

Assembly Bill No. 2179

CHAPTER 364

An act to add Article 12 (commencing with Section 11146) to Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code, relating to state agencies.

[Approved by Governor August 24, 1998. Filed with Secretary of State August 24, 1998.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2179, Committee on Assembly Legislative Ethics. State agencies: ethics orientation.

Existing law requires that the appropriate ethics committees of the Legislature conduct at least semiannually an orientation course for Members of the Legislature and designated legislative employees on laws governing official conduct, and another orientation course for registered lobbyists on issues and laws relating to lobbying. Members of the Legislature, designated legislative employees, and registered lobbyists are required to attend these courses every 2 years.

This bill would require each state agency to offer at least semiannually, and certain state officials and employees to attend once every 2 years, an orientation course on the relevant ethics statutes and regulations that govern the official conduct of state officials.

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

SECTION 1. Article 12 (commencing with Section 11146) is added to Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code, to read:

Article 12. State Agency Ethics Training

11146. For purposes of this article, the following terms have the following meanings:

(a) "State agency" has the same meaning as set forth in Section 82049, but does not include the Legislature.

(b) "Filer" means each member, officer, or employee of a state agency who satisfies both of the following requirements:

(1) The person holds any one of the following positions with the agency: an elected office, a position that is exempt from civil service, a career executive assignment, the position of executive director or its equivalent, or the position of general counsel or its equivalent.



(2) The person is required to file a statement of economic interests under either Article 2 (commencing with Section 87200) or Article 3 (commencing with Section 87300) of Chapter 7 of Title 9 because of the position he or she holds with the agency.

11146.1. Each state agency shall offer at least semiannually to each of its filers an orientation course on the relevant ethics statutes and regulations that govern the official conduct of state officials.

11146.2. Each state agency shall maintain records indicating the specific attendees, each attendee's job title, and dates of their attendance for each orientation course offered pursuant to Section 11146.1 for a period of not less than five years after each course is given. These records shall be public records subject to inspection and copying consistent with subdivision (a) of Section 81008 and otherwise subject to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1).

11146.3. Except as set forth in Section 11146.4, each filer shall attend the orientation course required in Section 11146.1, as follows:

(a) For filers who hold a position with the agency on January 1, 1999, not later than December 31, 1999, and at least once during each consecutive two calendar years thereafter.

(b) For persons who become a filer with the agency after January 1, 1999, within six months after they become a filer and at least once during each consecutive two calendar years thereafter.

11146.4. (a) The requirements of Section 11146.3 shall not apply to filers with a state agency who have taken an equivalent ethics orientation course through another state agency or the Legislature within the time periods set forth in subdivision (a) or (b) of Section 11146.3, as applicable.

(b) State agencies may jointly conduct and filers from more than one state agency may jointly attend an orientation course required by Section 11146.1, as long as the course content is relevant to the official duties of the attending filers.

(c) Before conducting each orientation course required by Section 11146.1, state agencies shall consult with the Fair Political Practices Commission and the Attorney General regarding appropriate course content.

