STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
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January 14, 2020

Christina Morkner Brown
Deputy Secretary for Law Enforcement and Counsel
California Environmental Protection Agency
1001 I Street, 25th Floor
Sacramento, CA 95814

Re: **Request for Exemption from Conflict of Interest Code Requirement**
Our File No. E-20-001

Dear Ms. Morkner Brown:

This is in response to your November 5, 2020 request on behalf of the Lithium-Ion Car Battery Recycling Advisory Group ("Advisory Group"), under charter authority to your agency, for an exemption from the requirement to file a conflict of interest code. (Gov. Code, § 87300.)

The exemption request is approved because the Advisory Group satisfies the criteria in the Commission's governing regulation. (Cal. Code Regs., tit. 2, § 18751, subd. (d)(1).). The Advisory Group has established that it has no "designated employees" as it is an advisory body with unsalaried members and, additionally meets the criteria that it will not acquire real property in the foreseeable future, has an annual operating budget of less than $150,000, has no independent budget and or funding, and has no decisionmaking authority. Its sole purpose is to research a topic and prepare a recommendation to the Legislature, and it has no history of past recommendations being regularly accepted or adopted. Therefore, the Advisory Group need not develop a conflict of interest code, and its members are not required to file a Statement of Economic Interest related to their position.

Please note that interested parties may submit a request that this approval be reconsidered by the Commission within 30 days after the exemption approval is posted to the Commission's website. The Commission Chair will consider the request and if, in his discretion, good cause exists for reconsideration, he will schedule the matter for a hearing before the Commission. (Cal. Code Regs., tit. 2, § 18751, subd. (f).)

Upon being issued, an exemption remains in effect until the basis for the grant of exemption no longer exists or the expiration of two years, whichever occurs earlier. If the agency wishes to continue the exemption, it must submit an extension request. (Cal. Code Regs., tit. 2, § 18751, subd. (g).)

If you have questions on this matter, please contact me at (916) 322-5660.

Sincerely,

Thomas Jones
Executive Director

By: L. Karen Harrison
Senior Counsel, Legal Division

Cc: Salwa Bojack
Marcy Reed

LKH:sao