

Amend 2 Cal. Code Regs. Section 18735 to read:

§ 18735. Change of Position or Disclosure Category Within Same Agency.

(a) Except as specified otherwise in this regulation, a designated employee who transfers from one designated position to another designated position within the same agency has not assumed or left office within the meaning of Section 87302 or the agency's conflict-of-interest code. The next ~~Statement of Economic Interests~~ statement of economic interests the employee files shall disclose both of the following:

(1) Interests made reportable by the employee's original disclosure category that were held or received at any time during the period from the opening date of the statement to the transfer date.

(2) Interests made reportable by the employee's new disclosure category that were held or received at any time during the period from the date of the transfer through the closing date of the statement.

(b) A designated employee who transfers to the position of board member, commissioner, executive director, or other chief executive officer within the same agency shall file a leaving office statement of economic interests and an assuming office statement as required by Sections 87202(a), 87204, or 87302(b), as applicable.

~~(b) A designated employee who transfers to the position of board member, commissioner, head of an agency, executive director, or other chief executive officer within the same agency and designated in the agency's conflict-of-interest code shall:~~

~~(1) Within 10 days of the transfer, file with the person or agency specified in Section 87500, for the position to which the employee is transferring, an amendment to his or her most~~

1 recent Statement of Economic Interests providing the following information:

2 (A) The employee's new position or office.

3 (B) The date of the transfer.

4 (C) Investments, business positions, and interests in real property held on the date of the
5 transfer, and income received during the 12 months before the date of the transfer, which must be
6 disclosed under the employee's new disclosure category and were not reported on the employee's
7 last Statement of Economic Interests.

8 (2) Disclose interests on his or her next Statement of Economic Interests held or received
9 since the employee's last statement as required by subdivisions (a)(1) and (a)(2).

10 (c) A designated employee who, at the expiration of ~~his or her~~ the employee's term,
11 begins a term in the same position within the same agency within 30 days has not assumed or left
12 office within the meaning of Section 87302 or the agency's conflict-of-interest code. The
13 employee shall continue filing annual statements at the time specified in ~~his or her~~ the agency's
14 conflict-of-interest code.

15 (d) A designated employee has not assumed or left office within the meaning of Section
16 87302 or the agency's conflict-of-interest code if the employee's agency changes the disclosure
17 category for the employee's position between the filing dates for the designated position. The
18 next ~~Statement of Economic Interests~~ statement of economic interests the employee files shall
19 disclose both of the following:

20 (1) Interests made reportable by the employee's original disclosure category that were
21 held or received at any time during the period from the opening date of the statement to the date
22 the agency's code was amended.

1 (2) Interests made reportable by the employee's new disclosure category that were held or
2 received at any time during the period from the date the agency's code was amended through the
3 closing date of the statement.

4 (e) A designated employee of the Legislature who ~~holds a position with the same~~
5 ~~disclosure requirements as a member of the Legislature and who, within 30 days of leaving the~~
6 leaves that designated position, assumes office in the month of December or January to assume
7 office as a member of the Legislature shall file a leaving office statement of economic interests
8 for the former designated position pursuant to Section 87302(b), and an assuming office
9 statement for the new position of being a member of the Legislature pursuant to Section
10 87202(b), may file an annual Statement of Economic Interests disclosing investments, business
11 positions, interests in real property, and income held or received during the period since the last
12 statement he or she filed as a designated employee. If filed, this statement serves as both the
13 leaving office statement required under Section 87302(b) and the assuming office statement
14 required under Section 87202(b).

15 (f) A member of the Legislature who leaves office and subsequently becomes a
16 designated employee of the Legislature shall file a leaving office statement of economic interests
17 as required by Section 87204 and an assuming office statement under Section 87302(b).

18 Note: Authority cited: Section 83112, Government Code. Reference: Sections 87202(b), 87203,
19 87204, and 87302(b), Government Code.