

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

§ 18723.1. Statements of Economic Interests: Public Officials with Multiple Positions.

(a) Definitions. For purposes of this regulation:

(1) “Expanded Statement of Economic Interests” means a single statement that a public official who holds multiple positions subject to reporting requirements may file in lieu of separate and distinct statements for each position. An expanded statement shall disclose all reportable interests for all jurisdictions and list all positions for which it is filed.

(2) “Primary Position” means:

(A) For an official who holds multiple positions specified in Section 87200, the office to which the official was elected, or the position with the agency that requires the broadest disclosure if the official was not elected to a position specified in Section 87200.

(B) For an official who holds a single position specified in Section 87200 and one or more designated positions, the position specified in Section 87200.

(C) For an official who holds multiple designated positions, the position that requires the broadest disclosure.

(3) “Additional Position” means any position subject to reporting requirements that is not a primary position.

(b) Statewide Elected Officers. Notwithstanding subdivisions (a)(1) and (c)(5), a statewide elected officer, specified in Section 82053, who holds multiple positions subject to reporting requirements and who files an expanded statement is only required to file for the officer's primary position and is not required to list additional positions.

(c) Authorization to File an Expanded Statement. An official who holds multiple positions subject to reporting requirements may file an expanded statement with each agency subject to the following conditions:

(1) If filed in paper format, the expanded statement submitted for the primary position shall be signed under penalty of perjury and verified by the filer pursuant to Section 81004(a), and the filer shall file a copy of that signed expanded statement for each additional position.

(2) If filed for the primary position through the Commission's electronic filing system or an approved electronic filing system, thereby satisfying the requirements of Section 81004(a) with respect to the expanded statement, the filer shall file a copy of that expanded statement, indicating the electronic filing system's SAN as described in Regulation 18115.2, for each additional position.

(3) If filed in electronic format pursuant to subdivision (b) of Regulation 18757, the expanded statement submitted for the primary position shall include a secure electronic signature, as defined in subdivision (b)(2) of Regulation 18104, under penalty of perjury and verified by the filer pursuant to Section 81004(a), and the filer shall file a copy of that expanded statement for each additional position.

(4) If the primary and any additional positions are each required to file with the Commission, the filer shall only be required to file the expanded statement for the primary position.

(5) The official may only file an expanded assuming office statement for positions the official assumes on the same day, or an expanded leaving office statement for positions the official leaves on the same day. For purposes of this provision, an official

assumes or leaves a primary position and an additional position on the same day if the official is required by law to hold the additional position throughout the duration of the time the official holds the primary position.

(d) Filing an Expanded Statement Not Required. An official who holds multiple positions subject to reporting requirements is not required to file an expanded statement and may instead fulfil those reporting requirements by submitting separate statements for each position.

(e) Alternative to Electronic Filing Systems. If the Commission's electronic filing system or an agency's approved electronic filing system is not capable of processing an expanded statement, the expanded statement shall be submitted in paper format as described in subdivision (c)(1) or electronic format pursuant to subdivision (b) of Regulation 18757.

(f) Forwarding to the Commission. If an official files a copy of an expanded statement for an additional position, that copy is not required to be forwarded to the Commission.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82019 and 87200-87210, Government Code.

HISTORY

1. New section filed 12-23-2020; operative 1-22-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2020, No. 52).

2. Amendment of subsection (b), new subsection (c)(3), subsection renumbering and amendment of subsection (e) filed 12-7-2021; operative 1-6-2022 pursuant to Cal. Code Regs., tit. 2, section

18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2021, No. 50).