

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

2 **§ 18351. Conflict of Interest Code of the Fair Political Practices Commission.**

3 (a) The Political Reform Act, Sections 81000, et seq., requires state and local government  
4 agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices  
5 Commission (“Commission”) has adopted a regulation, Regulation 18730, which contains the  
6 terms of a standard model conflict of interest code, ~~which~~ can be incorporated by reference, and  
7 ~~which~~ may be amended by the Commission to conform to amendments in the Political Reform  
8 Act after public notice and hearings. Therefore, the terms of Regulation 18730 and any  
9 amendments to it duly adopted by the Commission along with the attached Appendix in which  
10 officials and employees are designated and disclosure categories are set forth, are ~~hereby~~  
11 incorporated by reference and constitute the conflict of interest code of the Commission.

12 Individuals in designated positions must file statements of economic interests with the  
13 Commission, which will make the statements available for public inspection and reproduction.  
14 (Section 81008.) Statements filed by all individuals in designated positions will be retained by  
15 the Commission. For informational purposes only: Statements for Fair Political Practices  
16 Commissioners are filed with the Office of the Attorney General.

17 **(b) Appendix**

|                                    | <i>Assigned</i>   |
|------------------------------------|-------------------|
|                                    | <i>Disclosure</i> |
| <i>Designated Positions</i>        | <i>Category</i>   |
| <b>EXECUTIVE OFFICE</b>            |                   |
| Executive Director                 | 1                 |
| <del>Communications Director</del> | <del>3</del>      |

|   |              |
|---|--------------|
| <del>Legislative Coordinator</del>                    | <del>3</del> |
| Executive Fellow                                      | 3            |
| Graduate Legal Assistant                              | 1            |
| <del>External Affairs</del>                           | <del>3</del> |
| <b><u>EXTERNAL AFFAIRS AND EDUCATION DIVISION</u></b> |              |
| <u>Division Chief</u>                                 | <u>1</u>     |
| <u>Information Officer</u>                            | <u>3</u>     |
| <u>Legislative and External Affairs Coordinator</u>   | <u>3</u>     |
| <u>Staff Services Manager I</u>                       | <u>3</u>     |
| <u>Political Reform Consultants</u>                   | <u>3</u>     |
| <b><i>LEGAL DIVISION</i></b>                          |              |
| General Counsel                                       | 1            |
| Assistant General Counsel                             | 1            |
| FPPC Counsel <u>(All Levels)</u>                      | 1            |
| <u>Staff Services Manager II</u>                      | <u>1</u>     |
| <u>Political Reform Consultants</u>                   | <u>3</u>     |
| <b><i>ENFORCEMENT DIVISION</i></b>                    |              |
| Division Chief  | 1            |
| <u>Assistant Enforcement Chief</u>                    | <u>1</u>     |
| Chief Investigator                                    | 1            |
| FPPC Counsel <u>(All Levels)</u>                      | 1            |
| <u>Staff Services Manager 1</u>                       | <u>2</u>     |

|  |                  |
|--|------------------|
| All Investigators (except Chief Investigator)                              | 2                |
| All Program Specialists  | 2                |
| Political Reform Consultants   | 2                |
| <u>Staff Services Analyst/Assistant Political Reform Consultant</u>        | <u>2</u>         |
| <del>Associate Government Program Analyst</del>                            | <del>2</del>     |
| Staff Services Analyst ( <del>procurement</del> <u>subpoena services</u> ) | 5                |
| <b><i><u>TECHNICAL ASSISTANCE DIVISION</u></i></b>                         |                  |
| <del>Division Chief</del>  | <del>1</del>     |
| <del>Assistant Chief</del>   | <del>1</del>     |
| <del>Manager, Filing Officer Programs</del>                                | <del>3</del>     |
| <del>Political Reform Consultant</del>                                     | <del>3</del>     |
| <b><i><u>ADMINISTRATION AND TECHNOLOGY DIVISION</u></i></b>                |                  |
| <del>Division Chief</del>  | <del>1</del>     |
| <del>Data Processing Manager</del> <u>Chief Information Officer</u>        | 4                |
| <del>Personnel Officer</del> <u>Division Manager</u>                       | <del>5</del> , 4 |
| <u>Staff Services Manager I</u>  | <u>3</u>         |
| <del>Project Manager</del>   | <del>5</del>     |
| Consultants/New Positions*   |                  |

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2           \* Consultants/New Positions shall disclose pursuant to the broadest disclosure category

3 in the code subject to the following limitations:

4           The Executive Director may determine in writing that a particular consultant or new

5 position, although a “designated position,” is hired to perform a range of duties that is limited in

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

8 ***Disclosure Categories***

9 ***Category 1***

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

13 ***Category 2***

14 A designated position in this category must report:

15 Interests in real property.

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

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

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

23 (C) Are committee treasurers; or

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

4 ***Category 3***

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

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

11 (B) Are attorneys ~~that~~ who represent persons described in Category 3(A) in matters  
12 directly related to their status as described in Category 3(A); or

13 (C) Are committee treasurers-; or

14 (D) Are parties affected by a formal advice letter written by the filer during the reporting  
15 period.

16 ***Category 4***

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

21 ***Category 5***

22 A designated position in this category must report investments and business positions in  
23 business entities, and income, including receipt of gifts, loans, and travel payments, from sources

1 of the type that provide services, equipment, leased space, materials, or supplies for the Division  
2 for which the position is assigned.

3 Note: Authority cited: Section 83112, Government Code. Reference: Sections 87300, 87302,  
4 87303, 87306 and 87311, Government Code; and *Fair Political Practices Commission v. Office*  
5 *of Administrative Law, Linda Stockdale Brewer*, Sacramento Superior Court, Case No. 51279.