



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
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To: Chair Silver and Commissioners Brandt, Ortiz, and Wilson

From: Dave Bainbridge, General Counsel
Joanna Gin, Senior Commission Counsel, Legal Division

Subject: **Prenotice Discussion of Proposed Amendments to Regulation 18723.1 to Clarify SEI Filing Requirements for Officials Holding Multiple Positions**

Date: June 8, 2026

Executive Summary

The Legal Division and SEI Unit staff identified a need to clarify regulations concerning the filing of a Statement of Economic Interest (“SEI”) by public officials holding multiple positions. Instead of filing separate SEIs for each position, officials with multiple positions can choose to file an Expanded SEI (often referred to as an “Expanded Statement”) for a “primary position” with the broadest disclosure of personal financial interests, and list additional positions held. This allows an official to create and file one SEI for all agencies.

Regulation 18723.1 provides guidance on how an official holding multiple positions may file an Expanded Statement. Staff proposes amendments to Regulation 18723.1 to clarify that an official who files an SEI under Section 87200¹ is not required to file a separate SEI for a position designated under an agency’s Conflict of Interest Code (“Code”) under Section 87300. In addition, the proposed amendments would allow elected state officers to only file an SEI for their elected position and make clarifying changes. Staff present these proposed amended regulations for pre-notice discussion, with adoption proposed for the August 2026 Commission meeting.

¹ Section 87200 applies to “elected state officers, judges and commissioners of courts of the judicial branch of government, members of the Public Utilities Commission, members of the State Energy Resources Conservation and Development Commission, members of the Fair Political Practices Commission, members of the California Coastal Commission, members of the High-Speed Rail Authority, members of planning commissions, members of the board of supervisors, district attorneys, county counsels, county treasurers, and chief administrative officers of counties, mayors, city managers, city attorneys, city treasurers, chief administrative officers and members of city councils of cities, and other public officials who manage public investments, and to candidates for any of these offices at any election.”

Reason for Proposed Regulatory Action

Staff from the Assembly & Senate Legislative Ethics Committees asked the Commission whether state legislators must list additional positions on their SEI. Legislators are often appointed to boards and commissions by legislative leadership.

The Commission has consistently advised that an official who files an SEI under Section 87200 is not required to file a separate SEI for any Code-designated position the official also holds when the geographical jurisdiction of that Code agency is the same or is wholly included within the jurisdiction of the Section 87200 agency. The 87200 official also does not need to list these types of Code positions as additional positions on an Expanded Statement. However, the current Regulation 18723.1 relating to SEIs for officials holding multiple positions would benefit from clarification on this issue.

Currently, statewide elected officers only have to file a SEI for their elected position and are not required to file SEIs for other Section 87200 positions they hold. However, the term “statewide elected officers” does not include state legislators. The proposed regulations would be amended to replace the term “statewide elected officers” with “elected state officers.” This change would allow elected state officers, including state legislators, to file only for their elected state office.²

Background

The Political Reform Act (“Act”) governs the filing of SEIs by public officials, including officials specified in Section 87200 (Sections 87202-87204), designated employees or Code filers (Section 87302), candidates for any elective office designated in a Code (Section 87302.3), and members of boards or commissions of newly created agencies (Section 87302.6).

What is an Expanded Statement of Economic Interest?

An “Expanded Statement of Economic Interests” or “Expanded Statement” is a single statement that a public official who holds multiple positions subject to reporting requirements may file instead of separate and distinct statements for each position. (Regulation 18723.1(a).) An official’s Expanded Statement must disclose all reportable interests for all jurisdictions in which they serve and list all positions for which it is filed. The Expanded Statement consolidates an official’s reportable interests for all jurisdictions and positions into a single document that can be filed or shared with the necessary filing officers. The Expanded Statement streamlines paperwork for the filer but can result in a filer “overreporting” personal financial interests to

² 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.

another agency, particularly if the official must report for more than one jurisdiction or the disclosure categories for the multiple positions differ.

Last Regulatory Update

The Commission adopted Regulation 18723.1 in 2020. Regulation 18723.1 provides guidance on how officials with multiple positions may file an Expanded Statement instead of separate statements for each position. Officials with multiple positions are not required to file an Expanded Statement and can file separate SEIs for each position they hold. Rather, officials may file an Expanded Statement to streamline their paperwork. The agencies the official must file with do not change simply because the official files an Expanded Statement.

Proposed Regulations

Clarification: 87200 Filers Who Also Hold a Code-Designated Position for the Same or Smaller Jurisdiction Do Not Have to List Additional Positions on the Expanded Statement

Public officials who are required to file statements of economic interests are either “statutory filers” identified in Section 87200 or “designated employees” identified in an agency’s Code. (Sections 87300 and 87302.) If an official holds a position listed in Section 87200, they are not required to file SEIs for a position designated in the Code of any agency with the same or smaller jurisdiction.³ A state or local agency’s Code identifies the positions of “designated employees,” other than those listed in Section 87200, that involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest.⁴ These positions include officers, employees, members, and consultants.⁵ Since a Section 87200 filer does not have a filing obligation for a Code-designated position (Section 87300), the official would likewise not have to list the Code-designated position in an Expanded Statement. The proposed amendments clarify that 87200 filers do not need to list Code-designated position (Section 87300) as an additional position in an Expanded Statement when the geographical jurisdiction of that Code agency is the same or is wholly included within the jurisdiction of the Section 87200 agency.

Statewide Elected Officers vs. Elected State Officers

Under Regulation 18723.1(b), a statewide elected officer who holds multiple positions is not required to list any additional positions on an Expanded Statement because they already provide full disclosure throughout the state. Existing Regulation 18723.1(b) reads as follows:

(b) Statewide Elected Officers. Notwithstanding subdivisions (a)(1) and (c)(5), a statewide elected officer, specified in Section 82053, who holds multiple positions subject to reporting requirements and who files an expanded statement

³ See Regulation 18730(b)(3). Regulation 18730 sets forth the model code provisions required to be included in an agency’s Code. See also *Stieler* Advice Letter, No. A-10-022.

⁴ See Section 82019.

⁵ *Ibid.*

is only required to file for the officer's primary position and is not required to list additional positions.

Under the Act, a "statewide elective office" means "the office of Governor, Lieutenant Governor, Attorney General, Insurance Commissioner, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction and member of the State Board of Equalization." However, this list does not include state legislators. According to the November 9, 2020 staff memo, the rationale for adding Regulation 18723.1(b) was that:

Statewide elected officers, who often serve on numerous boards, commissions, or other decision-making bodies, are generally well known for the statewide office. A member of the public looking for a statewide elected officer's expanded statement can easily locate on the Commission's website the officer's statement for the statewide elected position, which provides full disclosure throughout the state.

The rationale for existing Regulation 18723.1(b) equally applies to all elected state officers, and it is possible that the regulation overlooked this nuanced distinction when adopted referring only to "statewide elected officers" without fully considering the application to other "elected state officers."

In more closely examining the application of Regulation 18723.1(b), the term "elected state officer" includes "any person who holds an elective state office."⁶ "Elected state office" in turn, includes those statewide elected officers listed in Section 82053, as well as Members of the Legislature, members elected to the Board of Administration of the Public Employees' Retirement System, and members elected to the Teachers' Retirement Board."⁷ The proposed amendments would replace "statewide elected officers" with "elected state officer" and update cross-references to statutes to all elected state officers to file only an SEI for their elected state positions. This means that "elected state officers" would not be required to file an Expanded Statement because they are filing for one position.

Electronic Filing Systems

Regulation 18723.1, as adopted in 2020, specifies that if the Commission's electronic filing system or an agency's approved electronic filing system is incapable of processing an Expanded Statement, the Expanded Statement is required to be submitted in paper format or in an electronic format with a digital signature. Since then, legislation has been enacted that revised which agencies file SEIs with the Commission:

⁶ Section 82021.

⁷"Elected state office" means "the office of Governor, Lieutenant Governor, Attorney General, Insurance Commissioner, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction, Member of the Legislature, member elected to the Board of Administration of the Public Employees' Retirement System, member elected to the Teachers' Retirement Board, and member of the State Board of Equalization." (Section 82024.)

- AB 1170 (Chapter 211, Statutes of 2024), a Commission-sponsored bill, required, as of January 1, 2025, all public officials for whom the Commission is the filing officer to file their SEI using the Commission’s electronic filing system.⁸ Section 87500(a) lists the local and state officials who are subject to this e-filing requirement.
- SB 852 (Chapter 331, Statutes of 2025) amended the list of public officials in Section 87500(a) for whom the Commission is the filing officer to include public officials who manage public investments, thereby fully requiring all 87200 filers to file their SEIs with the Commission, as of January 1, 2026.

Regulation 18723.1 provides that if the primary and any additional positions are required to file with the Commission, the filer is only required to file the Expanded Statement for the primary position. Since AB 1170 and SB 852 requires all 87200 filers to file with the Commission, filers who hold at least two 87200 positions only have to file for their primary position, which will be the 87200 position to which the official was elected, or if there is no elective position, the one with the broadest disclosure. The proposed amendments clarify that the filer shall only be required to file the Expanded Statement with the Commission once.

In addition, Regulation 18313.5(b) requires the Commission to post on its website, as of January 1, 2025, SEIs of Section 87200 filers, with the official’s address, phone number, email address, and signature redacted.⁹ The Commission recently launched the Public Official Financial Disclosure Portal, an online system that provides public access to these SEIs.¹⁰ This allows agencies that do not receive an SEI for a Code-designated position (Section 87300) because the official is a 87200 filer to visit the Commission’s Public Official Financial Disclosure Portal to view and/or download a copy of the official’s SEI, which will contain the broadest disclosure of personal financial interests. This will allow agencies to obtain information to determine whether those officials have a financial conflict of interest in agency decisions without the responsibility of maintaining SEI records.

Conclusion

The proposed update would make several updates to Regulation 18723.1 for officials with multiple positions who file Expanded Statements. The proposed amendments would clarify that 87200 filers do not need to list Code-designated positions on their Expanded Statements when the geographical jurisdiction of the Code agency is the same or is wholly included within the jurisdiction of the Section 87200 agency, allow “elected state officers” to only file a SEI for

⁸The Commission’s electronic filing system is located at <https://form700.fppc.ca.gov>.

⁹ Regulation 18313.5(b) reads as follows:

“(b) The Commission shall also post on its website all statements of economic interests required to be filed with the Commission on or after January 1, 2025, of officials required to file a statement of economic interests pursuant to Section 87200. The address, telephone number, email address, and signature block of the elected official’s statement will be redacted from the cover page of the document before posting to the website. The statement of economic interests will be posted as soon as possible after the document is filed with the Commission.”

¹⁰ The Commission’s Public Official Financial Disclosure Portal is located at <https://form700search.fppc.ca.gov>.

their state elected office, and clarify which agencies Expanded Statements must be filed with and how.

Attachment:
Proposed Amendment of Regulation 18723.1