

TITLE 2. STATE TREASURER'S OFFICE
Notice of Intention to Amend Conflict of Interest Code

NOTICE IS HEREBY GIVEN that FIONA MA, the Treasurer of the State of California, pursuant to the authority vested in her by Government Code sections 87300 through 87302, and 87306, proposes to amend the conflict of interest code. Pursuant to Government Code sections 87300 through 87302, and 87306, the conflict of interest code designates employees and others who must disclose certain investments, income, interests in real property, and business positions, and who must disqualify themselves from making or participating in the making of governmental decisions affecting those interests. The amendment includes:

- Deletion of a multi-member body chaired by the State Treasurer
- Deletion of designated positions
- Addition of a multi-member body chaired by the State Treasurer
- Addition of designated positions

Copies of the proposed amended code are available and may be requested from the agency contact set forth below.

WRITTEN COMMENT PERIOD

A written comment period has been established commencing on February 10, 2023 and terminating on March 31, 2023. Any interested person may submit written comments concerning the proposed conflict of interest code amendment no later than March 31, 2023 to:

State Treasurer's Office
Attention: Spencer Walker, General Counsel
915 Capitol Mall, Room 110
Sacramento, CA 95814

A public hearing on this matter will not be held unless no later than 15 days prior to the close of the written comment period, an interested person or his or her representative submits to the agency contact set forth below a request for a public hearing.

The State Treasurer has prepared a written explanation of the reasons for the designations, disclosure categories, and disclosure responsibilities, and has available all of the information upon which the proposed amendment is based.

AGENCY CONTACT

Copies of the proposed amendment to the conflict of interest code and all of the information upon which the amendment is based may be obtained from, and any inquiries concerning the proposed amendment should be directed to:

State Treasurer's Office
Attention: Spencer Walker
915 Capitol Mall, Room 110
Sacramento, CA 95814
(916) 653-2995
spencer.walker@treasurer.ca.gov

ALTERNATIVES CONSIDERED

The State Treasurer must determine that no alternative considered by the State Treasurer would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The State Treasurer has determined that the proposed amended code:

1. Imposes no mandate on local agencies or school districts.
2. Imposes no cost or savings on any State agency.
3. Imposes no cost on any local agency or school district that is 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 cost or savings to local agencies.
5. Will not result in any cost or savings in federal funding to the State.
6. Will not have any potential cost impact on private persons or businesses, including small businesses.

**INITIAL STATEMENT OF REASONS FOR THE PROPOSED AMENDMENT TO THE
REGULATIONS OF THE STATE TREASURER
Pursuant to Article 3, Chapter 7, Title 9 of the Government Code**

In compliance with section 87306 of the Government Code, Fiona Ma, Treasurer of the State of California, sets forth below the reasons for the proposed amendment to section 1897 of subchapter 1, chapter 4, division 2, title 2 of the California Code of Regulations (the “Regulations”).

Overview

The Political Reform Act of 1974 (Government Code section 8100 et seq.) requires among other things that each State agency adopt a conflict of interest code applicable to certain positions and multi-member bodies affiliated with the agency. In addition, Government Code section 87306 mandates that each State agency amend its conflict of interest code when needed due to changed circumstances, including the addition of positions which must be designated. As part of an ongoing review process, the State Treasurer has determined that the conflict of interest code (the “Code”) for the State Treasurer’s Office and the multi-member bodies chaired by the State Treasurer requires revision.

Accordingly, this amendment is proposed to add a new multi-member body, and revise and update the designated positions of the State Treasurer’s Office and the multi-member bodies chaired by the State Treasurer. The amendment includes:

- Deletion of a multi-member body chaired by the State Treasurer

Deletion of a multi-member body chaired by the State Treasurer

California Industrial Development Financing Advisory Commission is deleted because the Commission has been abolished by operation of statute.

- Deletion of designated positions

Deletion of Designated Positions

Information Technology Specialist I, Information Technology Division, Data & Government Transparency, is deleted under the Office of the State Treasurer because the position no longer exists within the Office of the State Treasurer.

Commission Members is deleted under the California Industrial Development Financing Advisory Commission because the Commission has been abolished by operation of statute.

Executive Director is deleted under the California Industrial Development Financing Advisory Commission because the Commission has been abolished by operation of statute.

Treasury Program Manager (all levels) is deleted under the California Educational Facilities Authority because the classification no longer exists within the Authority.

- Addition of a multi-member body chaired by the State Treasurer

Addition of a multi-member body chaired by the State Treasurer

California HOPE, Opportunity, Perseverance, and Empowerment for Children Trust Account Program Board is established because the Commission has been established by operation of statute.

CalAccount Blue Ribbon Commission, under the Office of the State Treasurer, is added because the Commission has been created by statute.

- Addition of designated positions

Addition of Designated Positions

Board Members is added under the California HOPE, Opportunity, Perseverance, and Empowerment for Children Trust Account Program Board because the Board has been established by operation of statute.

Executive Director is added under the California HOPE, Opportunity, Perseverance, and Empowerment for Children Trust Account Program Board because the Board has been established by operation of statute.

Staff Services Manager II is added under the California HOPE, Opportunity, Perseverance, and Empowerment for Children Trust Account Program Board because the Board has been established by operation of statute.

Staff Services Manager I (Specialist), Pension and Benefits, under the Office of the State Treasurer is added because the position is a designee of the State Treasurer on various State bodies.

Commission Members, CalAccount Blue Ribbon Commission, under the Office of the State Treasurer is added because the Commission has been created by statute.

Executive Director, CalAccount Blue Ribbon Commission, under the Office of the State Treasurer is added because the position has been created by operation of statute.

Alternatives Considered

The State Treasurer must determine that no alternative considered would be more effective in carrying out the purpose for which the amendment is proposed or would be as effective and less burdensome to affected private persons and businesses than the proposed action.

Cost or Savings to State Agencies

The adoption of the proposed amendment to the Regulations will not impose a cost or savings on any State agency.

Mandate on Local Agencies and School Districts

The adoption of the proposed amendment to the Regulations imposes no mandate on local agencies or school districts in which reimbursement is required under part 7 (commencing with section 17500) of division 4 of the Government Code.

Nondiscretionary Cost or Savings to Local Agencies

The adoption of the proposed amendment to the Regulations will not result in any nondiscretionary cost or savings to local agencies.

Cost or Savings in Federal Funding to the State

The adoption of the proposed amendment to the Regulations will not impose cost or savings in federal funding to the State.

Effect on Housing Costs and Businesses

The adoption of the proposed amendment to the Regulations will have no significant effect on housing costs or on private persons or businesses, including small businesses.

Assessment

The adoption of the proposed amendment to the Regulations will not create or eliminate jobs in the State of California, result in the elimination of existing businesses, or create or expand businesses in the State of California.