The Political Reform Act requires every state agency to review its conflict-of-interest code biennially.

March 1, 2013: Your agency must review its conflict-of-interest code and submit the attached notice to the FPPC indicating whether or not an amendment is necessary. Return this notice to the FPPC regardless of how recently your agency’s code has been approved, or if the code is currently under review.

If changes have occurred since your last code, FPPC staff will work with you in preparing the amendment. An agency’s amended code is not effective until it has been approved by the FPPC.

The FPPC acknowledges that due to the election year, furloughs and other matters some code amendments have been delayed.

In 2013 we have received additional resources and we will do our best to process the amendments in a timelier manner.

Disclosure Categories Must be Tailored

The FPPC Commission will be undertaking an extensive review of the conflict of interest rules. As part of this process the Commission, after reviewing case law, directed FPPC staff to ensure that agencies always tailor the disclosure categories so that only sources that have the potential to be affected by an action of the employee are reportable. The result of this directive is that the FPPC will be recommending that "full disclosure" reporting be very limited and in many cases not relevant because the agency's mission and programs are subject matter related.

FPPC Forms That Simplify Disclosure

Consultants: Form 805 may be used to identify consultants that will make or participate in making governmental decisions on behalf of the agency. The Form 805 is also used to identify the consultant’s disclosure requirements which should conform to the range of the consultant’s duties.

Example: A state agency hired a firm to prepare a report that offers an assessment and policy recommendations on a major water project. The individual at the firm who will prepare the report should be assigned a disclosure requirement that reflects the contract’s scope of authority. An example might include investments and business positions in business entities, and income from only those sources engaging in seismology, geology, or civil engineering services. The agency can also assign an existing disclosure category, if applicable.

New Positions: Form 804 can be used to identify new positions. FPPC Regulation 18734 requires an individual hired for a position not yet covered under your agency’s conflict-of-interest code to file Form 700 if the individual serves in a position that makes or participates in making governmental decisions. These individuals must file under the broadest disclosure category until the code is amended to include the new position unless your agency has provided, in writing, a limited disclosure requirement.

Example: An agency hires a new IT Manager. This is a brand new position, thus not listed in the agency’s conflict-of-interest code. Because this individual will make decisions on purchasing software, the position must be added to the code. The agency completes the Form 804 to provide the individual with limited disclosure relating to IT interests.

Attend a Seminar or Webinar!

Current seminar schedules are available at www.fppc.ca.gov under Webinars, Seminars & YouTube.

To register for a seminar, e-mail seminars@fppc.ca.gov. Seminars are subject to change.