

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18322. Procedures for Issuing Opinions.

When the Commission has agreed to issue an opinion, the following procedures shall apply:

(a) The Commission shall hold a hearing on the opinion request.

(b) The Commission staff shall prepare a memorandum which discusses the issues and includes any staff recommendations. At least two weeks prior to the hearing on the opinion request, the staff memorandum shall be provided to the members of the Commission, the Attorney General, the Franchise Tax Board, the Secretary of State, the person requesting the opinion, and other interested persons and shall be made available to the public.

(c) Any interested person may submit memoranda, briefs, arguments or other relevant material regarding the opinion no later than 5 days prior to the scheduled hearings on the opinion request. An original and five copies of briefs or arguments shall be submitted unless the person submitting the material declares he is financially unable to supply copies.

(d) The person requesting the opinion may present oral testimony at the hearing on the opinion request. Any other interested person may, upon request, be permitted to present oral testimony.

(e) The Commission shall adopt the opinion at a public meeting. Prior to the meeting, a draft of the opinion shall be provided to the members of the Commission, the Attorney General, the Franchise Tax Board, the Secretary of State, the person requesting the opinion, and other interested persons and shall be made available to the public.

(f) The time limits in this section may be waived or extended by the Commission.

Note: Authority cited: Section 83112, Government Code. Reference: Section 83114,
Government Code.

HISTORY

1. New section filed 8-1-75; effective thirtieth day thereafter (Register 75, No. 31).
2. Repealer and new section filed 5-10-76 as an emergency; effective upon filing. Certificate of Compliance included (Register 76, No. 20).
3. Amendment filed 10-29-81; effective thirtieth day thereafter (Register 81, No. 44).
4. Amendment filed 7-14-83; effective thirtieth day thereafter (Register 83, No. 29).
5. Amendment filed 6-29-84; effective thirtieth day thereafter (Register 84, No. 26).
6. Amendment filed 1-8-86; effective thirtieth day thereafter (Register 86, No. 2).