

## LEGISLATIVE DIGEST

### [Non-Citizen Voting in School Board Elections.]

A proposal to amend the Charter of the City and County of San Francisco by adding Section 13.111 to authorize San Francisco residents 18 years of age or older who are the parents, legal guardians or caregivers of children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the residents are United States citizens.

#### Existing Law

San Francisco residents who are 18 years of age or older, United States citizens, and not in prison or on parole for a felony conviction are eligible to register to vote in San Francisco elections, including elections for the Board of Education of the San Francisco Unified School District. Non-citizens are not eligible to register to vote.

#### Amendments to Current Law

If approved by the voters, this Charter amendment would:

- Authorize San Francisco residents who are 18 years of age or older and who are the parents, legal guardians, or caregivers for children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen.
- Authorize the Board of Supervisors to adopt ordinances implementing non-citizen voting in Board of Education elections.

The provision authorizing non-citizen voting in Board of Education elections would "sunset" on December 31, 2016, or the December 31 immediately following the third School Board election conducted pursuant to this amendment, whichever is later. The Board of Supervisors, by ordinance, could authorize non-citizen voting in Board of Education elections to continue after that date.

The second draft of this proposed charter amendment also incorporates the following changes:

- Amends Charter section 8.100 to reference the new section 13.111.
- Adds a sentence to section 13.111(d) to clarify that the amendment does not change the meaning of "elector" or "voter" as defined in Article 17 of the Charter.
- Changes the sunset provision of section 13.111(c) to establish a default expiration date of December 31, 2016 or the third election conducted pursuant to this ordinance instead of December 31, 2014 or the second election conducted pursuant to this ordinance.