

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

Please carefully review the following instructions for completing and filing the FPPC Form 700 Statement of Economic Interests. Statements that are incomplete or contain errors may be rejected.

1. **Access DOJ Conflict of Interest Code:** Open the Department of Justice Conflict of Interest Code, which is available online at <http://oag.ca.gov/conflict-interest/leaving-office>.
2. **Identify Your Disclosure Category:** Go to Appendix A in the Conflict of Interest Code and look for your Division, section, and job classification in the Designated Positions list – the number of your Disclosure Category will be listed to the right.

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 make sure to correctly identify your specific position.

3. **Review Your Disclosure Requirements:** Go to Appendix B in the Conflict of Interest Code and review the description for your Disclosure Category number. This will describe what you must report on your Form 700.
4. **Access Form 700 Template and Filing Guidance:** The Form 700 template is attached to the notice e-mail you received from the DOJ Conflict of Interest Code Filing Officer and is also available online at <http://oag.ca.gov/conflict-interest/leaving-office>.

Carefully review the instructions included in the Form 700 template. Additional Form 700 guidance is available online at <http://oag.ca.gov/conflict-interest/leaving-office>. This material contains answers to many common Form 700 questions.

5. **Prepare Your Form 700:** Complete the Cover Page plus any Schedules that apply to you.
 - 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 Disclosure Category 2, 3, 4, 7, 8, 9, 11, 12, 13, 14, 15, or 17 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.

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

- c. If you are in Disclosure Category 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. File Your Form 700:

- a. Print the Cover Page and any Schedules you have completed. You do not need to submit Schedules you have left blank.
- b. Date and sign the bottom of the Cover Page.
- c. **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.
- d. 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:

Ellie Luna
Conflict of Interest Code Filing Officer
Division of Administrative Support
Department of Justice
1300 I Street, 8th Floor
Sacramento, CA 95814

7. Important Reminders: 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 at the bottom of Cover Page Section 4 (Schedule Summary) to show you have no reportable interests on any schedule.
- b. Remember to confirm the total number of pages (Cover Page plus Schedules) you are filing by filling in the blank at the top right of Cover Page Section 4 (Schedule Summary).
- c. Do not forget to date and sign the bottom of the Cover Page in Section 5 (Verification).
- d. Make sure to disclose reportable economic interests for your spouse and dependent children. (See pages 4-5 below for further information.)

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

- e. State law requires you to file an ORIGINAL SIGNED HARD COPY of your Form 700. This means you must submit an original signature and cannot file a paper photocopy, faxed copy, or e-mailed copy.
- 8. **Filing Deadline:** It is important to meet the filing deadline. Failure to do so could result in a \$100 late penalty from DOJ and an additional \$5,000 fine from the FPPC.
- 9. **Filing Assistance:** Please carefully review the instructions and guidance documents that are attached to your filing notice e-mail and 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. We cannot answer your question(s) unless you provide this required information.

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

Additional Tips on Family Members and Gifts

Some of the most common areas of misunderstanding regarding Form 700 relate to family members' economic interests and gifts. Some informational tips on these issues are discussed below.

Family Economic Interests

State law requires you to disclose certain economic interests held by your spouse (this includes a registered domestic partner) or dependent children (children under 18 who can be claimed as dependents on your federal tax return).

Real Property and Investments

Your reportable economic interests include interests in real property and investments held by your spouse or dependent children. This is true even if your spouse's real property and investment interests are his or her 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.

Income

The rule is different for income. You have no reportable interest in any income of your spouse that is separate property, or income of your dependent children. You do have a reportable interest in 50% of any income to your spouse that is community property.

Gifts

Gifts to Family Members

A gift received by your spouse or child (dependent and some students who are 18-23) is generally considered a reportable gift when you: a) receive a financial benefit from it (i.e., the gift is something a family would normally provide for ordinary care and support), b) use the gift (other than minimal use), or c) control the gift (e.g., request tickets for family members). This rule does not apply if 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 the gift is received.

Gift Reporting and Limit

Your Form 700 must disclose all gifts that total \$50 or more in a calendar year from a source specified in your Conflict of Interest Code Disclosure Category. You are also prohibited from accepting gifts from a source that is specified in your Disclosure Category that total \$470 or

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

more in a calendar year. (This limit is adjusted for inflation every two years. The \$470 per calendar year limit is effective between January 1, 2017 and December 31, 2018.) There are no geographic restrictions on when gifts are reportable or subject to the gift limit. Thus, for example, a meal from an out-of-state college roommate or a ticket from a company not doing business in California is still reportable and subject to the gift limit if the college roommate or company is covered by your Disclosure Category.

Example 1

If you are in Disclosure Category 1 or 2, all gifts are reportable and subject to the limit unless the source is exempt by law (e.g., various relatives; see Form 700 instructions for Schedule D). This means a \$500 round-trip airline ticket from your college roommate in May 2017 to attend a daughter's wedding would be prohibited because it exceeds the \$470 limit, and your former roommate is not an exempt relative. You must either decline the ticket or reimburse the roommate at least \$30 to bring the value below the gift limit. Remember that gifts for which you provide only partial reimbursement still count toward the \$50 disclosure threshold and the \$470 annual limit on total gifts from that source.

Example 2

If you are in Disclosure Category 11, the gift rules apply only to "business entities that engage in the manufacture, marketing, distribution or sale of tobacco products." Your college roommate's airline ticket is not reportable or subject to the gift limit unless he or she is engaged in the tobacco industry. By contrast, if a tobacco company gives you tickets to a concert, those are reportable and subject to the gift limit even if the company operates exclusively outside of California.