

[Charter Amendment - Ballot Initiatives]

Describing and setting forth a proposal to the voters at an election to be held on November 3, 2026, to amend the Charter of the City and County of San Francisco to remove the authority of the Mayor and of four members of the Board of Supervisors to place legislative initiatives on the ballot; increase the number of signatures required for voter initiative petitions to qualify for the ballot from 2% of registered City voters to 8% of registered City voters; increase the number of signatures required for a voter initiative petition to require the Director of Elections to call a special election on the initiative, if the proponent so requests, from 10% of the number of votes cast in the preceding mayoral election to 10% of registered City voters; and allow the proponent of an initiative to withdraw the initiative after it is submitted to the Director of Elections.

Section 1. The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 3, 2026, a proposal to amend the Charter of the City and County by revising Article II, Section 2.113; Article III, Section 3.100; Article IV, Section 4.140; Article XIV, Section 14.101; and Article XVII, to read as follows:

NOTE: **Unchanged Charter text and uncodified text** are in plain font.
Additions are single-underline italics Times New Roman font.
Deletions are ~~strike-through italics Times New Roman font~~.
Asterisks (* * * *) indicate the omission of unchanged Charter subsections.

SEC. 2.113. LEGISLATIVE INITIATIVE.

~~(a)~~ The Board of Supervisors, ~~or four or more members,~~ may submit to the voters declarations of policy, and any matter which the Board of Supervisors is empowered to pass.

1 Upon approval of a declaration of policy by the voters, the Board of Supervisors shall
2 within 90 days of such approval take such actions within their powers as shall be necessary to
3 carry such declaration into effect. A special municipal election shall not be called with respect to
4 a declaration of policy.

5 ~~(b) In order to submit a proposed initiative measure to the voters under this section, or~~
6 ~~Section 3.100(15), four or more members of the Board of Supervisors or the Mayor shall submit~~
7 ~~the proposed initiative to the Board of Supervisors no later than 45 days prior to the deadline for~~
8 ~~the submission of such initiatives to the Department of Elections. The proponent or proponents~~
9 ~~shall clearly identify the measure as a proposed initiative to be submitted at a specific election,~~
10 ~~and the proponent or proponents shall file a copy of the measure with the Department of~~
11 ~~Elections at the same time as the measure is submitted to the Board of Supervisors.~~

12 ~~The President of the Board of Supervisors shall assign the measure to a committee of the~~
13 ~~Board, and the committee shall conduct a public hearing on the measure at least 15 days prior to~~
14 ~~the deadline for the submission of such initiatives to the Department of Elections.~~

15 ~~Failure by the Board of Supervisors to hold a hearing on the measure prior to the~~
16 ~~Department of Elections' deadline for submittal of legislative or mayoral initiatives shall not~~
17 ~~prevent the Director of Elections from placing the initiative on the ballot. But the Director of~~
18 ~~Elections shall include a notice in the voter information pamphlet that the measure was not the~~
19 ~~subject of the required public hearing.~~

20 ~~The proponent or proponents of an initiative measure may withdraw the proposed~~
21 ~~measure at any time prior to the Department of Elections' deadline for submission of such~~
22 ~~initiatives, subject to any requirements of the Municipal Elections Code or other City ordinance.~~
23 ~~If a measure is withdrawn, the Board of Supervisors is not required to conduct a hearing on the~~
24 ~~measure.~~

1 **SEC. 3.100. POWERS AND RESPONSIBILITIES.**

2 The Mayor shall be the chief executive officer and the official representative of the City
3 and County, and shall serve full time in that capacity. The Mayor shall devote his or her entire
4 time and attention to the duties of the office, and shall not devote time or attention to any other
5 occupation or business activity. The Mayor shall enforce all laws relating to the City and County,
6 and accept service of process on its behalf.

7 * * * *

8 The Mayor shall have the power to:

9 * * * *

10 ~~16. Subject to the provisions of Charter Section 2.113, submit to the voters a~~
11 ~~declaration of policy or ordinance on any matter on which the Board of Supervisors is~~
12 ~~empowered to pass;~~

13 1617. Have and exercise such other powers as are provided by this Charter or by law
14 for the chief executive officer of a City and County;

15 1718. Unless otherwise specifically provided, make appointments to boards and
16 commissions which shall be effective immediately and remain so, unless rejected by a two-thirds
17 vote of the Board of Supervisors within 30 days following transmittal of Notice of Appointment.
18 The Notice of Appointment shall include the appointee's qualifications to serve and a statement
19 how the appointment represents the communities of interest, neighborhoods and diverse
20 populations of the City and County;

21 1819. Appoint department heads subject to the provisions of this Charter; and

22 1920. Prepare and submit schedule of rates, fees and other similar charges to the
23 Board of Supervisors.

1 **SEC. 4.140. DEPARTMENT OF PUBLIC WORKS.**

2 (a) **Responsibilities of Department.** There shall be a Department of Public Works (the
3 “Department”). On January 1, 2023, the Department shall assume the responsibilities of the
4 Department of Sanitation and Streets as they existed on December 31, 2022, and shall retain the
5 existing responsibilities of the Department of Public Works. The Department shall be headed by
6 a Director of Public Works appointed by the Mayor as provided in Sections 3.100(~~1849~~) and
7 4.102(5).

8
9 **SEC. 14.101. INITIATIVES.**

10 An initiative may be proposed by presenting to the Director of Elections an initiative
11 petition ~~containing the initiative and~~ signed by voters in a number equal to at least ~~two percent~~
12 8% of the number of registered voters in the City and County. Upon certification of the
13 sufficiency of the petition's signatures, the Director of Elections shall submit ~~Such initiative~~
14 ~~shall be submitted to the voters by the Director of Elections upon certification of the sufficiency~~
15 ~~of the petition's signatures unless the initiative is withdrawn under this Section 14.101.~~

16 A vote on such initiative shall occur at the next general municipal or statewide election
17 occurring at any time after 90 days from the date ~~of the~~ Director of Elections executes the
18 certificate of sufficiency ~~executed by the Director of Elections~~, unless the Board of Supervisors
19 directs that the initiative be voted upon at a special municipal election.

20 If the initiative petition ~~containing the initiative~~ is signed by voters in a number equal to
21 at least ~~ten percent of the votes cast for all candidates for Mayor in the last preceding general~~
22 ~~municipal election for Mayor~~ 10% of the number of registered voters in the City and County, and
23 contains a request that the initiative be submitted forthwith to voters at a special municipal
24 election, the Director of Elections shall promptly call such a special municipal election on the
25 initiative. Such election shall be held not less than 105 nor more than 120 days from the date of

1 its calling unless it is within 105 days of a general municipal or statewide election, in which
2 event the initiative shall be submitted at such general municipal or statewide election.

3 The proponent or proponents of the initiative measure may withdraw the measure after
4 submission to the Director of Elections by a written request to the Director of Elections
5 submitted by all proponents of the measure no later than 102 days before the election. In the
6 event a measure is withdrawn after a special election is called under this section, the special
7 election will not proceed unless the Board of Supervisors otherwise calls a special election
8 consistent with the timeframes established in this Charter.

9 No initiative or declaration of policy approved by the voters shall be subject to veto, or to
10 amendment or repeal except by the voters, unless such initiative or declaration of policy shall
11 otherwise provide.

13 **ARTICLE XVII: DEFINITIONS**

14 * * * *

15 “Initiative” shall mean (1) a proposal by the voters with respect to any ordinance, act or
16 other measure which is within the powers conferred upon the Board of Supervisors to enact, any
17 legislative act which is within the power conferred upon any other official, board, commission or
18 other unit of government to adopt, or any declaration of policy; or (2) any measure submitted to
19 the voters ~~by the Mayor or~~ by the Board of Supervisors, ~~or four or more members of the Board~~
20 the Board of Directors of the Municipal Transportation Agency under Section 8A.109, or the
21 Ethics Commission under Section 15.102.

22 * * * *

23
24 Section 2. In enacting this Charter amendment, the qualified voters of the City and
25 County intend to amend only those words, phrases, paragraphs, subsections, sections, articles,

1 numbers, punctuation marks, or any other constituent parts of the Charter that are explicitly
2 shown in this Charter amendment as additions or deletions in accordance with the “Note” that
3 appears under the official title of the Charter amendment.
4

5 Section 3. Severability. If any section, subsection, sentence, clause, phrase, or word of
6 this Charter amendment, or any application thereof to any person or circumstance, is held to be
7 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall
8 not affect the validity of the remaining portions or applications of the Charter amendment. The
9 qualified voters of the City and County of San Francisco hereby declare that they would have
10 voted in favor of this Charter amendment, and each and every section, subsection, sentence,
11 clause, phrase, and word not declared invalid or unconstitutional without regard to whether any
12 other portion of this Charter amendment or application thereof would be subsequently declared
13 invalid or unconstitutional.
14

15 APPROVED AS TO FORM:
16 DAVID CHIU, City Attorney

17 By: ATTORNEY'S NAME
18 Deputy City Attorney
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