

1 REVISIONS TO 18705.5

2 (Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of  
3 Regulations.)

4 **§ 18705.5. Materiality Standard: Economic Interest in Personal Finances.**

5 (a) A reasonably foreseeable financial effect on a public official's or his or her  
6 immediate family's personal finances is material if it is at least \$250 in any 12-month period.  
7 When determining whether a governmental decision has a material financial effect on a public  
8 official's economic interest in his or her personal finances, neither a financial effect on the value of  
9 real property owned directly or indirectly by the official, nor a financial effect on the gross  
10 revenues, expenses, or value of assets and liabilities of a business entity in which the official has a  
11 direct or indirect investment interest shall be considered.

12 (b) The financial effects of a decision which affects only the salary, per diem, or  
13 reimbursement for expenses the public official or a member of his or her immediate family  
14 receives from a federal, state, or local government agency shall not be deemed material, unless the  
15 decision is to appoint, hire, fire, promote, demote, suspend without pay or otherwise take  
16 disciplinary action with financial sanction against the official or a member of his or her immediate  
17 family, or to set a salary for the official or a member of his or her immediate family which is  
18 different from salaries paid to other employees of the government agency in the same job  
19 classification or position, or when the member of the public official's immediate family is the only  
20 person in the job classification or position.

21 (c) Notwithstanding subsection (b), pursuant to Government Code Section 82030(b)(2)  
22 and California Code of Regulations, Title 2, section 18232, a public official may make, participate  
23 in making, or use his/her official position to influence or attempt to influence, a government  
24 decision under the following circumstances:

25 (1) The decision is on his/her appointment to a committee, board, or commission of a  
26 public agency, a special district, a joint powers agency or authority, a joint powers insurance  
27 agency or authority, or a metropolitan planning organization.

28 (2) The position is one where the official is appointed by order of the appointing body,

1 by ordinance or resolution of the appointing body, or pursuant to state law.  
2 (3) The body making the appointment referred to in paragraph (1) adopts and posts on  
3 its website, on a form provided by the Commission, a list that sets forth each appointed position  
4 for which compensation is paid, the salary or stipend for each appointed position, the name of the  
5 public official who has been appointed to the position and the name of the public official, if any,  
6 who has been appointed as an alternate, and the term of the position.

7 Comment: Cross-references: For the definition of “immediate family” see Government  
8 Code section 82029.

9 Note: Authority cited: Section 83112, Government Code. Reference: Sections 87100, 87102.5,  
10 87102.6, 87102.8 and 87103, Government Code.

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