

California Fair Political Practices Commission
Government Code Sections 87408, 87409, and 87410: Revolving Door Provisions for Former CalPERS and CalSTRS Officials

Assembly Bill 873, which became effective January 1, 2012, added additional revolving door provisions applicable to certain former CalPERS and CalSTRS officials.

Which officials are covered under the rules?

CalPERS:

- CalPERS Board Members
- Executive Director
- General Counsel
- Chief Actuary
- Chief Investment Officer
- Chief Financial Officer
- Investment Officers designated Managerial
- Portfolio Managers designated Managerial
- Information Technology Manager with Career Executive Assignment
- Health Benefits Manager with Career Executive Assignment

CalSTRS:

- CalSTRS Board Members
- Chief Executive Officer
- System Actuary
- General Counsel
- Chief Investment Officer
- Investment Officers designated Managerial
- Portfolio Managers designated Managerial
- Information Technology Manager with Career Executive Assignment
- Health Benefits Manager with Career Executive Assignment

Section 87408: 4-Year Ban

Under the 4-year ban, a covered official is prohibited from making any appearance before or communication with his or her former agency, or any officer or employee thereof, if:

1. The official has permanently left that particular office or employment.
2. The appearance or communication is within 48 months of the official leaving office or employment.
3. The official is compensated or promised compensation not including travel, meals, or accommodations for voluntary services.
4. The appearance or communication is made on behalf of any person as an agent, attorney, or representative except to represent own personal interest.
5. The appearance or communication is made for the purpose of influencing legislative or administrative action or discretionary action involving the issuance, amendment, awarding, or revocation of a permit, license, grant or contract, or the sale or purchase of goods or property.

Section 87409: 2-Year Ban

Under the 2-year ban, a covered official is prohibited from aiding, advising, consulting with, or assisting a business entity to obtain a contract or contract amendment with his or her former agency if:

1. The official has permanently left that particular office or employment.
2. The appearance or communication is within 24 months of the official leaving office or employment.
3. The official is compensated or promised compensation not including travel, meals, or accommodations for voluntary services.

Section 87410: 10-Year Ban

Under the 10-year ban, a covered official is prohibited from serving as a placement agent in connection with investment before either CalPERS or CalSTRS if:

1. The official has permanently left particular office or employment.
2. The services are within 120 months of the official leaving office or employment.
3. The official is compensated or promised compensation not including travel, meals, or accommodations for voluntary services.

Statutory and Regulatory Authority

Government Code Sections 87408, 87409, and 87410

Please note other bodies of law may apply, including but not limited to, Government Code Sections 7508.5 and 20098(e), Education Code Section 22215.5(d), and Public Contract Code 10411.