

1 CALIFORNIA CODE OF REGULATIONS

2 TITLE 2. ADMINISTRATION

3 DIVISION 2. FINANCIAL OPERATIONS

4 CHAPTER 2.5. COMMISSION ON STATE MANDATES

5 Article 9. Conflict-of-Interest Code for the Commission on State Mandates

6 § 1189.10. General Provisions.

7 The Political Reform Act (Government Code Sections 81000, et seq.) requires state and local
8 government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political
9 Practices Commission has adopted a regulation (2 Cal. Code of Regs. § 18730) that contains the
10 terms of a standard conflict-of-interest code, which can be incorporated by reference in an
11 agency’s code. After public notice and hearing, the standard code may be amended by the Fair
12 Political Practices Commission to conform to amendments in the Political Reform Act.
13 Therefore, the terms of 2 California Code of Regulations, Section 18730 and any amendments to
14 it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference.
15 This regulation and the attached Appendix, designating positions and establishing disclosure
16 categories shall constitute the conflict-of-interest code of the Commission on State Mandates
17 (Commission).

18 Individuals holding designated positions shall file their statements of economic interests with the
19 Commission, which will make the statements available for public inspection and reproduction.
20 (Gov. Code, § 81008.) Upon receipt of the statements for the Commission members, their
21 alternates, and the Executive Director, the Commission shall make and retain a copy and forward
22 the originals to the Fair Political Practices Commission. All other statements will be retained by
23 the Commission.

24 Note: Authority cited: Sections 87300, 87301, 87302, 87304 and 87306, Government Code.
25 Reference: Sections 81008, 82019, 87206, 87207, 87300, 87301, 87302, 87304 and 87306,
26 Government Code.

27 Appendix

<i>Designated Positions</i>	<i>Disclosure Categories</i>
Members and alternates of the Commission on State Mandates	1
Executive Director	1
Chief Legal Counsel (Career Executive Assignment)	1
Attorney III	1
Attorney (<u>All Levels</u>)	1
Senior Legal Analyst	2, 3
Staff Services Manager I, II	2, 3
Staff Services Analyst	2, 3
Associate Governmental Program Analyst	2, 3
<u>Associate Budget Analyst</u>	<u>2, 3</u>
Graduate Legal Assistant	1
<u>Information Technology Specialist (All Levels)</u>	<u>2</u>

1	Senior Information Systems Analyst	2
2	Staff Information Systems Analyst	2
3	<u>Office Technician</u>	4
4	Consultants/New Positions*	

5 *Disclosure Categories*

6 Category 1 designated positions must disclose all investments, and business positions in business
7 entities, interests in real property, and income, including gifts, loans, and travel payments, from
8 any source.

9 Category 2 designated positions shall report all investments, business positions in any business
10 entity, interests in real property, and income, including gifts, loans, and travel payments, from
11 any source of the type which has contracted, or in the future may contract, with the Commission
12 to provide services, supplies, materials, machinery or equipment.

13 Category 3 designated positions shall report all business positions and income, including gifts,
14 loans, and travel payments, from any school district, local governmental agency or special
15 district which has received, or in the future may receive, state reimbursement under article XIII
16 B, section 6 of the California Constitution.

17 Category 4 designated positions shall report all investments, business positions in any business
18 entity, and income, including gifts, loans, and travel payments, from any source of the type
19 which has contracted, or in the future may contract, with the Commission to provide supplies,
20 materials, machinery or equipment.

21 *Consultants and new positions shall be included in the list of designated positions and shall
22 disclose pursuant to the broadest disclosure category in the code, subject to the following
23 limitation:

24 The executive director may determine in writing that a particular consultant or new position,
25 although a "designated position," is hired to perform a range of duties that is limited in scope and
26 thus is not required to fully comply with the disclosure requirements in this section. Such written
27 determination shall include a description of the consultant's or new position's duties and, based
28 upon that description, a statement of the extent of disclosure requirements. The executive
29 director's determination is a public record and shall be retained for public inspection in the same
30 manner and location as this conflict-of-interest code. (Gov. Code § 81008.)

31 Members of the Commission on State Mandates

32 Elected state officers (State Treasurer and State Controller), and the Director of Finance who
33 serve on the Commission on State Mandates are not required to file a statement of economic
34 interests under this conflict-of-interest code. Elected state officers are excepted from filing under
35 Government Code Section 82019, and the Director of Finance is excepted from filing under
36 California Code of Regulations, Title 2, Section 18730(b)(3). However, all other members and
37 all designees must file a statement of economic interests under this conflict-of-interest code with
38 the Commission.