



San Francisco Ethics Commission

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February 12, 2025

Honorable Members of Fair Political Practices Commission
1102 Q Street, Suite 3000
Sacramento, CA 95811

Re: **AB 1170 – Electronic Filing of Statements of Economic Interests (SEIs)**

Dear Members of the Fair Political Practices Commission:

Thank you for this opportunity to provide input on the implementation of AB 1170 regarding electronic filing of Statements of Economic Interests (SEIs), or Form 700s.

Proposed Technical Solutions from the FPPC

The San Francisco Ethics Commission appreciates the meeting we participated in last month with Chair Silver, Director West, and other FPPC staff. Our team will continue to work with FPPC staff and NetFile to review the technical solutions being offered by the FPPC to address the serious concerns we raised about the implementation of AB 1170 in [our November communication](#) to the FPPC. Our office will provide a more detailed response to the proposed technical solutions soon; however, it does not appear that the proposed solutions will be adequate. This means that San Francisco's 87200 filers will likely need to continue double-filing their Form 700s in order to avoid a step backwards for government transparency in the City.

Expanded Coverage of 87200 Filers Within FPPC's System

Regarding the regulations being considered at the FPPC's February meeting, we agree with the [comment from the City Clerks Association of California \(CCAC\)](#), that the FPPC should publicly post all of the 87200 filings it receives online. Having the filings of 87200 filers who are not electeds available online is a clear benefit to the public, which is why San Francisco includes those filers in our online datasets. In addition to including the filings of all 87200 filers, the FPPC should consider overhauling its current system for how Form 700 data is made available to the public. Instead of simply posting PDF copies of the filings, this important data should also be presented to the public through searchable datasets and an API (Application Programming Interface), as it is in San Francisco. Staff from our office would be happy to collaborate with the FPPC on how such improvements could be made to the State's system.

Inconsistencies Within the State Code

As currently written, parts of 87500.2 appear to be inconsistent with the changes made to 87500 by AB 1170. Specifically, [87500.2\(g\)](#) states that the FPPC "...shall accept an electronic copy of a statement of economic interests that is forwarded to it by an agency that has received an

electronically filed statement from a filer...” Additionally, [87500.2\(b\)](#) states that “[i]n consultation with interested agencies, the [FPPC] shall use common database integration features in developing database design requirements for all electronic filings that may be used.” The language in both of these subsections seems inconsistent with how the FPPC is interpreting the changes brought by AB 1170, as they suggest a situation where filers would be filing locally and the FPPC would be receiving copies of those filings, which had been occurring under the data exchange. This language would be consistent with an interpretation that considered “the Commission’s electronic filing system” as referenced in [87500\(a\)\(1\)](#) to include any FPPC-approved electronic filing system, even if the system is operated by a local agency.

Proposed Legislative Solution

Given the importance of continuing to make Form 700 data on local filers easily available to the public they represent, we believe a legislative solution is required and would like to work with the FPPC on developing such a solution. We would recommend the State amend 87500 to allow agencies with approved electronic filing systems to elect to be the filing officers for the 87200 filers of their agency.

This solution would be opt-in and only available to those agencies with FPPC-approved electronic filing systems. It would create a mechanism for keeping this local filer data within local systems, where it is of valuable use to members of the public and journalists. It would also keep this filer data in the same place as the Form 700 data of the agency’s non-87200 filers. It is important for the public to be able to access data from both the 87200 and non-87200 filers of an agency, without having to engage with multiple systems.

This proposed solution would also not require a data exchange between the local agency and the FPPC, so FPPC staff would not have any administrative burden associated with operating such a data exchange. Furthermore, this change would make the local agency responsible for providing filer support, meaning that FPPC staff would no longer need to provide direct filer support to any 87200 filers in agencies that opted in to this solution. This change would also benefit filers, who will likely be able to receive more hands-on support from their local agencies.

The Ethics Commission and the FPPC have shared objectives regarding transparency, accountability, and efficient data access. We hope the FPPC is open to working with us, other agencies, and the State legislature to develop and enact a solution that furthers these objectives, eases the burden on filers, and serves the public.

Thank you for your consideration.

Sincerely,

Michael Canning

Policy & Legislative Affairs Manager
San Francisco Ethics Commission