

Amend 2 Cal. Code Regs., Section 18351 to read:

§ 18351. Conflict of Interest Code of the Fair Political Practices Commission.

(a) The Political Reform Act, (Sections 81000, et seq.), requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (“Commission”) has adopted a regulation, (2 California Code of Regulations Section 18730), ~~which that~~ contains the terms of a standard ~~model~~ conflict of interest code, which can be incorporated by reference in an agency’s code. After public notice and hearing, the standard code and may be amended by the Commission to conform to amendments in the Political Reform Act ~~after public notice and hearings~~. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Commission are hereby incorporated by reference. along This regulation and ~~with the~~ attached Appendix, designating positions and establishing disclosure categories shall in which ~~officials and employees are designated and disclosure categories are set forth, are incorporated by reference and~~ constitute the conflict of interest code of the Commission.

Individuals ~~in~~ holding designated positions ~~shall must~~ file their statements of economic interests electronically with the Commission, ~~which will make the~~ All statements must be made available for public inspection and reproduction ~~under~~ (Government Code Section 81008.) Statements filed by all individuals in designated positions will be retained by the Commission. For informational purposes only: Statements for Fair Political Practices Commissioners shall be ~~are~~ filed electronically with the Commission, who will forward copies ~~to~~ with the Office of the Attorney General.

(b) Appendix

<i>Designated Positions</i>	<i>Assigned Disclosure Category</i>
<i>EXECUTIVE OFFICE</i>	
Executive Director	1
Information Officer	1
Legislative Counsel (<u>All Levels</u>)	1
Executive Fellow	3
Graduate Legal Assistant	1
Associate Governmental Program Analyst	3
Staff Services Analyst	3
<i>LEGAL DIVISION</i>	
General Counsel	1
Assistant General Counsel	1
FPPC Counsel (<u>All Levels</u>)	1
Staff Services Manager II	3
Staff Services Manager I	3
Political Reform Consultants (<u>All Levels</u>)	3
Staff Services Analyst (Assistant Political Reform Consultant)	3
<i>ENFORCEMENT DIVISION</i>	
Division Chief	1
Assistant Enforcement Chief	1

Supervising Special Investigator	1
FPPC Counsel (All Levels)	1
Staff Services Manager I	2
All Investigators (except Supervising Special Investigator)	2
Political Reform Consultants (<u>All Levels</u>)	2
Associate Governmental Program Analyst	2
Staff Services Analyst (Assistant Political Reform Consultant)	2
Management Services Technician (subpoena services)	5
AUDITS AND ASSISTANCE DIVISION	
Division Chief	1
<u>Senior Management Auditor</u>	2
Supervising Management Auditor	2
All Program Specialists	2
ADMINISTRATION AND TECHNOLOGY DIVISION	
Division Chief	1
Chief Information Officer	4
Division Manager	3, 4
Staff Services Manager I (<u>Form 700 and Business Services Units</u>)	3
Consultants/New Positions*	

- 1 * Consultants/New Positions shall disclose pursuant to the broadest disclosure category in the
- 2 code subject to the following limitations:

1 The Executive Director may determine in writing that a particular consultant or new
2 position, although a “designated position,” is hired to perform a range of duties that is limited
3 in scope and thus is not required to comply fully with the disclosure requirements described in
4 this section. Such written determination shall include a description of the consultant's or new
5 position's duties and, based upon that description, a statement of the extent of disclosure
6 requirements. The determination of the Executive Director is a public record and shall be
7 retained for public inspection in the same manner and location as this conflict of interest code.
8 (Section 81008.) Nothing herein excuses any such consultant from any other provision of this
9 conflict of interest code.

10 ***Disclosure Categories***

11 ***Category 1***

12 A designated position in this category must report all investments, and business positions in
13 business entities, interests in real property, and sources of income, including receipt of gifts,
14 loans, and travel payments.

15 ***Category 2***

16 A designated position in this category must report:

17 Interests in real property.

18 Investments and business positions in business entities, and income, including receipt of gifts,
19 loans, and travel payments, from sources that:

20 (A) Are, or were, during the previous two years a “candidate,” “public official,”
21 “committee,” “lobbyist,” “lobbying firm,” or “lobbyist employer” within the meaning of the
22 Political Reform Act, or file periodic reports pursuant to Sections 86114 and 86116; or

1 (B) Are attorneys who represent persons described in Category 2(A) in matters directly
2 related to their status as described in Category 2(A); or

3 (C) Are committee treasurers; or

4 (D) Were the subject of a complaint to, investigation by, or enforcement action of the
5 Commission that was acted upon or participated in by the filer during the period covered by the
6 statement.

7 ***Category 3***

8 A designated position in this category must report investments and business positions in
9 business entities, and income, including receipt of gifts, loans, and travel payments, from
10 sources that:

11 (A) Are, or were, during the previous two years a “candidate,” “public official,”
12 “committee,” “lobbyist,” “lobbying firm,” or “lobbyist employer” within the meaning of the
13 Political Reform Act, or file periodic reports pursuant to Sections 86114 and 86116; or

14 (B) Are attorneys who represent persons described in Category 3(A) in matters directly
15 related to their status as described in Category 3(A); or

16 (C) Are committee treasurers.

17 ***Category 4***

18 A designated position in this category must report investments and business positions in
19 business entities, and income, including receipt of gifts, loans, and travel payments, from
20 sources of the type that within the previous two years has provided services, equipment, leased
21 space, materials, or supplies to the Commission.

22 ***Category 5***

1 A designated position in this category must report investments and business positions in
2 business entities, and income, including receipt of gifts, loans, and travel payments, from
3 sources of the type that provide services, equipment, leased space, materials, or supplies for the
4 Division for which the position is assigned.

5 NOTE: Authority cited: Section 83112, Government Code. Reference: Sections
6 87300, 87302, 87303, 87306 and 87311, Government Code; and *Fair Political Practices*
7 *Commission v. Office of Administrative Law, Linda Stockdale Brewer*, Sacramento Superior
8 Court, Case No. 51279.