

OPINION SUMMARY

OPINION NO: 2017-3

DATE: 8/8/2017

CHARTER SECTIONS INTERPRETED: 50(a), 50(c), 51, 93(h), 97(a), 97(c), 553(a), 558(b), 734, 735(a), 735(b), 813(b), 851, 854(d), 854(e), 854(f), 854(h), 870, 871(a), 871(b), 1052(a), 1054(a), 1054(b), 1054(c), 1171, 1524(1), 2101(a), 2101(b)(6), 2601(1), 2601(19), 2604(b)(12), 2604(b)(15), 3005

BOARD RULES INTERPRETED: 1-02(a), 1-02(a)(2), 1-02(a)(3), 1-03

SUBJECTS: Political Activities

OTHER OPINION CITED: 2003-5

SUMMARY: Members of the following 11 boards, committees, and commissions are public servants charged with substantial policy discretion: (1) the Audit Committee; (2) the Banking Commission; (3) the Business Integrity Commission; (4) the Civil Service Commission Screening Committee; (5) the Board of Collective Bargaining; (6) the Deferred Compensation Board; (7) the Districting Commission; (8) the Board of Health; (9) the Mayor's Advisory Committee on the Judiciary; (10) the Office of Payroll Administration Board of Directors; and (11) the Public Design Commission. As public servants charged with substantial policy discretion, Charter Section 2604(b)(12) prohibits the members of these boards, commissions, and committees from directly or indirectly requesting any person to make or pay any political assessment, subscription, or contribution for any candidate for an elective office of the City or for any City elected official who is a candidate for any elective office. In addition, Charter

Section 2604(b)(15) prohibits the members of these boards, commissions, and committees from serving as a member of the national or state committee of a political party, an assembly district leader of a political party, or a chair or officer of the county committee or county executive committee of a political party.

The Board further concludes that the following are advisory committees and thus their members do not exercise substantial policy discretion: (1) the Archival Review Board; (2) the Interagency Coordinating Council; and (3) the Voter Assistance Advisory Committee. Accordingly, the members of these advisory committees are not subject to the restrictions on political activities set forth in Charter Sections 2604(b)(12) and 2604(b)(15) by virtue of their service on these advisory committees.