



FAIR POLITICAL PRACTICES COMMISSION

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November 7, 2006

Sachi A. Hamai
Executive Officer
Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, CA 90012

**RE: Your Request for Advice
Our File No. A-06-195**

Dear Ms. Hamai:

This letter is in response to your request for advice regarding the statement of economic interests provisions of the Political Reform Act (the "Act").¹

QUESTION

Does the Act prohibit a filing officer/official from completing parts 1, 2, 3 and the summary heading on the Statement of Economic Interests (Form 700) for its filers?

CONCLUSION

No. However, the Act requires that the Form 700 be signed under penalty of perjury and "verified" by the official who files the form.

FACTS

The Los Angeles County Board of Supervisors' Executive Office presently serves as the filing officer/official for more than 200 agencies and annually receives in excess of 2,000 Statements of Economic Interests (Form 700). In complying with section 81010 it has been your experience that many filers routinely complete the generic parts of the Form 700 incorrectly. The summary portions, where one must list their name, business address, office they hold, jurisdiction of that office, and type of statement being filed, are areas that the filers often have trouble with, but are also areas that your office already knows what the correct information should be.

¹ Government Code sections 81000 – 91014. Commission regulations appear at title 2, sections 18109-18997, of the California Code of Regulations.

These generic portions of the statement cause the filers problems which, in turn, require the filing officer/official to spend excessive hours working with the filers to amend and correct.

ANALYSIS

The Act requires that every public official disclose all of his or her economic interests that could foreseeably be affected by the exercise of the official's duties. (Sections 81002(c) and 87200.) In addition, section 81004 provides:

“(a) All reports and statements filed under this title shall be signed under penalty of perjury and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his knowledge it is true and complete.

“(b) A report or statement filed by a committee which qualifies under subdivision (a) of Section 82013 shall be signed and verified by the treasurer, and a report or statement filed by any other person shall be signed and verified by the filer. If the filer is an entity other than an individual, the report or statement shall be signed and verified by a responsible officer of the entity or by an attorney or a certified public accountant acting as agent for the entity. Every person who signs and verifies any report or statement required to be filed under this title which contains material matter which he knows to be false is guilty of perjury.”

Section 81004 does not prohibit another person from completing a statement or report. However, by signing the verification, the filer is stating that he or she has used all reasonable diligence in preparation of the statement, and to the best of the filer's knowledge, it is true and complete. (Section 81004.) Therefore, the filer should be able to verify the accuracy of the information on the form submitted.

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

Sincerely,

Luisa Menchaca
General Counsel

By: John W. Wallace
Assistant General Counsel
Legal Division

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