CONFLICT OF INTEREST CODE

REGULATIONS OF THE
FAIR POLITICAL PRACTICES COMMISSION
TITLE 2, DIVISION 6
OF THE CALIFORNIA CODE OF REGULATIONS

18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Exhibit B referred to below constitute the adoption and promulgation of a Conflict of Interest Code within the meaning of Government Code 87300 or the amendment of a Conflict of Interest Code within the meaning of Government Code 87307 if the terms of this regulation are substituted for terms of a Conflict of Interest Code already in effect. A Code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of Article 2 of Chapter 7 of the Political Reform Act, Government Code 81000 et seq. The requirements of a Conflict of Interest Code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a Conflict of Interest Code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) **Section 1. Definitions.**

The definitions contained in the Political Reform Act of 1974, Regulations of the Fair Political Practices Commission (Code of Regulations, Title 2, Section 18100 et seq.), and any amendments to the Act or regulations, are incorporated by reference into this Conflict of Interest Code.

(2) **Section 2. Designated Employees.**

The persons holding positions listed in the Exhibit (B) are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on financial interests.
Bylaws of the Board

CONFLICT OF INTEREST CODE (continued)

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their financial interests pursuant to Article 2 of Chapter 7 of the Political Reform Act, Government Code 87200 et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under Article 2 of Chapter 7 of the Political Reform Act, Government Code 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Exhibit (B) specify which kinds of financial interests are reportable. Such a designated employee shall disclose in his/her statement of economic interests those financial interests he/she has which are of the kind described in the disclosure categories to which he/she is assigned in Exhibit (B). It has been determined that the financial interests set forth in a designated employee's disclosure categories are the kinds of financial interests which he/she foreseeably can affect materially through the conduct of his/her office.

¹ Designated employees who are required to file statements of economic interests under any other agency's Conflict of Interest Code, or under Article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code 81004.
CONFLICT OF INTEREST CODE (continued)

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body as provided by the code reviewing body in the agency’s Conflict of Interest Code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5 Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office provided he/she did not make or participate in the making of, or use his/her position to influence any decision and did

² See Government Code 81010 and the Code of Regulations, Title 2, Section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.
Bylaws of the Board

CONFLICT OF INTEREST CODE (continued)

not receive or become entitled to receive any form of payment as a result of his/her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power.

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he/she did not make, participate in making or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the positions.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements. Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office, whichever is later.

(D) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.
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CONFLICT OF INTEREST CODE (continued)

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investments and Real Property Disclosure. When an investment or an interest in real property\(^3\) is required to be reported,\(^4\) the statement shall contain the following:

1. A statement of the nature of the investment or interest.

2. The name of the business entity in which each investment is held and a general description of the business activity in which the business entity is engaged.

3. The address or other precise location of the real property.

4. A statement whether the fair market value of the investment or interest in real property exceeds $1,000, exceeds $10,000, or exceeds $100,000.

(B) Personal Income Disclosure. When personal income is required to be reported,\(^5\) the statement shall contain:

1. The name and address of each source of income aggregating $250 or more in value or $50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source.

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\(^3\) For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

\(^4\) Investments and interests in real property which have a fair market value of less than $1,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interest in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

\(^5\) A designated employee's income includes his/her community property interest in the income of his/her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.
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2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was $1,000 or less, greater than $1,000, or greater than $10,000.

3. A description of the consideration, if any, for which the income was received.

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received.

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

1. The name, address and a general description of the business activity of the business entity.

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than $10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he/she is a director, officer, partner, trustee, employee, or in which he/she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

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6 Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.
Bylaws of the Board

CONFLICT OF INTEREST CODE (continued)

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of the Governing Board of a special district or designated employee of a local government agency shall accept any honorarium. Nothing in this provision shall negate those exceptions provided by law and the California Code of Regulations, Title 2. Administration, Division 6, Fair Political Practices Commission, Chapter 9.5 Ethics, Subsection 18932, et. seq.

Subdivision (b), (c), and (e) of Government Code 89502 shall apply to the prohibitions in this section. This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts of $280 or More.

(A) No member of the Governing Board of a special district, or designated employee of a local government agency shall accept any gifts with a total value of more than $280 in a calendar year from any single source.

Subdivision (d) of Government Code 89504 shall apply to this section.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his/her official position to influence the making of any governmental decision which he/she knows or has reason to know will have a reasonable foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his/her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth $1,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth $1,000 or more;
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(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating $250 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position or management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating $250 or more in value provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his/her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his/her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of Section 9, no state administrative official shall make, participate in making, or use his/her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his/her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value $1,000 or more.
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CONFLICT OF INTEREST CODE (continued)

(10) Section 10. Manner of Disqualification.

When a designated employee determines that he/she should not make a governmental decision because he/she has a disqualifying interest in it, the determination not to act must be accompanied by disclosure of the disqualifying interest. In the case of a voting body, this determination and disclosure shall be made part of the agency's official record; in the case of a designated employee who is the head of an agency, this determination and disclosure shall be made in writing to his/her appointing authority; and in the case of other designated employees this determination and disclosure shall be made in writing to the designated employee's supervisor.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his/her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code 83114 or from the attorney for his/her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act. Government Code 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code 87100 or 87450 has occurred may be set aside as void pursuant to Government Code 91003.

Authority: Government Code 83112

Reference: Government Code 87300-87302, 89503, 89504 California Code of Regulations, Title 2 Administration, Division 6 – Fair Political Practices Commission, Chapter 9.5 Ethics

Exhibit
Adopted: 09/27/94
Revised: 04/01/95
Revised: 08/15/95

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California
Bylaws of the Board

CONFLICT OF INTEREST

Designated Positions and Disclosure Requirements

1. Persons occupying the following positions are designated employees in Category 1:
   - Governing Board Members
   - Superintendent of Schools
   - Deputy Superintendent
   - Assistant Superintendents

   Designated persons in this category must report:
   a. Interests in real property located entirely or partly within District boundaries, or within two miles of District boundaries, or of any land owned or used by the District. Such interests include any leasehold, beneficial, or ownership interest or option to acquire such interest in real property.
   b. Investments or business positions in or income from sources that:
      (1) Are engaged in the acquisition or disposal of real property within the District.
      (2) Are contractors or subcontractors that are or have been within the past two years engaged in work or services of the type regularly used by the District.
      (3) Manufacture or sell supplies, books, machinery, or equipment of the types used by the District.

2. Persons occupying the following positions are designated employees in Category 2:
   - Executive Director of Special Education and Instruction
   - Executive Director of Student, Family, Community, and Instruction
   - Principal/Director
   - Senior Director of Early Childhood Education
   - Senior Director of Human Resources
   - Director of Benefits/Risk Management
   - Director of Child Nutrition Services
   - Director of Communications and Community Development
   - Director of Fiscal Services
   - Director of Human Resources
   - Director of Information Technology Services
   - Director of Leadership Development, Equity, and Access
   - Director of Professional Development and Academic Coaching
Bylaws of the Board

CONFLICT OF INTEREST (continued)

Director of Maintenance and Operations
Director of Transportation
Community Collaborative Director
Associate Principal/Academy Director
Coordinator of Early Childhood Education Services
Coordinator for Instructional Technology
Coordinator of Physical Education, Health, and Wellness
Coordinator of Special Education and Pupil Services, Instruction and Support
Coordinator of Visual and Performing Arts
Accounting Manager
Facilities Planning Manager
Grounds, Safety, and Maintenance Manager
Instructional Services Coordinator
Payroll Manager
Safety, Environmental, and Maintenance Manager
Emergency Preparedness and Security Manager
Student Placement Manager
Transportation Manager
Manager of Network Services, Computer Hardware Support, and Publishing
    Operations
Purchasing, Publications, and Warehouse Manager
Senior Grant Writer

Designated persons in this category must report investments or business positions in or income from sources that:

a. Are contractors or subcontractors engaged in work or services of the types used by the department that the designated person manages or directs.

b. Manufacture or sell supplies, books, machinery, or equipment of the types used by the department that the designated person manages or directs. For the purposes of this category, a Principal’s department is his/her entire school.

3. Consultants are designated employees that must disclose financial interests as determined on a case-by-case basis by the Superintendent/designee. The Superintendent/designee’s written determination shall include a description of the consultant’s duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this Conflict of Interest Code.
Bylaws of the Board

CONFLICT OF INTEREST (continued)

A consultant is an individual who, pursuant to a contract with the District, makes any of several specified governmental decisions whether to: (2 CCR 18701)

a. Approve a rate, rule, or regulations.
b. Adopt or enforce a law.
c. Issue, deny, suspend, or revoke a permit, license, application, certificate, approval, order, or similar authorization or entitlement.
d. Authorize the District to enter into, modify, or renew a contract that requires District approval.
e. Grant District approval to a contract or contract specifications that require District approval and in which the District is a party.
f. Grant District approval to a plan, design, report, study, or similar item.
g. Adopt or grant District approval of District a policy, standard, or guideline.

A consultant is also an individual who, pursuant to a contract with the District, serves in a staff capacity with the District and in that capacity participates in making a governmental decision as defined in 2 CCR 18702.2 or performs the same or substantially all the same duties for the District that would otherwise be performed by an individual holding a position specified in the District's Conflict of Interest Code (2 CCR 18701).
Bylaws of the Board

CONFLICT OF INTEREST

Incompatible Activities

Governing Board Members shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with, or iminical to the Board Member’s duties as an officer of the District. (Government Code 1126)

Conflict of Interest Code

Board Members and designated employees shall adhere to the District’s Conflict of Interest Code adopted pursuant to the provisions of Government Code 87300. This code shall comprise the terms of the California Code of Regulations, Title 2, Section 18730, and any amendments to it adopted by the Fair Political Practices Commission, together with a District attachment specifying designated positions and the specific types of disclosure required for each position.

Board Members and designated employees shall submit Statements of Economic Interests to the District in accordance with requirements of the Conflict of Interest Code. These statements shall be available for public inspection and reproduction. (Government Code 81008) Upon receiving the statements of Board Members and the Superintendent, the District shall make and retain copies and shall forward the originals to the code reviewing body. Statements for all other designated employees shall be retained by the District.

When reviewing and preparing Conflict of Interest Codes, the District shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

The Board shall review the District’s Conflict of Interest Codes in even-numbered years and notify the code reviewing body by October 1 of that year whether changes are or are not necessary. If changes are necessary, the Board shall send the code reviewing body a copy of the amended Conflict of Interest Code by the established deadline. (Government Code 87306.5)

Financial Interest

Board Members and designated employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Board Members or designated employees. (Government Code 1090)
Bylaws of the Board

CONFLICT OF INTEREST (continued)

A Board Member shall not be considered to be financially interested in a contract if any of the exceptions set forth in Government Code 1091.5 apply.

A Board Member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board Member shall not vote or debate on the matter or attempt to influence any other Board Member to enter into the contract. Remote interests are specified in Government Code 1091(b) and include the interest of a parent in the earnings of his/her minor child. (Government Code 1091)

If a Board Member or designated employee determines that he/she has a financial interest in a decision, this determination shall be disclosed and made a part of the official Board minutes. In the case of a designated employee, this announcement shall be made in writing and submitted to the Board. (Code of Regulations, Title 2, Section 18700)

A Board Member shall abstain from voting on personnel matters that uniquely affect a relative of the Board Member. A Board Member may vote, however, on collective bargaining agreements and personnel matters that affect a class of employees to which the relative belongs. "Relative" means an adult who is related to the person by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes that individual's parents, grandparents, and great-grandparents; children, grandchildren, and great-grandchildren; brothers and sisters; aunts and uncles; nieces and nephews; and the similar family of the individual's spouse unless the individual is widowed or divorced.

Disqualification for Board Members Who Manage Public Investments

A Board Member who manages public investments pursuant to Government Code 87200 and who has financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following:
Bylaws of the Board

CONFLICT OF INTEREST (continued)

1. Publicly identify the financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required. (Government Code 87105)

2. Recuse himself/herself from discussing and voting on the matter, to avoid acting in violation of Government Code 87100. This Board Member shall not be counted toward achieving a quorum while the item is discussed. (Government Code 87105; 2 CCR 18702.5)

3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded unless the matter has been placed on the portion of the agenda reserved for uncontested matters. (Government Code 87105)

4. If the item is on the consent calendar, the Board Member must recuse himself/herself from discussing or voting on that matter, but the Board Member is not required to leave the room during action on or discussion of the consent calendar. (2 CCR 18702.5)

The Board Member may speak on the issue during the time that the general public speaks on the issue. The Board Member shall recuse himself/herself from voting on the matter and leave the dais to speak from the same area as members of the public. He/She may listen to the public discussion of the matter with members of the public. (Government Code 87105; 2 CCR 18702.5)

If the Board’s decision is made during closed session, the public identification may be made orally during the open session before the Board goes into closed session and shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. The Board Member shall not be present when the decision is considered in closed session or knowingly obtain or review a recording or any other nonpublic information regarding the Board’s decision. (2 CCR 18702.5)

Gifts

Board Members shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law. (Government Code 89503)
Bylaws of the Board

CONFLICT OF INTEREST (continued)

Designated employees shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests. (Government Code 89503)

The above limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

Gifts of travel and related lodging and subsistence shall be subject to the above limitations except as described in Government Code 89506.

A gift of travel does not include travel provided by the District for Board Members and designated employees. (Government Code 89506)

Honoraria

Board Members shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering. (Government Code 89501, 89502)

Designated employees shall not accept any honorarium as defined above if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests. (Government Code 89502)

The term "honorarium" does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade, or profession is making speeches.

2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the District for donation into the general fund without being claimed as a deduction from income for tax purposes.
Bylaws of the Board

CONFLICT OF INTEREST (continued)

Legal Reference:

**EDUCATION CODE**
- 1006 Qualifications for holding office
- 35107 School district employees
- 35230-35240 Corrupt practices, especially:
- 35233 Prohibitions applicable to members of governing boards
- 41000-41003 Moneys received by school districts

**GOVERNMENT CODE**
- 1090-1098 Prohibitions applicable to specified officers
- 1125-1129 Incompatible activities
- 81000-91015 Political Reform Act of 1974, especially:
- 82011 Code reviewing body
- 82019 Definition of designated employee
- 82028 Definition of gifts
- 82030 Definition of income
- 87100-87103.6 General prohibitions
- 87200-87210 Disclosure
- 87300-87313 Conflict of interest code
- 87500 Statements of economic interests
- 89501-89503 Honoraria and gifts
- 91000-91014 Enforcement

**CODE OF REGULATIONS, TITLE 2**
- 18100-18997 Regulations of the Fair Political Practices Commission, especially:
- 18702.5 Public identification of a conflict of interest for Section 87200 filers

**COURT DECISIONS**

**ATTORNEY GENERAL OPINIONS**