

ASSEMBLY BILL

No. 1582

Introduced by Assembly Member Travis Allen

January 5, 2016

An act to add Section 87315 to the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 1582, as introduced, Travis Allen. Political Reform Act of 1974: Conflict of Interest Codes: public postsecondary educational institutions.

The Political Reform Act of 1974 requires every state and local government agency to adopt and promulgate a Conflict of Interest Code and requires each Conflict of Interest Code to include, among other things, a requirement that each designated employee file statements, as specified, disclosing reportable investments, business positions, interests in real property and income. Existing law prohibits a faculty member or academic department or other adopting entity at an institution of higher education from demanding or receiving anything of value, as specified, for adopting specific course materials required for coursework or instruction, except as specified, including royalties or other compensation from sales of course materials that include the instructor's writing or other work.

This bill would require that the Conflict of Interest Code of each public postsecondary educational institution require an employee of that institution to disclose any item of value, any royalties, or any other compensation the employee receives as a result of a decision to adopt specific course materials required for coursework or instruction. By requiring the revision of Conflict of Interest Codes for community colleges, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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 2/3 vote of each house and compliance with specified procedural requirements.

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

Vote: 2/3. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

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

1 SECTION 1. Section 87315 is added to the Government Code,
2 to read:

3 87315. The Conflict of Interest Code of each public
4 postsecondary educational institution shall require an employee
5 of that institution to disclose all of the following that the employee
6 receives as a result of a decision to adopt specific course materials
7 required for coursework or instruction:

8 (a) Any item of value, including the donation of equipment or
9 goods and any payment, loan, advance, or deposit of money, actual
10 or promised.

11 (b) Any royalties or other compensation received from the sale
12 of the course materials.

13 SEC. 2. If the Commission on State Mandates determines that
14 this act contains costs mandated by the state, reimbursement to
15 local agencies and school districts for those costs shall be made
16 pursuant to Part 7 (commencing with Section 17500) of Division
17 4 of Title 2 of the Government Code.

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

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