



California Fair Political Practices Commission

February 23, 1994

Larry J. Monteilh, Executive Officer
Board of Supervisors County
of Los Angeles
323 Kenneth Hahn
Hall of Administration
Los Angeles, CA 90012

Re: Your Request for Advice
Our File No. I-94-015

Dear Mr. Monteilh:

This is in reply to your request for advice concerning the conflict of interest disclosure provisions of the Political Reform Act.^{1/} Because your questions are general inquiries, we are treating your letter as a request for informal assistance pursuant to Regulation 18329(c)(3).^{2/}

QUESTIONS

1. May an official who is required to file both the Form 721 and Form 730 Statement of Economic Interests expand his or her Form 721 to include the reportable interests required by a conflict of interest code to be disclosed on the Form 730?

2. If a filer expands his or her Form 721, must he or she attach the Schedule G-Business Positions from the Form 730?

CONCLUSION

A filer who is required to file both Form 721 and Form 730 may expand his or her Form 721 statement of economic interests to cover reportable interests in both jurisdictions. The filer would

^{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. (Section 83114; Regulation 18329(c)(3).)

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not be required to attach the Schedule G-Business Positions from the Form 730 to the expanded Form 721.

ANALYSIS

Sections 87200-87210 require county supervisors, among others, to file periodic statements of economic interests (Form 721) disclosing investments and sources of income which are located in or doing business in the jurisdiction, and interests in real property which are located in or within two miles of the jurisdiction. "Jurisdiction" for a county supervisor means the county. (Section 82035.)

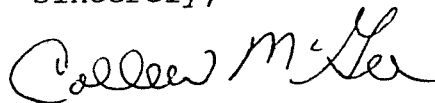
In addition, Section 87300 provides that "Every agency shall adopt and promulgate a Conflict of Interest Code...." The Code must enumerate the positions within the agency which must file statements of economic interests (Form 730) and the specific types of investments, business positions, interests in real property, and sources of income which are reportable. (Section 87302.)

Regulation 18730 permits a filer who is subject to two statement of economic interest filing obligations to expand his or her statement of economic interest to cover reportable interests in both jurisdictions. Copies of the expanded statement, with an original signature, can then be filed in both jurisdictions and thereby avoid the necessity of filing two separate and different statements. (Kasad Advice Letter, No. A-90-348.) Form 721, rather than Form 730, should be used by officials covered under Section 87200 as well as a conflict of interest code.

Officials who are subject to the broad reporting requirements of Sections 87200 and 87203 are not required to report business positions which foreseeably may be affected materially by any decision made or participated in by virtue of his or her position. (Koppes Advice Letter, No. I-90-517.) Therefore, officials filing an expanded Form 721 would not be required to attach the Schedule G-Business Positions from the Form 730 to the Form 721.

If you have any questions, please contact me at (916) 322-5662.

Sincerely,



Colleen McGee
Political Reform Consultant
Technical Assistance Division