping	SF C&GCC § 2.135	\$500 plus 5% of payments received or expenditures made, whichever is greater	\$750 plus 10% of payments received or expenditures made, whichever is greater	\$1000 plus 15% of payments received or expenditures made, whichever is greater

FINANCIAL DISCLOSURE AND GOVERNMENTAL ETHICS PROVISIONS

Item	Provision	Applicable Law(s)	Penalty Basis for Streamlined Settlement of Eligible Violations		
<i>If the respondent takes any corrective action required and the matter is settled ...</i>			Within 30 days of first contact with Enforcement Division	Within 60 days of first contact with Enforcement Division	Within 90 days of first contact with Enforcement Division and before Division issues Probable Cause Report
31.	Non or late filing of Statement of Economic Interest (Form 700)	SF C&GCC §§ 3.102, 3.242	\$500 per statement	\$700 per statement	\$900 per omitted statement
32.	Omission of required information on Statement of Economic Interest (Form 700)	SF C&GCC §§ 3.102, 3.242	\$500 per economic interest not disclosed per statement	\$700 per economic interest not disclosed per statement	\$900 per economic interest not disclosed per statement
33.	Failure to follow required procedures when recusing for a conflict of interest	SF C&GCC § 3.209(a)	\$500 per incident	\$700 per incident	\$900 per incident
34.	Conflict of interest recusal notification non-filing	SF C&GCC § 3.209(b)	\$500 per omitted notification	\$700 per omitted notification	\$900 per omitted notification

Item	Provision	Applicable Law(s)	Penalty Basis for Streamlined Settlement of Eligible Violations		
<i>If the respondent takes any corrective action required and the matter is settled ...</i>			Within 30 days of first contact with Enforcement Division	Within 60 days of first contact with Enforcement Division	Within 90 days of first contact with Enforcement Division and before Division issues Probable Cause Report
35.	Gift limit	SF C&GCC § 3.216(b)	\$500 per prohibited gift or gift received and accepted over the limit	\$700 per prohibited gift or gift received and accepted over the limit	\$900 per prohibited gift or gift received and accepted over the limit;
36.	Gifts of travel reporting disclosures	SF C&GCC § 3.216(d)	\$500 per unreported gift of travel received	\$700 per unreported gift of travel received	\$900 per unreported gift of travel received

PERMIT CONSULTANT PROVISIONS

Item	Provision	Applicable Law(s)	Penalty Basis for Streamlined Settlement of Eligible Violations		
<i>If report is filed and the matter is settled ...</i>			Within 30 days of first contact with Enforcement Division	Within 60 days of first contact with Enforcement Division	Within 90 days of first contact with Enforcement Division and before Division issues Probable Cause Report
37.	Registration or Quarterly Report non-filing	SF C&GCC § 3.410(b) or (c)	\$500 per statement	\$700 per statement	\$900 per statement

MAJOR DEVELOPER PROVISIONS

Item	Provision	Applicable Law(s)	Penalty Basis for Streamlined Settlement of Eligible Violations		
<i>If statement is filed and the matter is settled ...</i>			Within 30 days of first contact with Enforcement Division	Within 60 days of first contact with Enforcement Division	Within 90 days of first contact with Enforcement Division and before Division issues Probable Cause Report
38.	Major Developer Report non-filing	SF C&GCC § 3.520	\$500 per statement	\$700 per statement	\$900 per statement

BEHESTED PAYMENTS PROVISIONS

Item	Provision	Applicable Law(s)	Penalty Basis for Streamlined Settlement of Eligible Violations		
<i>If report is filed and the matter is settled ...</i>			Within 30 days of first contact with Enforcement Division	Within 60 days of first contact with Enforcement Division	Within 90 days of first contact with Enforcement Division and before Division issues Probable Cause Report
39.	Officer Behested Payment report non-filing	SF C&GCC § 3.610	\$500 plus 5% of all behested payments made	\$700 plus 7% of all behested payments made	\$900 plus 10% of all behested payments made
40.	Donor Behested Payment report non-filing	SF C&GCC § 3.620	\$500 plus 3% of all behested payments made	\$700 plus 5% of all behested payments made	\$900 plus 7% of all behested payments made
41.	Recipient Behested Payment Report non-filing	SF C&GCC § 3.630	\$500 plus 1% of all behested payments received	\$700 plus 3% of all behested payments received	\$900 plus 5% of all behested payments received