

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

§ 18370. State Agency Ethics Training.

(a) Core content topics. The topics enumerated in subdivisions (a)(1) to (a)(16) of this regulation are considered by the Commission to be the core content of an ethics orientation course conducted by a state agency pursuant to Government Code section 11146.1. The course should include instruction in each of the following topics:

- (1) Conflicts of Interest under the Political Reform Act (Gov. Code §§ 87100, 87103).
- (2) Limitations on the Receipt of Gifts (Gov. Code §§ 86203, 89503, 89506).
- (3) Honoraria Ban (Gov. Code § 89502).
- (4) Contractual Conflicts of Interest: All Contracts (Gov. Code § 1090 et seq.) and Contractual Conflicts of Interest: State Contracts (Pub. Contract Code § 10410).
- (5) Ban on Free Transportation (Cal. Const. art. XII, § 7).
- (6) Incompatible Activities of State Officers and Employees (Gov. Code § 19990).
- (7) Doctrine of Incompatible Offices.
- (8) Misuse of Public Funds (Pen. Code § 424; Gov. Code § 8314; *Fair Political Practices Commission v. Suitt* (1979) 90 Cal. App. 3d 125; *Stanson v. Mott* (1976) 17 Cal. 3d 206).
- (9) Conflicts of Interest and Campaign Contributions (Gov. Code § 84308).
- (10) Special Restrictions on Personal Loans (Gov. Code § 87460 et seq.).
- (11) Common Law Doctrine Against Conflicts of Interest.
- (12) Government Code § 8920 et seq. (the Code of Ethics).

(13) Conflicts of Interest When Leaving Office (Gov. Code §§ 87400-87407; Pub. Contract Code § 10411).

(14) The state agency's incompatible activities statement.

(15) Other government ethics laws specific to the state agency.

(16) Any other material that the agency or the Commission considers appropriate.

(b) In cooperation with the Attorney General of California, the Commission shall maintain an ethics training program which provides an orientation to the core content topics identified in subdivision (a) of this regulation.

(c) Compliance with Government Code § 11146.4(c).

(1) A state agency conducting an ethics orientation course as required by Government Code § 11146.1 may request the Commission's consultation on the substantive content of its orientation course with regard to the following core content topics:

(A) Conflicts of Interest under the Political Reform Act (Gov. Code §§ 87100, 87103).

(B) Limitations on the Receipt of Gifts (Gov. Code §§ 86203, 89503, 89506).

(C) Honoraria Ban (Gov. Code § 89502).

(D) Conflicts of Interest and Campaign Contributions (Gov. Code § 84308);

(E) Special Restrictions on Personal Loans (Gov. Code § 87460 et seq.)

(F) Conflicts of Interest When Leaving Office (Gov. Code §§ 87400-87407; Pub. Contract Code § 10411).

(2) A state agency conducting an ethics orientation course may request the Commission's consultation on the substantive content by submitting a copy of the proposed course materials to the Executive Director at least thirty (30) working days prior to the date on which the state

agency proposes to conduct the ethics orientation course. The Executive Director shall respond in writing to the state agency not more than twenty-one (21) working days after the submission is received.

(d) A state agency conducting an ethics orientation course may, in lieu of consultation with the Commission pursuant to subdivision (c) of this regulation, incorporate the ethics training program jointly provided by the Commission and the Attorney General (see subdivision (b), above) into its course and require each participant in the course to complete the program. A state agency complying with this subdivision shall be considered to have consulted with the Commission pursuant to Government Code § 11146.4(c).

Note: Authority cited: Section 83112, Government Code. Reference: Sections 11146.1 and 11146.4(c), Government Code.

HISTORY

1. New section filed 8-16-99; operative 8-16-99 pursuant to the 1974 version of Government Code section 11380.2 and title 2, California Code of Regulations, section 18312(d) and (e) (Register 99, No. 34).

2. Change without regulatory effect amending subsections (a), (c), (d) and Note filed 10-6-2003 pursuant to section 100, title 1, California Code of Regulations (Register 2003, No. 41).