

AMENDED IN SENATE JUNE 25, 2013

AMENDED IN ASSEMBLY APRIL 15, 2013

AMENDED IN ASSEMBLY APRIL 2, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 409**

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**Introduced by Assembly Member Quirk-Silva**

**(Coauthors: ~~Assembly Members Fox, Jones-Sawyer, Levine, and Weber~~)**

*(Principal coauthors: Senators Galgiani and Roth)*

February 15, 2013

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~~An act to add and repeal Section 69785.5 of the Education Code, relating to student veterans.~~ *An act to add Sections 87500.3 and 87500.4 to the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 409, as amended, Quirk-Silva. ~~Student veterans: services. Political Reform Act of 1974: statements of economic interests: online filing.~~

*(1) Existing law, the Political Reform Act of 1974, regulates conflicts of interests of public officials and requires that public officials file, with specified filing officers, periodic statements of economic interests disclosing certain information regarding income, investments, and other financial data. Existing law authorizes agencies to permit the electronic filing of statements of economic interests, in accordance with regulations adopted by the Fair Political Practices Commission.*

*This bill would authorize the Commission to develop and operate an online system for filing statements of economic interests meeting*

*specified requirements. With certain exceptions, filers would be authorized to use the online system to meet requirements imposed by the act.*

*(2) The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act’s purposes upon a <sup>2</sup>/<sub>3</sub> vote of each house and compliance with specified procedural requirements.*

*This bill would declare that it furthers the purposes of the act.*

*(3) This bill would declare that it is to take effect immediately as an urgency statute.*

~~Under existing law, the segments of the public higher education system in the state include the University of California, which is administered by the Regents of the University of California, the California State University, which is administered by the Trustees of the California State University, and the California Community Colleges, which is administered by the Board of Governors of the California Community Colleges.~~

~~Existing law authorizes the California Community Colleges and California State University, and encourages the University of California, to coordinate services for qualified students who are veterans or members of the military by clearly designating military and veterans offices and individuals to provide specified services.~~

~~This bill would require the Board of Governors of the California Community Colleges and the Trustees of the California State University to convene, and would encourage the Regents of the University of California to participate in, a task force to develop a report relating to student veterans’ transition to postsecondary education, as specified. The bill would require the report to be completed on or before January 10, 2015, and that a copy be provided to the Governor and the Legislature on or before that date. These provisions would be repealed on January 1, 2019.~~

~~Vote: majority <sup>2</sup>/<sub>3</sub>. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.~~

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 87500.3 is added to the Government Code,
- 2     to read:
- 3     87500.3. (a) The Commission may develop and operate an
- 4     online system for filing statements of economic interests required

1 by Article 2 (commencing with Section 87200) and Article 3  
2 (commencing with Section 87300). Consistent with Section 87500.4,  
3 the online system shall enable a filer to comply with the  
4 requirements of this chapter relating to the filing of statements of  
5 economic interests and shall include, but not be limited to, both  
6 of the following:

7 (1) A means or method whereby a filer may electronically file,  
8 free of charge, a statement of economic interests that includes an  
9 electronic transmission that is submitted under penalty of perjury  
10 in conformity with Section 81004 of this code and subdivision (b)  
11 of Section 1633.11 of the Civil Code.

12 (2) Security safeguards that include firewalls, data encryption,  
13 secure authentication, and all necessary hardware and software  
14 and industry best practices to ensure that the security and integrity  
15 of the data and information contained in each statement of  
16 economic interests are not jeopardized or compromised.

17 (b) (1) A system developed pursuant to subdivision (a) shall  
18 issue to a person who electronically files his or her statement of  
19 economic interests, or an amendment to a statement of economic  
20 interests, an electronic confirmation that notifies the filer that his  
21 or her statement of economic interests or amendment was received.  
22 The confirmation shall include the date and the time that the  
23 statement of economic interests or amendment was received and  
24 the method by which the filer may view and print the data received.

25 (2) A paper copy retained by the filer of a statement of economic  
26 interests or amendment that was electronically filed and the  
27 confirmation issued pursuant to paragraph (1) that shows that the  
28 filer timely filed his or her statement of economic interests or  
29 amendment shall create a rebuttable presumption that the filer  
30 filed his or her statement of economic interests or amendment on  
31 time.

32 (c) If the Commission develops an online system pursuant to  
33 subdivision (a), it shall also develop training and assistance  
34 programs for state and local filing officers and filers regarding  
35 use of that system, and shall conduct public hearings to receive  
36 input on the implementation of the online system for filing  
37 statements of economic interests.

38 (d) The Commission may make all the data filed on a system  
39 developed pursuant to subdivision (a) available on the  
40 Commission's Internet Web site in an easily understood format

1 *that provides the greatest public access, and shall provide*  
 2 *assistance to those seeking public access to the information.*

3 *SEC. 2. Section 87500.4 is added to the Government Code, to*  
 4 *read:*

5 *87500.4. (a) If the Commission establishes an online system*  
 6 *pursuant to Section 87500.3, a person required by Article 2*  
 7 *(commencing with Section 87200) or Article 3 (commencing with*  
 8 *Section 87300) to file a statement of economic interests may,*  
 9 *notwithstanding Section 87500, file the statement electronically*  
 10 *through the online system established by the Commission.*

11 *(b) (1) If a filer’s filing officer is the Commission, electronic*  
 12 *filing pursuant to Section 87500.3 satisfies the requirement*  
 13 *imposed by this chapter to file a statement of economic interests*  
 14 *with the Commission.*

15 *(2) If a filer’s filing officer is not the Commission, the filing*  
 16 *officer, notwithstanding Section 87500, may permit a statement*  
 17 *of economic interests filed electronically with the Commission*  
 18 *pursuant to Section 87500.3 to satisfy the requirement for the*  
 19 *statement to be filed with the filing officer.*

20 *SEC. 3. The Legislature finds and declares that this bill furthers*  
 21 *the purposes of the Political Reform Act of 1974 within the meaning*  
 22 *of subdivision (a) of Section 81012 of the Government Code.*

23 *SEC. 4. This act is an urgency statute necessary for the*  
 24 *immediate preservation of the public peace, health, or safety within*  
 25 *the meaning of Article IV of the Constitution and shall go into*  
 26 *immediate effect. The facts constituting the necessity are:*

27 *In order to authorize the Fair Political Practices Commission*  
 28 *to develop an online system for the filing of statements of economic*  
 29 *interests at the earliest possible time in order to increase*  
 30 *transparency in the finances of public officials and guard against*  
 31 *conflicts of interests, it is necessary that this act take immediate*  
 32 *effect.*

33 ~~*SECTION 1. Section 69785.5 is added to the Education Code,*~~  
 34 ~~*to read:*~~

35 ~~*69785.5. (a) On or before June 30, 2014, the Board of*~~  
 36 ~~*Governors of the California Community Colleges and the Trustees*~~  
 37 ~~*of the California State University shall convene, and the Regents*~~  
 38 ~~*of the University of California are encouraged to participate in, a*~~  
 39 ~~*task force to develop a report relating to student veterans’ transition*~~  
 40 ~~*to postsecondary education.*~~

1 ~~(b) The task force shall address specific issues related to student~~  
2 ~~veterans' transition to postsecondary education, which shall~~  
3 ~~include, but is not limited to, all of the following:~~

4 ~~(1) A review of the best practices for meeting the needs of~~  
5 ~~student veterans and ensuring that all campuses offer veterans'~~  
6 ~~counseling services.~~

7 ~~(2) An evaluation on how California Community Colleges, the~~  
8 ~~California State University, and the University of California~~  
9 ~~currently assist student veterans in understanding the effects of~~  
10 ~~postwar stress, posttraumatic stress disorder, and traumatic brain~~  
11 ~~injuries.~~

12 ~~(3) An evaluation of the existing resources offered to veterans~~  
13 ~~and ways to ensure that veterans are aware of these resources.~~

14 ~~(4) An assessment on whether additional services for veterans~~  
15 ~~are needed, such as an online course addressing postwar effects~~  
16 ~~on veterans.~~

17 ~~(e) The final report shall be completed on or before January 10,~~  
18 ~~2015, and a copy shall be provided to the Governor and the~~  
19 ~~Legislature on or before that date.~~

20 ~~(d) The report to be submitted pursuant to this section shall be~~  
21 ~~submitted in compliance with Section 9795 of the Government~~  
22 ~~Code.~~

23 ~~(e) This section shall remain in effect only until January 1, 2019,~~  
24 ~~and as of that date is repealed, unless a later enacted statute, that~~  
25 ~~is enacted before January 1, 2019, deletes or extends that date.~~