

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the Commission), under the authority vested in it by the Political Reform Act (the Act)¹ by Section 83112 of the Government Code proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulation at a public hearing on or after **December 19, 2019**, at the offices of the Fair Political Practices Commission, 1102 Q Street, Sacramento, CA 95811, commencing at approximately **10:00 a.m.** Written comments should be received at the Commission offices no later than **5:00 p.m.** on **December 17, 2019**.

BACKGROUND/OVERVIEW:

In 2018, after researching challenges faced by the Commission, and several rounds of interviews and deliberations, the Commission's Ad Hoc Committee on Governance found that "the Commission's governance challenges are persistent;" "the Commission has struggled with integrating the full commission, including part-time commissioners, into its oversight and management;" and the "governance practices, ever since these were adopted in writing by the full Commission, have not been consistently observed over time."

Addressing these concerns, at the recommendation of the Ad Hoc Committee, the Commission adopted a series of regulations establishing governance principles for the Commission. Adopted in June 2018, Regulations 18308 through 18308.3 establish:

- The scope of authority for the Commission, Commission Chair, and Executive Director.
- The delegation and allocation of duties to and between the Commission Chair and Executive Director.
- Standing advisory committees.

REGULATORY ACTION:

Amend or Repeal 2 Cal. Code Reg. Sections 18308 through 18308.3.

The Commission will broadly examine the scope and effectiveness of the provisions adopted in June 2018. With the additional insight of more than a year of experience operating under the current governance principals, the Commission may consider any issues still pertaining to the governance of the Commission, as well as any successes and deficiencies in the current regulations. The Commission may act to amend or repeal Regulations 18308 through 18308.3.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All further statutory references are to the Government Code. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations (hereafter Regulation).

Adopt 2 Cal. Code Reg. Sections 18308.4.

The Commission will examine its review and approval of the Commission's budget, including but not limited to the adoption of a regulation establishing the Commission's policy and procedures for the adoption of the Commission's budget and budget change process.

SCOPE:

The Commission may adopt the language noticed herein, choose new language to implement its decisions concerning the issues identified above or any related issues, or act to repeal current Regulations 18308 through 18308.3.

FISCAL IMPACT STATEMENT:

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY:

Government Code Section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE:

The purpose of this regulation is to implement, interpret, and make specific Government Code Sections 83108, 83111 and 83117.

CONTACT:

Any inquiries should be made to Dave Bainbridge, General Counsel, Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, CA 95811; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/the-law/fppc-regulations/proposed-regulations-and-notices.html>.