



## **CONNECT BAY AREA REVENUE MEASURE: POLITICAL ACTIVITIES GUIDELINES**

Senate Bill 63 (Wiener, 2025) created the Public Transit Revenue Measure District (District), governed by the board of the Metropolitan Transportation Commission, to enable collection of a new regional sales tax to fund public transportation in the counties of San Francisco, Alameda, Contra Costa, San Mateo and Santa Clara. The Connect Bay Area Transit Committee is now gathering signatures for a citizens' petition to place what is now referred to as the "**Connect Bay Area**" revenue measure on the November 3, 2026 ballot, as permitted by Senate Bill 63.

If the Connect Bay Area measure is on the ballot and approved by the voters, the sales tax revenues would be distributed to the Alameda-Contra Costa Transit District (AC Transit), Peninsula Corridor Joint Powers Board (Caltrain), San Francisco Bay Area Rapid Transit District (BART), San Francisco Municipal Transportation Agency (Muni), San Mateo County Transit District (SamTrans), Santa Clara Valley Transportation Authority (VTA), San Francisco Bay Area Water Emergency Transportation Authority (San Francisco Bay Ferry), and Golden Gate Bridge, Highway and Transportation District (Golden Gate Transit), and to the Alameda County Transportation Commission and Contra Costa Transportation Authority for further distribution to the smaller bus operators in their counties. The tax revenues would be used for public transit purposes.

**PURPOSE OF THESE GUIDELINES:** This document provides guidance to public transit and other local government agencies and their leaders and employees regarding how they can, and cannot, spend public resources and communicate about the Connect Bay Area measure. This guidance applies now through November 3, 2026.

*Note: In these Guidelines, "Agency" refers to any individual public transit or other local government agency, including County Connection; "Board" refers to an Agency's governing body; "Directors" refers to members of an Agency's Board; and, "Employees" refers to any Agency employee.*

Please contact County Connection's attorneys for help or if you have questions:

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**GENERAL RULE:** Public resources (including, but not limited to, funds, staff time, offices, office supplies, phones, computers, phone lines, email addresses, websites, social media accounts, vehicles and uniforms) **may not** be used to advocate or campaign for or against the Connect Bay Area measure. Public resources **may** be used to develop, research, and/or plan for the effects of the measure on a transit agency, and to share the results of that work in an informational and educational way.

## **I. PERMITTED ACTIVITIES ON AGENCY TIME / WITH PUBLIC RESOURCES**

- Directors and staff may not use public resources to support or campaign to gather signatures for placement of the Connect Bay Area measure on the ballot.
- Directors and staff may research, conduct public outreach, discuss, and adopt a local funding plan for potential uses of Connect Bay Area measure funds in an Agency's geographic area, commonly referred to as "return to source" funds. Board-approved local funding plans may be referenced in future Agency communications regarding the measure. Allowable public outreach includes purchasing ads and engaging in other activities to solicit public input regarding priorities for potential uses of return to source funds. An example of a permissible social media ad might say: "How would you fix transportation in your County? Click here to share your input."
- A Board may adopt a resolution to support/endorse or oppose the Connect Bay Area measure. The Board must allow public comment before taking action. As a precaution, it is advisable for any resolution to state that no public funds or resources will be used to support or oppose the measure.
- Directors and staff may prepare and distribute informational/educational materials about the Connect Bay Area measure that are objective, impartial, and factual. For example, a balanced and fact-based analysis of the effect of the measure on the Agency and its customers is permissible.
- Directors and staff may respond to inquiries, participate in interviews and discussions, and make presentations about the Connect Bay Area measure in an objective, impartial, and factual manner. If the Board adopts a resolution supporting or opposing the measure, Directors and staff may state the position of the Board, refer to the resolution, and relay what it says.



## II. PROHIBITED ACTIVITIES

- Directors and staff may not promote or oppose the Connect Bay Area measure while “on the clock.” “On the clock” means during work hours, or when the Directors or staff are supposed to be available for and/or working on Agency business.
- Directors and staff may not use public resources to advocate or campaign for or against the measure. “Public resources” includes, but is not limited to, funds, staff time, offices, office supplies, phones, computers, phone lines, email addresses, websites, social media accounts, vehicles and uniforms.
- Staff may not use public funds to purchase typical campaign materials like bumper stickers, t-shirts, advertising floats, or television or radio spots to promote or oppose the measure.
- Directors and staff may not *specifically* solicit contributions from Agency employees to support campaigns for or against the measure.
- Directors and staff may not participate in any advocacy or campaign activities for or against the measure while wearing an Agency uniform or any other clothing or accessories with the Agency name or logo, *even when acting on their own time*.
- Agencies may not place links to the Connect Bay Area measure's advocacy or campaign website on the Agency's website or social media pages, in an Agency email signature block, or in an Agency newsletter/other publication. (Consult with your Agency's attorney if your Agency desires to utilize links to campaigns both for *and* against the measure.)
- Directors and staff may not distribute advocacy or campaign materials through the Agency's internal communication system, send them using an Agency email or texting account, or post or distribute them at Agency facilities or on Agency vehicles.
- Directors and staff may not use their official positions or authority to attempt to influence others to support or oppose the Connect Bay Area measure.



### III. PERMITTED ACTIVITIES “OFF THE AGENCY CLOCK” AND WITHOUT PUBLIC FUNDS OR RESOURCES

*Note: Employees who do not have set hours should talk with their managers and/or their Agency’s attorney about what time counts as “on” or “off” the clock. Vacation, personal leave, and paid time off is always “off the Agency clock.”*

- Directors and staff may sign a petition to place the Connect Bay Area measure on the ballot.
- Directors and staff may collect petition signatures “off the Agency clock,” but may *not* use their official positions to influence other potential signatories, including other Agency employees.
- Directors and staff may advocate for or against the Connect Bay Area measure “off the Agency clock,” without using Agency funds or resources, and without wearing an Agency uniform or a t-shirt or accessory with the Agency's name or insignia on it. **Directors and staff should make clear that they are acting as individuals, not on behalf of the Agency, and not on Agency time/during Agency work hours.**
- Directors and staff may advocate “off the Agency clock” by distributing campaign material through personal phones, email or texts, and on personal social media pages.
- Directors and staff may contribute their own money, resources and time to support or oppose the Connect Bay Area measure. They also may put yard signs out at their homes, put bumper stickers on their own private vehicles, etc.
- Directors and staff may announce their personal support or opposition to the Connect Bay Area measure and try to convince others of the same position when “off the Agency clock” and without using Agency funds or other resources.
- Directors and staff may solicit campaign support from the public, or a group of the public not primarily consisting of Agency employees, so long as the solicitation does not occur on Agency time or use Agency resources.

### IV. RISKS/PENALTIES

The Fair Political Practices Commission and/or District Attorney may investigate alleged use of Agency resources for campaigning. Allegations often attract unflattering and ongoing media attention regarding individual people, agencies and campaigns. Investigations may result in criminal and civil fines and other penalties.

# County Connection

Board of Directors Meeting - February 19, 2026

## Connect Bay Area Revenue Measure “Do’s and Don’ts”



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# Connect Bay Area Revenue Measure

- SB 63 authorizes a retail transactions and use tax to be imposed by a qualified voter initiative, subject to voter approval at the November 3, 2026 statewide general election.
- Tax revenues would be allocated to public transit operations expenses and other public transit purposes.



Livermore Amador Valley  
TRANSIT AUTHORITY



*San Francisco Bay Ferry*





# General Rule

## Campaign and Political Activities

- **Can't** use agency resources to advocate or campaign for local ballot measure
- **Can** use agency resources to provide informational/educational materials that are neutral and balanced in timing, tenor and tone

***Public officials and staff can campaign only on their own time and own dime!***





# Connect Bay Area Revenue Measure

- Connect Bay Area committee has filed papers indicating intent to circulate petition for signatures to place measure on ballot
- **Restrictions are in effect now**





# Prohibited Activities

- **No** using public funds/resources for campaigning, including to gather signatures for placing measure on the ballot
  - “Resources” includes time, means of communication (e.g., Agency phone, phone number, email, website)
  - No traditional campaign expenditures like lawn signs, bumper stickers, billboards
- **No** using public funds/resources encouraging voting for or otherwise supporting measure
- **No** solicitation of officers or employees for political contributions or actions
- **Risks:** FPPC investigations and fines, lawsuits, bad press
- **Penalties:** civil, criminal



# What *Can* the Agency do?

Without expressing/urging support for or opposition to measure:

- Conduct public outreach, discuss, and adopt a local funding plan for potential uses of revenues from measure
- Use informational/educational language to communicate or gather input on potential impacts
- Inform/Educate, answer questions about:
  - An adopted local funding plan
  - Expected impacts of a successful or unsuccessful measure
- Use forms of communication that are typical for the Agency e.g., press releases, social media



# What *Can* the Agency do?

Without expressing/urging support for or opposition to measure:

- Take a formal position on measure (which is *not* a license to advocate)
  - Present proposed position in open, public meeting
  - With all sides able to present input
  - Using simple, measured, informative language
  - Representing Agency's own position; not directing anyone on how to act in response to a petition or vote
- Inform/Educate about formal position taken by the Agency





## What *Can* You Do, Personally?

- On your own time (nights/weekends/PTO): Campaign or advocate for or against the measure (only using non-governmental resources)
- When campaigning/advocating on your own time (and when using non-governmental resources like your own phone/Facebook page): It's OK to identify yourself as an Agency Director/staff *if* you make clear you aren't speaking on behalf of the Agency
- At your own home (not your office) / on your own car (not an Agency vehicle): put out lawn signs, use bumper stickers



**Questions?**

