

## **Behested Payments\***

**Digest** by the Ballot Simplification Committee

**Status:** Final Digest  
**On:** Tuesday, March 1, 2022  
**Members:** Packard, Anderson, Merrill, Patterson

**Deadline to Request Reconsideration:** 5 p.m. Wednesday, March 2

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**The Way It Is Now:** A behested payment is a donation solicited by a public official to benefit either a government agency or a private organization.

City law generally prohibits elected officials, commissioners, department heads and other City employees with decision-making authority from seeking these payments from any of the following:

- businesses and individuals contracting with or seeking to contract with their departments;
- individuals who attempted to influence them with respect to governmental actions;
- lobbyists registered to lobby their departments;
- permit expeditors who have contacted their departments during the previous 12 months; or
- individuals involved in their departments' proceedings regarding administrative enforcement, a license or a permit.

The Board of Supervisors (Board) can amend this law by a majority vote.

**The Proposal:** Proposition \_\_\_\_ would amend the City's existing law regarding behested payments with two additions:

- members of the Board could not seek behested payments from contractors if the Board had approved their contracts; and
- the Board could later amend the City's law regarding behested payments only if the City's Ethics Commission approves the proposed amendments by a majority vote and the Board then approves them by a two-thirds vote of its members.

**A "YES" Vote Means:** If you vote "yes," you want to amend the City's law regarding behested payments.

**A "NO" Vote Means:** If you vote "no," you do not want to make these changes.

*\*Working title, for identification only. The Director of Elections determines the title of each local ballot measure; measure titles are not considered during Ballot Simplification Committee meetings.*