

Fair Political Practices Commission

BUDGET NO. 8620

REPORT NO. 1

GOVERNMENT CODE

TITLE 9. POLITICAL REFORM [81000. - 91014.]

(Title 9 added June 4, 1974, by initiative Proposition 9.)

CHAPTER 7. Conflicts of Interest [87100. - 87500.1.]

(Chapter 7 added June 4, 1974, by initiative Proposition 9.)

ARTICLE 5. Filing [87500. - 87500.1.]

(Article 5 added by Stats. 1979, Ch. 674.)

87500.1.

(a) The Counties of Los Angeles, Merced, Orange, Santa Clara, Stanislaus, and Ventura and the City of Long Beach may permit the electronic filing of a statement of economic interests required by Article 3 (commencing with Section 87300) in accordance with regulations adopted by the Commission. Each participating county shall use the standard form for electronic filing found online, as required by the Commission.

(b) A public official subject to Article 2 (commencing with Section 87200) shall not participate in the pilot program.

(c) A statement filed electronically shall include an electronic transmission that is submitted under penalty of perjury and that conforms to subdivision (b) of Section 1633.11 of the Civil Code.

(d) (1) The filing officer shall issue to a person who electronically files his or her statement of economic interests or amendment electronic confirmation that notifies the filer that his or her statement of economic interests or amendment was received. The confirmation shall include the date and the time that the statement of economic interests or amendment was received by the filing officer and the method by which the filer may view and print the data received by the filing officer.

(2) A paper copy retained by the filer of a statement of economic interests or amendment that was electronically filed and the confirmation issued pursuant to paragraph (1) that shows that the filer timely filed his or her statement of economic interests or amendment shall create a rebuttable presumption that the filer filed his or her statement of economic interests or amendment on time.

(e) The filing officer shall utilize a system that includes firewalls, data encryption, secure authentication, and all necessary hardware and software and industry best practices to ensure that the security and integrity of the data and information contained in the statement of economic interests are not jeopardized or compromised.

(f) The filing officer shall provide the public with a copy of an official's statement of economic interests upon request, in accordance with Section 81008. The paper copy of the electronically filed statement of economic interests shall be identical to the statement of economic interests published by the Commission and shall include the date that the statement was filed.

(g) (1) The pilot program shall commence on or after January 1, 2009, and shall be completed by December 31, 2012. The pilot program shall include the reporting periods of 2008 through 2011. A city or county participating in the pilot program shall submit a report to the Commission not later than July 1, 2011. The report shall include the following:

(A) A listing and estimate of associated operational efficiencies and related savings.

(B) A listing and estimate of associated costs from implementing and operating the pilot program.

(C) A listing of safety, security, or privacy issues encountered and explanation of how those issues were addressed.

(D) Available information relating to feedback from electronic filing participants.

(E) Any other relevant information on the implementation of the pilot program.

(2) The Commission shall transmit the city and county reports received, as well as any comments on the reports, to the Legislative Analyst's Office not later than August 15, 2011. The Legislative Analyst's Office shall provide a report to the Legislature evaluating the pilot program not later than February 1, 2012.

(h) The Commission, in conjunction with the Legislative Analyst's Office, may develop additional criteria for the report to be submitted to the Commission by the participating city and counties pursuant to paragraph (1) of subdivision (g).

(i) This section shall remain in effect until December 31, 2012, and as of that date is repealed, unless a later enacted statute, which is enacted before December 31, 2012, deletes or extends that date.

[\(Amended by Stats. 2011, Ch. 96, Sec. 2. Effective January 1, 2012. Repealed as of December 31, 2012, by its own provisions.\)](#)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-182	Davis	Political Reform Act of 1974: statements of economic interests.	Chaptered 07/25/2011	07/25/2011 - Chaptered by Secretary of State - Chapter 96, Statutes of 2011.	Secretary of State-Chaptered	No	Two Thirds
AB-1149	Davis	Political Reform Act of 1974: electronic filing.	Chaptered 08/06/2009	08/06/2009 - Chaptered by Secretary of State - Chapter 139, Statutes of 2009.	Secretary of State-Chaptered	No	Two Thirds
AB-1251	Davis	Political Reform Act of 1974: statements of economic interests.	Amended Assembly 01/04/2012	02/01/2012 - Died pursuant to Art. IV, Sec. 10(c) of the Constitution. 02/01/2012 - From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.	Assembly-Died - Elections and Redistricting	Yes	Two Thirds
AB-1921	Davis	Political Reform Act of 1974: electronic filing.	Chaptered 07/09/2010	07/09/2010 - Chaptered by Secretary of State - Chapter 58,	Secretary of State-Chaptered	No	Two Thirds

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				Statutes of 2010.			
AB-2607	Davis	Political Reform Act of 1974: electronic filing.	Chaptered 09/28/2008	09/28/2008 - Chaptered by Secretary of State - Chapter 498, Statutes of 2008.	Secretary of State-Chaptered	Yes	Two Thirds
SB-497	Ackerman, Aanestad, Calderon, Cedillo, Cogdill, Correa, Cox, Dutton, Hollingsworth, Margett, Runner, Wyland	Political Reform Act of 1974: conflict of interest: electronic filing of statements of economic interest.	Introduced 02/22/2007	02/04/2008 - Returned to Secretary of Senate pursuant to Joint Rule 56.	Senate-Died - Elections, Reapportionment and Constitutional Amendments	Yes	Two Thirds
SB-1204	Denham	Political Reform Act of 1974: electronic filing.	Amended Assembly 07/01/2008	11/30/2008 - From Assembly without further action.	Assembly-Died	Yes	Two Thirds

COMMENTS/RECOMMENDATIONS:

No Legislative action is required. The one-time report has been submitted and the code section sunsets December 31, 2012.