

Changes to Local Ethics Laws*

Digest by the Ballot Simplification Committee

Status: Final Digest

On: Friday, December 1, 2023

Members: Packard, Anderson, Wong

The Way It Is Now: City law generally prohibits City officers and employees from accepting gifts from anyone doing business with their department or who has attempted to influence them in governmental decisions. City law also prohibits bribing City officers and employees.

City departments must report any gifts they accept to the Controller, to the Board of Supervisors (Board) and on the department's website.

Each City department sets its own policy prohibiting its officers and employees from engaging in certain activities that may conflict with their City duties.

City officers and employees who make governmental decisions must formally disclose a relationship they have with a person or entity who is the subject of a decision or who has a financial interest in the decision. There is no penalty for City officials who fail to make the disclosure.

City elected officials, commissioners and department heads must complete an annual ethics training.

Some City ethics laws were adopted by the Board and may be amended by majority vote of the Board. Other City ethics laws were enacted by voters and may be amended only by voter approval. The City Ethics Commission proposes and enforces City laws and rules governing ethics and campaign finance.

The Proposal: Proposition ____ would tighten City ethics laws by:

- Expanding the types and sources of gifts that City officers and employees are prohibited from accepting.
- Amending the definition of bribery to prohibit City officers and employees from soliciting or accepting anything of value for themselves or a third party with the goal of influencing any government action. It would also prohibit anyone from offering a bribe to City officers and employees, including payments to third parties.
- Requiring City department heads to report additional information about gifts to their department and allowing discipline for failing to meet these requirements.
- Creating a uniform set of rules for all prohibited nonwork activities for City officers and employees.
- Allowing for monetary penalties when City officers and employees fail to make required disclosures about their personal, professional or business relationships.
- Requiring all City employees with decision-making authority to complete an annual ethics training.
- Requiring voter approval or supermajority votes by both the Board and the City Ethics Commission to amend most City ethics laws.

A "YES" Vote Means: If you vote "yes," you want to tighten City ethics laws.

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.*