

Instructions for Filing Statement of Economic Interests (FPPC Form 700)

1. Open the Department of Justice Conflict of Interest Code, which is available online at <http://oag.ca.gov/conflict-interest/leaving-office>.
2. Find your Division, section, and job classification in the Designated Positions list (Appendix A in the Conflict of Interest Code) – your Disclosure Category number will be listed to the right. Please note that some job classifications may have different reporting requirements depending on the Division and section (for example, auditors in the Division of Law Enforcement and auditors in the Division of Public Rights have different Disclosure Categories), so it is important to correctly identify your position.
3. Review the entry for your Disclosure Category number in the list of Disclosure Categories (Appendix B in the Conflict of Interest Code). This will describe the types of economic interests you are required to report on your Form 700.
4. Open the Form 700 template, which is attached to the notice e-mail you received from the DOJ Conflict of Interest Code Filing Officer. The Form 700 template is also available online at <http://oag.ca.gov/conflict-interest/leaving-office>.
5. Review the instructions included in the Form 700 template. Additional guidance for completing your Form 700 is available online at <http://oag.ca.gov/conflict-interest/leaving-office>.

Prepare your Form 700 by completing the Cover Page plus any applicable Schedules.

- a. **It is recommended that you list your work address, phone number, and e-mail address in Section 5 of the Cover Page because your Form 700 is considered a public document. Your personal addresses and phone number are not required.**
 - b. If you are in one of the following Disclosure Categories you do not need to complete either Part 4 on Schedule A-2, or any part of Schedule B, because you are not required to report real property interests: 2, 3, 4, 7, 8, 9, 11, 12, 13, 14, 15, 17.
 - c. If you are in Disclosure Categories 3 or 6, which include employees in the Licensing Section, Health Quality Enforcement (HQE) Section, Health, Education and Welfare (HEW) Section, Employment and Administrative Mandate (EAM) Section, and Land Law Section, a client list for your section is available online at <http://oag.ca.gov/conflict-interest/leaving-office>.
6. Print the Cover Page and any Schedules you have completed. You do not need to submit Schedules you have left blank.
 7. Date and sign the bottom of the Cover Page.

8. Keep copies of your signed and dated Cover Page and any completed Schedules for your records. If instructed to do so, also provide copies to your Senior Assistant Attorney General, Bureau Chief, or supervisor.
9. Submit the SIGNED ORIGINAL HARD COPY of the Cover Page and the Schedules you have completed by the deadline listed in your notice e-mail to:

Bill Holtz
Conflict of Interest Code Filing Officer
Division of Administrative Support, D-8
Department of Justice
1300 I Street, 8th Floor
Sacramento, CA 95814

10. Please avoid the following common mistakes:
 - a. Even if you have no reportable interests, you must still complete and file a Form 700 Cover Page. Check the "None" box in Section 4 to show you have no reportable interests on any schedule.
 - b. Remember to fill in the blank in Section 4 of the Cover Page to list the total number of pages (Cover Page plus Schedules) you are filing.
 - c. Do not forget to date and sign the bottom of the Cover Page.
 - d. State law requires you to file an ORIGINAL SIGNED HARD COPY of your Form 700. The Department cannot accept a photocopy or a filing by e-mail or fax.
11. It is important to meet the filing deadline. If you do not file your Form 700 by the legal deadline, you could receive a \$100 late penalty from DOJ and an additional \$5,000 fine from the FPPC.
12. Please carefully review the instructions and guidance documents that are available online at <http://oag.ca.gov/conflict-interest/leaving-office>. This material contains answers to many common Form 700 questions.

If you would still like assistance after reviewing this material, send an e-mail that 1) lists your DOJ division and unit/section, job classification, and Conflict of Interest Code Disclosure Category and 2) describes your question(s) in detail to Form700FilingOfficer@doj.ca.gov. Please note that we cannot respond to your inquiry unless you provide this required information.

SOME COMMON AREAS OF MISUNDERSTANDING

Some common areas of misunderstanding regarding the Form 700 involve economic interests held by a spouse or dependent child, gift disclosure, and gift limits. Informational tips on these issues are discussed below.

Family Interests

Your economic interests include interests in real property and investments held by your spouse or dependent children. (The term “spouse” includes registered domestic partners recognized by state law.) This is true even if your spouse’s real property and investment interests are separate property. Thus, for example, if you, your spouse and dependent children together own 10% or more of a business entity or trust, you may be required to report that entity’s or trust’s real property or investment holdings.

The rule is different for income. You have no reportable interest in your spouse’s separate property income or income of your dependent children. You do have a reportable interest in your 50% share of your spouse’s community property income.

Gifts

A gift received by a spouse or child (dependent and some students who are 18-23) is considered a gift to you if you will receive a financial benefit from the gift (i.e., the gift is something a family would normally provide for ordinary care and support), use the gift (other than minimal use), or control the gift (e.g., request tickets for family member), unless your spouse or child has an independent established relationship with the donor, the donor does not lobby the state, and the donor is not involved in a governmental decision in which you will participate or have participated during the 12-month period before receipt of the gift.

As a designated employee, you are required to disclose all gifts that aggregate \$50 or more in a calendar year from sources specified in your disclosure category. You are also subject to a “gift limit” per calendar year for each source that is covered by your disclosure category. Please note the gift limit is adjusted for inflation every two years. The gift limit in effect from January 1, 2015 to December 31, 2016 is \$460 from a single source during a calendar year. Please also note there is no geographic limitation on what sources of gifts are reportable or subject to the gift limit. Therefore, a gift of a meal from an out-of-state college roommate or a ticket from a company not doing business in California is still subject to disclosure and to the gift limit if the source is covered by your disclosure category.

For example, if you are assigned Disclosure Category 1 or 2, all sources of gifts are subject to these rules, except those that are statutorily exempt (e.g., various relatives; see detailed instructions for Schedule D). Accordingly, a \$470 round-trip airline ticket received from your college roommate in 2015 to attend a daughter’s wedding would be prohibited because it exceeds the \$460 limit, and your former roommate is not an exempt relative. You must either decline the ticket or reimburse the roommate sufficiently to bring the value below the gift limit. Note that even if reimbursement brings the value of the gift under the gift limit, you still would need to

report it so long as it and any other gifts from the roommate totaled \$50 or more during the reporting period. If you are assigned Disclosure Category 11, the sources of gifts subject to the rules are “business entities that engage in the manufacture, marketing, distribution or sale of tobacco products.” Your college roommate’s gift of airline tickets is not subject to disclosure or the gift limit unless your roommate is engaged in the tobacco industry. Conversely, a gift of four tickets to a concert from a tobacco company or distributor is subject to the rules even if it operates exclusively out of state.