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FAIR POLITICAL PRACTICES COMMISSION
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To: Chair Germond, Commissioners Cardenas, Hatch, and Hayward

From: Dave Bainbridge, General Counsel
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Subject: Proposed Amendments to Regulation 18756 – Statements of Economic Interests:
Certifications of Electronic Filing Systems

Date: December 10, 2018

Requested Action

Staff respectfully requests that the Commission adopt proposed amendments to Regulation 18756, relating to the certification of an agency's electronic filing system for statements of economic interests ("SEIs"), to additionally require an agency's electronic filing system to "meet the data exchange requirements necessary for the free exchange of data between the agency's electronic filing system and the Commission's electronic filing system."

Background

Section 87500.2 of the Act authorizes an agency to permit electronic filing of a statement of economic interests ("SEI"), governs an agency's electronic filing of SEIs, and authorizes the Commission to adopt regulations implementing its provisions. Specifically, Section 87500.2(b) requires the Commission to develop database design requirements for electronic filings, Section 87500.2(c)(3) requires the Commission to review an agency's electronic filing system and to certify it if it complies with specified requirements of the statute, and Section 87500.2(f) authorizes the Commission to audit an agency's system to evaluate its performance and compliance with the requirements of the statute. Existing Regulation 18756 implements Section 87500.2 and further clarifies its provisions.

Commission staff has identified an issue with some agencies' electronic filing systems: those agencies' systems are incapable of freely exchanging data with the Commission's electronic filing system because they do not meet the data exchange requirements necessary to exchange data between the agency's system and the Commission's electronic filing system. Existing Regulation 18756 does not specifically refer to data exchange requirements for an agency's electronic filing system.

Summary of Proposed Action

To address this issue, Commission staff has prepared amendments to Regulation 18756 additionally requiring an agency's electronic filing system to "meet the data exchange

requirements necessary for the free exchange of data between the agency's system and the Commission's electronic filing system" in order to obtain certification from the Commission. Commission staff will work with an agency during the certification application process to ensure its electronic filing system meets the data exchange requirements necessary to function properly with the Commission's electronic filing system. The proposed amendments to Regulation 18756 would also make technical, non-substantive changes updating the regulation.

Attachment:

1- Proposed Amendment of Regulation 18756