

November 14, 2024

Fair Political Practices Commission  
1102 Q Street  
Suite 3050  
Sacramento, CA 95811

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

Dear Members of the Fair Political Practices Commission,

Thank you very much for the opportunity to comment on the implementation of Assembly Bill (AB) 1170. This letter supplements the verbal comments we provided at the interested persons meeting that was held on November 12, 2024. The Los Angeles City Ethics Commission (LA Ethics Commission) joins the San Francisco Ethics Commission, the City of Orange, and other jurisdictions across the state in urgently requesting that the FPPC permit local filers to continue to file SEIs electronically through local filing systems certified by the FPPC.

The LA Ethics Commission supports the transparency and logistical goals underlying AB 1170 and recognizes the value of creating a unified, statewide public database that stores and displays electronic filings from all jurisdictions. However, the LA Ethics Commission respectfully requests that the FPPC **adopt a regulation that, for the purpose of implementing AB 1170, permits local filers to continue to use FPPC-certified electronic filing systems by recognizing those systems as extensions of the FPPC Portal.**

Such a regulation would address concerns previously raised by other jurisdictions, and would allow the LA Ethics Commission to continue to provide timely information to its filers, the public, and the FPPC. This request is based on the following areas of concern:

- **Suitability of Existing Infrastructure.** The LA Ethics Commission uses DisclosureDocs for its SEI filings. The system has been certified by the FPPC for many years, and the system is connected to and automatically transmits required SEIs to the FPPC Portal. In other words, our qualifying local filers are already accessible through the FPPC Portal. While there has been some discussion of reversing the flow of information (redeveloping the connections between the FPPC Portal and local filing systems in order for the SEIs to be transmitted back to local jurisdictions), the existing infrastructure provides the FPPC with the same information required under AB 1170 while avoiding new technical challenges, expenses, and the other issues discussed below and by other agencies.
- **Filer Assistance and Pre-Confirmation Filings.** The LA Ethics Commission operates as a full service agency for filers in the City of Los Angeles. In addition to answering questions and providing guidance about state and local laws concerning SEIs, the City

requires nominees to more than 350 positions to submit pre-confirmation SEIs prior to their confirmation by the City Council. If the provisions of AB 1170 are implemented without clarifying regulations, those filers would be required to submit pre-confirmation SEIs using the LA Ethics Commission’s electronic filing system and then, separately, submit SEIs required by the Political Reform Act using the FPPC Portal.

The City also requires candidates for elected City office to submit their SEIs during the City’s “candidate filing week.” This filing is required before a candidate can obtain nominating petitions from the City Clerk’s office. During this period, LA Ethics Commission campaign staff members join the City Clerk’s office to assist candidates with filing their paperwork in person. Candidates often require this face-to-face assistance to fully and accurately complete their SEIs. If candidates are required to file using the FPPC Portal, it is likely to greatly increase the number of assistance inquiries directed to FPPC staff.

- **Accuracy and Efficiency.** The LA Ethics Commission’s electronic filing system allows filers to populate fields using data from previous filings, both for convenience and to reduce mistakes and inconsistencies. This is especially beneficial for filers with extensive or complex financial interests, and filers whose disclosable interests are unchanged since their previous filings. The benefits of automatically populating forms would be lost if nominees are required to submit pre-confirmation SEIs using the LA Ethics Commission’s certified system and then must immediately turn around and submit identical information on an assuming office SEI through the FPPC Portal.
- **Transparency and Public Expectation.** Members of the public visit the Ethics Commission’s website to access a wide variety of information about and disclosures by elected officials, candidates, lobbyists, and others associated with the City of Los Angeles. The public reasonably expects that all relevant information about City officials will be available on the City’s website, and the LA Ethics Commission’s website is where the public has looked for and obtained that information for decades. Both in Los Angeles and other jurisdictions with existing public databases, the public is likely to have an incomplete and misleading picture of the available information when some filings are available in a local database and others are available in a state database. This is also likely to result in an increased number of public complaints concerning alleged failure to file.
- **Enforcement.** The LA Ethics Commission’s legal mandates include compliance, investigation, and enforcement procedures that require immediate access to unredacted documents. Similarly, the Los Angeles City Attorney’s Office requires access to copies of unredacted SEIs in order to provide conflicts advice to City officials. These conflicts sometimes stem directly from information that is redacted in publicly available copies of SEIs, such as the filer’s home address. If filers are required to use the FPPC Portal rather than the LA Ethics Commission’s certified filing system, it would create delays in the transfer of information required to carry out the LA Ethics Commission’s legal mandates.

It is also likely that urgent document requests from local jurisdictions will dramatically increase the workload for FPPC staff.

We urge you to treat FPPC-certified local filing systems as extensions of the FPPC Portal, rather than as separate systems. By doing that, jurisdictions utilizing those systems will be able to comply with the requirements of AB 1170 without limiting the FPPC’s ability to store and display SEIs from filers statewide. We believe that this regulatory approach would advance the legislature’s goals in adopting AB 1170, while better serving filers, local agencies, and the public.

We greatly appreciate the opportunity to comment on this matter, and are happy to answer questions and provide any additional information you might need.

Sincerely,

A handwritten signature in black ink that reads "David Tristan". The signature is written in a cursive style and is positioned over the central shield of the City of Los Angeles seal.

David Tristan  
Executive Director

