



San Francisco Ethics Commission

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Attachment 3: Overview of Campaign Finance Legislation

The table below summarizes the legislation in **Attachment 1** that is currently before the Ethics Commission, which would amend the Campaign & Governmental Conduct Code (C&GCC). The table is organized by code section.

Overview of Campaign Finance Legislation to Reinforce Contribution Limits and Ensure Accountability for Violations of City Law

Type of Change & Code Section	Description of Change
Amend: Article I, Chapter 1 – Section 1.114	Amends this section in the following ways: (a)(1) – Removes unnecessary reference to campaign treasurers and specifies that contributions over the \$500 limit may not be solicited or accepted by the candidate or their candidate committee, which would include the actions of the campaign treasurer. (a)(2) – Adds language that applies the candidate contribution from (a)(1) to other committees the candidate may control. This includes exceptions for committees primarily formed to support the candidate’s election to a county central committee and committees primarily formed to defend the candidate against a recall effort. (a)(3) – Establishes that notwithstanding the limitation in (a)(2), the limit for legal defense funds shall be \$10,000 per election cycle and that the Ethics Commission may adjust that limit for inflation going forward. (a)(4) – Clarifies that the limitations in (a)(2) and (a)(3) only apply when the candidate is actively running for City office. The subsection clarifies what candidates must do if they are controlling a committee and have raised money in excess of the limit and then begin actively running for City office. In such instances the candidate will have 30 days to return, use, or dispose of the any over-the-limit contributions as specified in subsection 1.122(b)(4). The subsection also specifies that merely relinquishing formal control of the committee does not circumvent this required process.
Amend: Article I, Chapter 1 – Section 1.115	Amends this section in the following ways:

	(b)(4) – Harmonizes this rebuttable presumption of coordination so it is consistent with new subsection (d). (c) – Clarifies that these exceptions apply to existing subsections (a) and (b), but not to the new subsection (d). (c)(2) – Removes “photograph” from this list of exceptions for clarity. It is potentially confusing and unnecessary for the Code to say that merely possessing a photograph from a campaign is not sufficient to prove or presume coordination, while disseminating such a photo is grounds to presume coordination. (d) – Adds a new subsection to specify that an expenditure that disseminates, distributes, reproduces, or republishes, in whole or in part, any candidate campaign material, shall be considered a contribution for the purpose of the candidate contribution limit.
Amend: Article I, Chapter 1 – Section 1.170	Amends this section by creating a new subsection (d) that prohibits the candidates and City elective officeholders from using funds from a legal defense fund that they control to pay penalties for which they are personally liable. Penalties can be paid from other types of candidate-controlled committees, if the committees are also liable and the candidate or officeholder did not personally violate the chapter in knowing or willful manner. This chapter covers campaign finance rules.
Amend: Article 3, Chapter 2 – Section 3.242	Amends this section by creating a new subsection (d) that prohibits City elective officers from using funds from any candidate-controlled committee that they control, to pay penalties for which they are personally liable. This chapter covers ethics and conflict of interest rules.