



California Fair Political Practices Commission

November 18, 1991

Robert K. Booth Jr.
Atkinson and Farasyn, Attorneys at Law
660 West Dana Street
Mountain View, CA 94042

Re: Your Request for Advice
Our File No. I-91-470

Dear Mr. Booth:

You have requested assistance under the conflict of interest provisions of the Political Reform Act (the "Act").^{1/} Because your request is a general inquiry, we treat it as one for informal assistance pursuant to Regulation 18329(c).^{2/}

QUESTION

What are the record retention requirements for statements of economic interests filed with local agencies?

CONCLUSION

Under the provisions of the Act, original statements of economic interests must be retained for seven years from the filing deadline. Copies of such statements must be retained for four years from the filing deadline.

^{1/} Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

^{2/} Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Government Code Section 83114; 2 Cal. Code of Regs. Section 18329(c)(3).)

Copies of Commission regulations and opinions are available in many law libraries. Alternatively, copies of these materials and Commission advice letters may be obtained from the Commission at a cost of 10¢ per page.

ANALYSIS

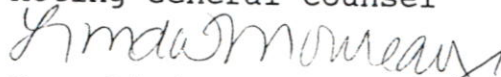
As defined in Regulation 18115, a filing officer is the person or agency which receives and retains original statements of economic interests. (Section 87500.) A filing official is the person or agency which receives original statements and is required to make and retain copies and forward the originals to the appropriate filing officer. Because many local agencies retain both originals and copies of statements of economic interests, they may be both a filing officer and a filing official.

Filing officers who receive and retain original statements of economic interests filed by local public officials are required to retain those statements for a period of not less than seven years. (Section 81009(e).) Filing officials who retain only copies of such statements are required to retain them for a period of not less than four years. (Section 81009(f).) After an original or copy of a report or statement has been on file for at least two years, the filing officer/official may retain a copy on microfilm or other space saving materials available for public inspection instead of the original or copy. (Section 81009(g).)

I hope the information in this letter has been helpful. If you have any questions, please contact me at (916) 322-5662.

Sincerely,

Scott Hallabrin
Acting General Counsel



By: Linda Moureaux
Political Reform Consultant

SH/LM/ts