

NOTICE OF PROPOSED AMENDMENTS TO THE CONFLICT OF INTEREST CODE OF THE STATE BOARD OF EQUALIZATION

NOTICE IS HEREBY GIVEN that the State Board of Equalization (Board), pursuant to Government Code section 87306 of the Political Reform Act (Gov. Code, § 81000 et seq.), proposes to amend California Code of Regulations, title 18, section (Regulation) 6001, General Provisions, Appendices A and B, which contain the Board's Conflict of Interest Code (Code). The purpose of the amendments is to implement Government Code sections 87300 through 87302, and section 87306.

Government Code sections 87300 and 87302 require each government agency to adopt a conflict of interest code designating the agency personnel who must periodically file a Form 700 Statement of Economic Interests, disclosing certain economic interests. Designated personnel are those who make or participate in making governmental decisions that may foreseeably have a material financial effect on an economic interest. (Gov. Code, § 87302, subd. (a).)

The Board proposes to amend its conflict of interest code to include employee positions that make or participate in making governmental decisions that may foreseeably have a material financial effect on an economic interest, as set forth in Government Code section 87302, subdivision (a).

These amendments implement classification and organizational changes that have taken place at the Board since the Code was last amended on April 3, 2015. The proposed amendments update Appendix A to the Code to list only those positions at the Board that make or participate in the making of decisions which may foreseeably have a material financial effect on any financial interest as required by Government Code section 87302, subdivision (a). Therefore, the Board proposes to delete positions that are no longer used at the Board from Appendix A, and add new positions that make or participate in the making of decisions which may foreseeably have a material financial effect on any financial interest to Appendix A. The proposed amendments update the disclosure categories listed in Appendix B for the purpose of narrowly tailoring the disclosure requirements assigned to each position listed in Appendix A to the position's job duties, and to differentiate between similar positions listed in Appendix A with different levels of responsibility. Copies of the proposed amendments to the Code are available to interested persons, are available on the Board's website (<https://www.boe.ca.gov/regs/regscont.htm>) and may be requested from the Contact Person set forth below.

The State Board of Equalization (Board) proposes to amend its conflict of interest code to include employee positions that involve making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The amendment carries out the purposes of the law and no other alternative would do so and be less burdensome to affected person.

Any interested person may submit written statements, arguments, or comments related to the proposed amendments by submitting them in writing no later than **July 18, 2022** or at the conclusion of the public hearing, if one is requested, whichever comes later, to the agency contact set forth below. The Board has not scheduled a public hearing on the proposed amendments. However, it will hold a hearing if it receives a written request for a hearing from any interested person, or their representative, 15 days before the close of the written comment period on **July 3, 2022**.

The State Board of Equalization (Board) has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private person, businesses or small businesses.

Contact Persons

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to Henry Nanjo, Chief Counsel, 916-274-3520, henry.nanjo@boe.ca.gov or to Honey Her, Associate Governmental Program Analyst, 916-274-3523, honey.her@boe.ca.gov.