



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
1102 Q Street • Suite 3000 • Sacramento, CA 95811  
(916) 322-5660 • Fax (916) 322-0886

June 15, 2022

David J. Karlin  
Senior Deputy City Attorney  
City of San Diego  
1200 Third Ave, Suite 1620  
San Diego, CA 92101-4178

Re: Your Request for Advice  
**Our File No. A-22-061**

Dear Mr. Karlin:

This letter responds to your request for advice regarding the public inspection provisions of the Political Reform Act (the “Act”).<sup>1</sup> Please note that we are not a finder of fact when rendering advice (*In re Oglesby* (1975) 1 FPPC Ops. 71), and any advice we provide assumes your facts are complete and accurate. If this is not the case or if the facts underlying these decisions should change, you should contact us for additional advice.

### QUESTION

Is it permissible under the Act to continue redacting third party information on each Statement of Economic Interest Form 700 (“Form 700”) filed with the City of San Diego (“City”) that are made available for public viewing through the City’s electronic portal (“eFileSD”) and to provide an unredacted Form 700 upon request from any member of the public?

### CONCLUSION

Yes. The Act does not regulate the posting of Form 700s on a local agency’s website. Therefore, the City may post a copy of the redacted forms on its website but must continue to provide paper copies of the Form 700s to comply with the requirements for Section 81008.

### FACTS AS PRESENTED BY REQUESTER

The Office of the City Attorney is requesting advice on behalf of the City Clerk to ensure that the City’s practices with providing Form 700s to the public are up-to-date and consistent with current regulations adopted by the Fair Political Practices Commission.

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<sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18104 through 18998 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

It has long been the City's practice to redact third party information listed on Form 700s that are publicly accessible via eFileSD while informing viewers that unredacted Form 700s are available upon request from the City Clerk. For example, publicly accessible Form 700s through eFileSD typically do not contain the names of each reportable single source of income of \$10,000 or more. Rather, viewers are informed that the "[n]ame(s) [were] redacted for privacy reasons," and that if they "would like the full unredacted copy, please contact the Office of the City Clerk at 619-533-4000 or [cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov)."

### ANALYSIS

Section 81008 states that all reports and statements filed pursuant to the Act are public records open for public inspection and reproduction during regular business hours. The Act does not address the manner in which these records must be made available or how information appearing on a Form 700 must be displayed on an agency's website. As you indicate, Form 700s are routinely posted on the City's website with redaction of certain items. The redactions include third party information, such as names of each reportable single source of income of \$10,000 or more. In addition, viewers are informed that the name(s) are redacted for privacy reasons, and that if they would like the full unredacted copy, to contact the Office of the City Clerk.

Accordingly, the City may post Form 700s on its website with redaction of private information without violating the Act so long as the City provides unredacted paper copies upon request.

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

Sincerely,

Dave Bainbridge  
General Counsel

*Katelyn L. Greene*

By: Katelyn L. Greene  
Counsel, Legal Division

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