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GOVERNOR SIGNS BILL TO EXPAND FPPC CONFLICT OF INTEREST 1090 ADVICE AND ENFORCEMENT AUTHORITY

October 8, 2013

FOR IMMEDIATE RELEASE

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Sacramento – Governor Jerry Brown today signed Assembly Bill 1090 (Fong), which for the first time gives the FPPC the authority to provide written advice on Government Code Section 1090 (1090) conflict of interest issues, and the authority to civilly or administratively enforce violations of 1090. The bill was sponsored by the FPPC and allows the FPPC, which already provides advice and enforcement on conflicts of interest in the Political Reform Act, to now provide advice and enforce the full range of governmental ethics statutes related to conflicts of interest.

“This is a significant milestone in the development of ethics laws in California,” said FPPC Chair Ann Ravel. “The FPPC has aggressively pursued compliance with ethics laws by public officials, and this greatly expands our tools to make sure officials are only working on behalf of the public, not themselves.”

Government Code 1090 specifically deals with conflicts of interests in government contracts by public officials. It traces its origins back to a California statute from 1851. The Political Reform Act’s (the Act’s) conflict of interest provision was passed in 1974, and addresses conflicts in any governmental decision by a public official. Prior to AB 1090, enforcement of 1090 could only be done criminally by a District Attorney or the Attorney General. There were no civil or administrative penalties permitted. The Act’s conflict of interest provisions allow for criminal, civil or administrative enforcement of its conflict provisions.

“Public officials will now have expanded access to timely advice on how to comply with the 1090 conflict rules,” said Chair Ravel. “The FPPC’s mission is to make sure public officials have easy access to the advice and resources they need to comply with the law..”

Public officials will now be able to write, call or e-mail the FPPC to receive advice on 1090 issues. The FPPC currently provides such advice on conflicts of interest under the Act

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