



**DATE:** January 22, 2015  
**TO:** Department Heads or Appointed Department Staff  
**FROM:** John St. Croix  
Executive Director  
**RE:** Statement of Economic Interests Filing Officer Duties

This memorandum outlines your filing officer duties as department heads with respect to the financial disclosure requirements for designated positions listed in San Francisco Campaign and Governmental Conduct Code Sections 3.1-100 to 3.1-510 ("Code"). Department heads may delegate these filing officer-related tasks to a department staff person.

Please note that effective January 1, 2014, all elected officials, department heads, and members of boards or commissions listed in Code Section 3.1-103 have been required to file their own assuming office, annual, and leaving office Statements of Economic Interests ("SEIs") via the Ethics Commission's online filing system. Trainings for Filing Officer-related tasks will be given as follows:

### **FILING OFFICER TRAININGS**

February 4, 2015	March 4, 2015
2:00 p.m. – 3:00 p.m.	2:00 p.m. – 3:00 p.m.
Room 034 City Hall	Room 408 City Hall

*Please call the Ethics Commission at (415) 252-3100 to confirm your attendance.*

#### **I. Overview**

The Code lists positions that must file the SEI and related forms, including the Sunshine Ordinance Declaration and Certificate of Ethics Training. As a filing officer, you are required to notify individuals who are designated in the Code that they must file their SEI-related filings each year, and then file a Certification of Delivery and a Filing Officer Report (both described below).

- ***Elected officials, department heads, and members of decision-making boards*** or commissions file SEIs, Sunshine Ordinance Declarations, and Certificates of Ethics Training with the Ethics Commission. The SEIs are filed electronically; the Sunshine Ordinance Declaration and Certificate of Ethics Training may be filed by fax, e-mail, in person, interoffice delivery, or regular mail.
- ***Advisory board or committee members and designated employees*** file paper SEIs with their respective department, board or commission.

## II. Instructions for Filing Officers

### 1 Update your Department Contact Information

Review the 2015 [List of Filing Officers and Department Heads](#) for the names of filing officers, department heads and staff contacts who are on file with the Commission. If the contact has changed, it is likely that the contact's information will have also changed. If the contact information has changed, please complete the [Department Contact Information Form](#) and return it to the Ethics Commission from your official City email account.

### 2 Look Up Designated Filers in the Code

To determine whether an SEI filer receives e-filing instructions or paper-filing instructions, you should review [Code Section 3.1-103](#), which lists elected officials, department heads, and members of boards or commissions who are required to file SEIs electronically, as well as submit Sunshine Ordinance Declarations and Certificates of Ethics Training to the Ethics Commission. [Code Sections 3.1-110 to 3.1-510](#) lists advisory board members, committee members and designated employees who are required to file SEIs with their department, board or commission.



**New Ordinance Notice:** Sections of the Code have been AMENDED by new legislation (Ord. 256.14, approved 12/19/2014 by the Board of Supervisors, effective 1/18/2015). It is important that you review the changes to determine whether your department is affected.

*Contact the Ethics Commission at (415) 252-3100 if you would like assistance.*

### 3 Notify Designated Filers of Deadlines and Provide Instructions (No Later Than 3/2/2015)

Notify filers of their SEI filing requirements as soon as possible, and in any case no later than March 2, 2015.

- **Individuals Who File With the Ethics Commission** -- Notify filers who file their SEIs with the Ethics Commission to submit their SEIs by logging onto NetFile. Provide them with the Ethics Commission's new [Statement of Economic Interests Form 700 E-Filing Guide](#). Also,
  - Provide the [Sunshine Ordinance Declaration](#)
  - Provide the [Certificate of Ethics Training](#) (*Not sure if one is due? Search by filer's name or by department [here](#).*)
- **Individuals Who File With Their Department** -- Notify filers who file with their department, board, or commission of their filing deadlines and provide their forms in person, via email, or regular mail.

## SEI-Related Filing Deadlines

Form	Filing Requirement	Due Dates
SEI	Assuming Office Filing	Within 30 days of assuming office
	Annual Filing	April 1, 2015
	Leaving Office Filing	Within 30 days of leaving office
Sunshine Ordinance Declaration	Assuming Office Filing	Within 30 days of assuming office
	Annual Filing	April 1, 2015
Certificate of Ethics Training	Assuming Office Filing	Within 1 year of assuming office
	Subsequent Filing	Within 2 years of last meeting the requirement

### 4 File the Certification of Delivery (Due Monday, 3/16/2015)

Once you have distributed filing information and forms to your filers, **confirm that you have notified filers** of their SEI-related filing obligations by filing the [Certification of Delivery](#) with the Ethics Commission. As noted on the Certificate, the due date for submission is March 15 of each year. However, because March 15, 2015 falls on a Sunday, the due date for submission is extended to Monday, March 16, 2015.

### 5 Keep Track of Filers and Filings

After you have filed the Certification of Delivery, you will begin to receive the various SEI-related filings. It is advised that you keep track of who must file and who has filed.

### 6 Provide Filings to the Ethics Commission (Due Wednesday, 4/1/2015)

The due date for both the electronically-filed SEIs and the hardcopy Sunshine Ordinance Declaration is April 1, 2015.

The Sunshine Ordinance Declaration and the Certificate of Ethics Training (if one is being submitted) do not require original signatures. Filings may be made by fax, e-mail, in person, interoffice delivery, or regular mail.

### 7 File the Filing Officer Report (Due Friday, 4/10/2015)

Submit the [Filing Officer Report](#) to the Ethics Commission by April 10, 2015. The Filing Officer Report certifies that all advisory board or committee members and designated SEI filers have filed their SEIs, or, if not, **lists the names and contact information of all filers who have not complied**. The Ethics Commission will use the information to send non-filer notifications, fines notices, and FPPC enforcement referrals.

### **III. Penalties**

**Please Note:** the Ethics Commission and the Fair Political Practices Commission may take steps to initiate an enforcement action against a filer who is more than 30 days late in filing his or her SEI. Such filers may also be subject disciplinary action. Further, under state law, **failure to file can subject the filer to a fine of up to \$5,000 per violation. In addition, willful failure to file may be a misdemeanor.**

There is no provision in state law for extending the April 1, 2015 filing deadline. Statements filed late are subject to a late fine of \$10 per day per position, up to a maximum of \$100 for each day the statement is late. Fines are payable to the City and County of San Francisco. Filing officers may reduce or waive a fine on a statement filed late if the filer requests in writing to waive or reduce the fine, but only if good cause for the late filing (e.g., a documented medical reason) is shown. Refer to the FPPC's [Guidelines for Waiving Late Fines](#) for additional information.

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I hope this information is helpful to you. Please call Johnny Hosey or Pat Petersen at (415) 252-3100 if you have any questions. Thank you for your cooperation.

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