

March 19, 2025
Fair Political Practices Commission
1102 Q Street, Suite 3000
Sacramento, CA 95811

Subject: Public Comment on Proposed Amendments to Regulations Pertaining to the Levine Act

Dear Chair Silver and Commissioners,

I appreciate the opportunity to provide public comment on the proposed amendments to regulations implementing the Levine Act. I would like to take this opportunity to provide a brief clarification regarding my prior public comments and request further guidance on the application of the amendments to Section 84308.

Clarification on Prior Public Comment

The California Common Cause [public comment letter](#) dated March 17, 2025 references my prior public comments as being made on behalf of the Los Angeles County Board of Supervisors. To clarify, my comments were made on behalf of the Ethics and Compliance Office within the Executive Office of the Board of Supervisors, rather than the Board itself, with a focus on compliance and implementation considerations.

Additionally, in relation to Regulation 18438.2, the California Common Cause suggests that I supported maintaining the previous definition of “competitively bid contract”. I would like to clarify that my remarks were not intended to advocate for retaining the prior definition, but rather to emphasize the need for clear guidance regarding the interpretation of “competitive process” under the amended statute.

Request for Clarification on Retroactive Application of Amendments to Section 84308

The FPPC memorandum on the proposed regulatory amendments states that amendments to Section 84308 do not apply retroactively to conduct before the effective date of January 1, 2025. I would like to seek clarification on how this principle applies in distinguishing between the application of SB 1439 (prior to January 1, 2025) and SB 1243 (effective January 1, 2025), and whether the determination of which law applies is solely based on the date the contribution was made or if other factors also play a role. For instance, SB 1243 excludes contracts valued under \$50,000 from the definition of "license, permit, or other entitlement for use," effective January 1, 2025. If a contribution was made in 2024, but the proceeding involving a contract valued under \$50,000 is initiated after January 1, 2025, would this exclusion apply? And if the contribution was \$260, would the officer be disqualified from the proceeding? Clarification on this issue would help agencies effectively implement these regulations and ensure compliance with the applicable law.

I appreciate the Commission’s time and consideration and its commitment to providing clear guidance on these important regulatory updates.

Sincerely,
Alina Kasparian, Project Director
Ethics and Compliance Office
Executive Office of the Board of Supervisors of Los Angeles County