



DENNIS J. HERRERA
City Attorney

JOSHUA S. WHITE
Deputy City Attorney

DIRECT DIAL: (415) 554-4661
E-MAIL: joshua.white@sfgov.org

MEMORANDUM

TO: John Arntz, Director of Elections
Angela Calvillo, Clerk of the Board

FROM: Joshua S. White
Deputy City Attorney

DATE: June 27, 2016

RE: Election Results and Effective Dates of Ballot Measures

In this memorandum, we summarize the process for reporting election results and the effective dates of ballot measures adopted at the June 7, 2016 election. Dates provided in this memorandum are only estimates; further action by the Board of Supervisors (the "Board") and, in some cases, the Secretary of State, will determine the effective dates of measures adopted by the voters.

Reporting Election Results

- **Preliminary results** – As soon as the polls close on Election Day, the Department of Elections ("Department") begins tabulating vote-by-mail (absentee) ballots and precinct ballots and compiling the results. *See* Cal. Elections Code § 15150. The semifinal official canvass continues until all precincts are accounted for, *see id.*, and the Department reports preliminary results on Election Night. But because of time constraints, the preliminary results do not include vote-by-mail ballots that the Department receives on or shortly before Election Day, provisional ballots, and ballots with write-in votes.
- **Processing vote-by-mail and provisional ballots** – In the days after an election, the Department continues to process ballots that could not be counted by Election Night. Each afternoon, the Department releases updated results that include the vote-by-mail and provisional ballots processed that day.
- **Final results, local contests** – The Department must complete the final official canvass of votes and certify the election results within 28 days of the election. *See* Cal. Elections Code § 15372. The Department submits the certified results to the Board, which must then adopt a resolution declaring the results of the election. *See id.* §§ 9269, 15400. For the June 7, 2016 election, the Department certified the election results on June 24, 2016.

Effective Date of Ballot Measures

- **Local initiative ordinances** – Unless the text of the measure provides otherwise, local measures adopted by the voters go into effect 10 days after the Board declares the results of the election. *See* S.F. Municipal Elections Code § 380. The Board will likely declare the results of the June 7, 2016 general election on July 12, 2016. The Mayor will then have ten days to sign the resolution or return it unsigned, at which point it will become effective. Depending on the date of the Mayor's signature, local initiative ordinances

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PAGE: 2
RE: Election Results and Effective Dates of Ballot Measures

adopted at this election would become effective between July 23, 2016 and August 1, 2016.

- **Charter amendments** – After the Board declares the election results, the Director of Elections must submit to the Secretary of State a copy of any Charter amendment adopted by the voters. See Cal. Elections Code § 9269. The amendment would become effective when it is accepted and filed by the Secretary of State. See S.F. Municipal Elections Code § 380; Cal. Govt. Code §§ 34459, 34460. We estimate that any Charter amendment adopted at the June 7, 2016 election will be filed with the Secretary of State, and will therefore become effective, in late July.

June 7, 2016 Local Measures

We list below the date each local measure will become generally effective if it passes. Interested parties should not rely on this memorandum as a substitute for consulting with an attorney.

Bond Measure

A: Public Health and Safety Bond

- Effective 10 days after the Board declares the results of the election.

Charter Amendments

B: Park, Recreation and Open Space Fund

- Effective when the Secretary of State files the Charter amendment.

C: Affordable Housing Requirements

- Effective when the Secretary of State files the Charter amendment.
- Note: On June 12, 2016, the Board passed Ordinance No. 76-16, File No. 160255. That ordinance will become effective when the Secretary of State files this Charter Amendment.

Ordinances

D: Office of Citizen Complaints Investigations

- Effective 10 days after the Board declares the results of the election.

E: Paid Sick Leave

- Effective 10 days after the Board declares the results of the election.
- Operative 90 days after the Board declares the results of the election.