

LEGISLATIVE DIGEST

Revised 12/14/20

[Campaign and Governmental Conduct Code - Form 700 (Statement of Economic Interests) Filing Requirements]

Ordinance amending the Campaign and Governmental Conduct Code to update the Conflict of Interest Code's Form 700 (Statement of Economic Interests) filing requirements by adding, deleting, and changing titles of designated officials and employees to reflect organizational and staffing changes, and by refining disclosure requirements for designated officials and employees.

Existing Law

The Political Reform Act of 1974, California Government Code section 87300, et seq., requires that San Francisco adopt a Conflict of Interest Code and review and update the Code every two years. The City's Conflict of Interest Code is set forth in Article III, Chapter 1 of the Campaign and Governmental Conduct Code. The Code designates those City officials and employees who periodically must file public statements disclosing their personal financial interests. The Code also specifies the types of financial interests – i.e., disclosure categories – that designated officials and employees must disclose.

Amendments to Current Law

The proposed amendments to the Conflict of Interest Code add, delete, and change the titles of designated employees to reflect organizational and staffing changes made by City departments and agencies since the Code was last amended in 2018. The proposed amendments also revise the disclosure requirements applicable to some designated officials and employees.

The proposed amendments amend the sections of the Conflict of Interest Code governing the following local agencies:

- Department of Aging and Adult Services
- Airport
- Arts Commission
- Board of Supervisors
- Civil Service Commission
- Department of Building Inspection
- Department of Children, Youth, and Their Families
- Department of Police Accountability
- Department of Emergency Management

- Department of the Environment
- Ethics Commission
- Fire Department
- General Services Agency - Public Works
- Department of Human Resources
- Human Services Agency
- Port
- Public Utilities Commission
- Rent Board
- Department on the Status of Women

Background Information

The City's Conflict of Interest Code must list those employees and officers who make or participate in the making of governmental decisions on behalf of the City. Cal. Gov. Code §§ 87300, 87302(a).

A City employee or officer "makes a governmental decision" when she: (1) votes on a matter; (2) appoints a person; (3) obligates or commits his or her agency to any course of action; or (4) enters into any contractual agreement on behalf of his or her agency. 2 C.C.R. § 18704(a). A City employee or officer "participates in making a governmental decision" when she directly, without significant substantive review, provides information, an opinion, or a recommendation for the purpose of affecting a government decision. Id. § 18704(b). The City's Conflict of Interest Code should not include employees who carry out solely clerical or ministerial tasks. See id. § 18704(d)(1).

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