

1 Adopt 2 Cal. Code Regs. Section 18115 to read:

2 **§ 18115. Duties of Filing Officers and Filing Officials—Statements of Economic Interests.**

3 (a) A filing officer is the person or agency which receives and retains original statements  
4 of economic interest. A filing officer’s duties with respect to a statement submitted in paper  
5 format are set forth in Regulation 18115.1, and a filing officer’s duties with respect to a  
6 statement submitted electronically through an electronic filing system approved by the  
7 Commission are set forth in Regulation 18115.2. In addition, a filing officer shall:

8 (1) Supply the necessary forms and manuals prescribed by the Commission.

9 (2) Determine whether the proper statements have been filed and whether they conform  
10 on their face with the Act’s requirements. In determining if statements conform on their fact to  
11 the Act’s requirements, the filing officer must review the information contained in at least 20  
12 percent of the statements which are filed on time, at least half of which must be selected on a  
13 random basis, and the information contained in all statements which are filed late, to determine  
14 whether:

15 (A) The summary page is completed correctly, and all schedules applicable to the filer are  
16 either attached or checked “no reportable interests.”

17 (B) The attached schedules include all required descriptive information for each financial  
18 interest.

19 (C) Information on one schedule suggests that required information is omitted on either  
20 that schedule or another schedule.

21 (3) Promptly notify the filer if a required statement has not been filed or if the review of

1 the schedules in subdivision (a)(2) indicates that the statement is incomplete or incorrect in any  
2 material respect.

3 (4) Report any apparent violation of the Act to the appropriate agencies. An apparent  
4 violation exists when:

5 (A) The filing officer knows or has reason to know that the statement contains material  
6 inaccuracies or omissions.

7 (B) A filer fails or refuses to file all or a part of a statement required by the Act or  
8 Commission Regulations adopted pursuant to the Act after the filing officer has provided  
9 reasonable notice of the filer's failure to file a complete statement.

10 (5) Compile and maintain a current list of all statements filed with the agency.

11 (b) A filing official is the person or agency who receives statements of economic interests  
12 and forwards those statements to the filing officer pursuant to Section 87500. A filing official's  
13 duties with respect to a statement submitted in paper format are set forth in Regulation 18115.1,  
14 and a filing official's duties with respect to a statement submitted electronically through an  
15 approved electronic filing system are set forth in Regulation 18115.2. In addition, the filing  
16 official shall:

17 (1) Ensure filers have access to the necessary forms and manuals prescribed by the  
18 Commission.

19 (2) Forward a statement to the filing officer, no later than five days after the filing  
20 deadline or five days after receipt in the case of a late-filed statement.

21 (3) Notify the filing officer of any of the following events within 10 days of the event's

1 occurrence:

2 (A) An election held in the jurisdiction. If such an election is held, the official subject to  
3 this subdivision shall provide the filing officer the names of the candidates, the persons elected,  
4 and the office to which each person was elected.

5 (B) A vacancy in an office.

6 (C) Any other event affecting statement of economic interest filing obligations.

7 (4) Compile and maintain a current list of all statements forwarded to the filing officer.

8 (5) Biannually notify the filing officer of the names and positions of every person whose  
9 statements are required to be forwarded to the filing officer, with the first notice due no later than  
10 by June 1 and the second notice due by December 1.

11 (c) An official who is both a filing officer under subdivision (a) and a filing official under  
12 subdivision (b) must fulfill the duties of both subdivisions.

13 (d) A filing officer who is a city clerk or county clerk shall comply with the posting and  
14 notification requirements of Section 87505.

15 Note: Authority cited: Section 83112, Government Code. Reference: Sections 81010, 81010.5,  
16 87500, and 87500.2, Government Code.