

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

**§ 18756. Statements of Economic Interests: Certification of Electronic Filing Systems.**

(a) Database Design. To permit compatibility among systems, an agency's electronic filing system for statements of economic interests under Section 87500.2 shall accept a filing using a system that permits data to be exported to a common file format such as comma separated values (CSV) or Extensible Markup Language (XML), allowing the data to be easily retrieved on a variety of spreadsheet and database applications.

(b) Security Features. In addition to the requirements set forth in Section 87500.2, an agency's electronic filing system shall include the necessary industry best practices to ensure the security and integrity of the data and information contained in a statement of economic interests electronically filed through the agency's system is not jeopardized or compromised by incorporating technology, including but not limited to secured authentication, complex password requirements, secure sockets layer (SSL), Web encryption, enterprise-level network firewalls, database encryption, password encryption, system hardening procedures, a backup and restore process, disaster recovery capability, and the capability to completely redact or omit information from an Internet posting of the form.

(c) Data Exchange Requirements. An agency's electronic filing system shall meet the data exchange requirements necessary to autonomously transfer data between the agency's system and the Commission's electronic filing system.

(d) Proposal and Fee. An agency seeking certification of its electronic filing system shall submit the following to the Commission:

(1) A description of the electronic filing system that the agency proposes to use with documentation showing compliance with the technical requirements of Section 87500.2 and this regulation, including system overviews, specifications, and network diagrams.

(2) A certification fee of \$1,000 payable to the Fair Political Practices Commission.

(e) Review Duration. The Commission shall complete the review and certification process as soon as practicable after receiving the agency's submitted proposal.

(f) Redaction. A local agency that chooses to post statements of economic interests online shall redact the address, telephone number, and signature block of a public official's statement of economic interests from the cover page before it is made available on the Internet. An agency may, at the request of an official, redact additional information from the official's statement of economic interests for purposes of the Internet posting if the official has a reasonable privacy concern related to an individual's address, a family member's name, or other personally identifiable information as set forth in Regulation 18313.6.

(g) Updates. An agency shall update its electronic filing system annually to conform to the Commission-approved changes to the statement of economic interests forms.

(h) Re-certification. An agency shall apply to the Commission for re-certification of its electronic filing system by resubmitting a description of the system, as required by subdivision (d)(1), if either of the following occurs:

(1) A significant change of product or system architecture takes place.

(2) Five years have passed since the initial or most recent Commission certification.

(i) Re-certification Fee. The Commission may, at its discretion, charge a \$1,000 re-certification fee, depending on the complexity of its review of the agency's electronic filing system.

(j) Rejection and Revocation. An agency's failure to comply with subdivisions (g) or (h), or to pay the re-certification fee authorized by subdivision (i), may result in the Commission's rejection of the agency's re-certification application or its revocation of its previous certification of the agency's electronic filing system.

Note: Authority cited: Section 83112, Government Code. Reference: Section 87500.2, Government Code.

### **HISTORY**

1. New section filed 1-9-2013; operative 2-8-2013. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

2. Amendment filed 1-14-2019; operative 2-13-2019 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2019, No. 3).