

FACT SHEET

Form 700 E-Filing Expansion: Important Information for Filing Officers



City & County of San Francisco
Ethics Commission

WHAT'S CHANGING?

<p>Designated filers will file Form 700 statements electronically (“e-filing”)</p>	<p>Effective January 1, 2022, all designated positions identified in Sections 3.1-103(d) and 3.1-108 of the Conflict of Interest Code will be required to file assuming office, annual, and leaving office Form 700 statements in electronic format using the Ethics Commission’s internet-based NetFile e-filing system.</p>
<p>Filing officers will administer the Form 700 program in the Netfile System.</p>	<p>Filing Officers <i>designated</i> by each City department will be responsible for managing their department’s Form 700 filers and filing requirements in the NetFile system.</p>
<p>Online public access to Form 700 statements</p>	<p>Redacted Form 700 statements for designated filers will be available to the public immediately after submission. Unredacted statements are also accessible online from the main branch of the SF Public Library.</p>
<p>Mandatory filing officer training</p>	<p>Filing officers designated by their respective departments will be required to complete training curriculum prescribed by the Ethics Commission. Completion of the training is required before filing officers are granted access to the NetFile system.</p>

BENEFITS OF E-FILING

FORM 700 FILERS	FILING OFFICERS	THE PUBLIC
<ul style="list-style-type: none"> ✓ NO WET SIGNATURES ✓ REDUCED PAPER WASTE ✓ INSTRUCTIONS AND HELPFUL HOW-TO VIDEOS DURING ENTIRE FILING EXPERIENCE ✓ RETAINS AND PRE-POPULATES INFORMATION FROM PRIOR ENTRIES ✓ HELPS AVOID COMMON ERRORS & OMISSIONS 	<ul style="list-style-type: none"> ✓ AUTOMATED ANNUAL FILER NOTIFICATIONS ✓ ANNUAL REQUIREMENTS AUTOMATICALLY ADDED TO ACTIVE FILER ACCOUNTS ✓ MONITORS DEADLINES AND STREAMLINES COMPLIANCE TRACKING ✓ ELIMINATION OF FILING OFFICER REPORTS 	<ul style="list-style-type: none"> ✓ IMPROVED TRANSPARENCY TO PROMOTE PUBLIC CONFIDENCE ✓ CENTRALIZED DATABASE OF ALL DESIGNATED FORM 700 FILERS ✓ QUICK, EASY ONLINE ACCESS TO REDACTED FORM 700 STATEMENTS AND DATA IN REAL TIME

ROLES DEFINED

FILING OFFICER – DESIGNATED FILERS

The Department Head or the Executive Director of the City department/agency is the official filing officer for positions designated in the conflict of interest code sections 3.1-103(d) and 3.1-108. Filing officer responsibilities are generally delegated to department staff.

FILING LIAISON – CITY OFFICERS

Filing liaisons play an important role by serving as the intermediary between City Officers (who file Form 700s with the Ethics Commission) and Ethics Commission staff. The Ethics Commission is the official filing officer for Elected Officials, Department Heads, and Members of Boards and Commissions (“City Officers”) designated in the conflict of interest code section 3.1-103 (a) and (b), and for persons who occupy positions under section 3.1-510.

WHY IS THE FORM 700 REQUIRED?

The Political Reform Act prohibits public officials from using their official position to influence a government decision in which they have a financial interest. State and local agencies must adopt a conflict of interest code that [identifies all officials and employees within the agency](#) who make governmental decisions based on the positions they hold. Individuals in designated positions must disclose their financial interests as specified by their position’s disclosure category on a form called Statement of Economic Interests, also known as Form 700. **The conflict of interest code and the Form 700 are fundamental tools in ensuring that public officials are acting in the public’s best interest and not their own.**

WHO FILES?

Elected officials and public employees including those in **acting and interim positions**, and **certain consultants**, who occupy positions that have been designated in the City’s Conflict of Interest Code are required to submit Form 700 statements.

To ensure the conflict of interest code remains current and accurate, the City and County of San Francisco reviews its code at least every other year (“biennial”). New positions are generally added during the Biennial Review process.

WHEN?

Filing Type	Due Date
Assuming Office	Within 30 days of start date
Annual	By April 1st annually
Leaving Office	Within 30 days of leave date
Amendment	As soon as possible after error or omission is noticed

FILING OFFICER RESPONSIBILITIES

<p>Use NetFile System to:</p>	<p><i>New</i></p> <ul style="list-style-type: none"> • Set-up new filer accounts • Maintain filer accounts and keep filers' information current • Confirm active filers before annual filing notifications
<p>Notify Filers of Filing Obligations and Due Dates</p>	<ul style="list-style-type: none"> • Assuming Office Requirement • Leaving Office Requirement • Annual Requirement (<i>system automated</i>)
<p>Ensure Statements are Filed Timely</p>	<ul style="list-style-type: none"> • Send follow-up reminders
<p>Administer Late Filer Protocol</p>	<ul style="list-style-type: none"> • Prepare and send late notices • Follow-up on non-filed statements and make enforcement referrals, if necessary
<p>Review Filed Statements</p>	<ul style="list-style-type: none"> • Review statements
<p>Notify Filers of Errors and Omissions</p>	<ul style="list-style-type: none"> • Request amendments
<p>Public Access</p>	<ul style="list-style-type: none"> • Provide copies of <u>unredacted</u> statements if requested (i.e., public records request)
<p>Notify Ethics Commission of:</p>	<ul style="list-style-type: none"> • Changes to filing officers or department head • Technical issues • Enforcement referrals
<p>Provide Support to Filers</p>	<ul style="list-style-type: none"> • NetFile user login and password assistance • Assist with general questions • Direct filers to available training resources • Refer reporting-related questions to Ethics Commission

FREQUENTLY ASKED QUESTIONS

1.) How does a department notify the Ethics Commission of a Filing Officer change and when?

Departments will be asked to submit a [Department Contact Change Form](#) by **August 6, 2021** to notify the Ethics Commission of their filing officer designations. Thereafter, anytime there is a change in filing officer, including removing a filing officer, departments should submit this Form. (Note: Due to the mandatory filing officer training requirement, departments should notify the Ethics Commission as soon as possible when adding new filing officers).

2.) I'm in a large department with a lot of Form 700 filers. Should we have more than one Filing Officer?

Yes. All departments should consider designating a primary and back-up filing officer, and larger departments should assess their needs and determine if more filing officers are needed.

3.) Will the Filing Officer training be offered online or in-person?

Online. The mandatory training will consist of a series of interactive tutorials. Curriculum will be available in the City's SF Learning platform in Fall 2021.

4.) After the initial roll-out of electronic filing, will the Filing Officer training be required if a department designates a new Filing Officer?

Yes. Beginning Fall '21, mandatory filing officer training will be required before a new filing officer is given access to the e-filing system.

5.) Will designated Form 700 filers be trained?

Yes. The Ethics Commission is developing training materials and online how-to tutorials for filers. Filer training will not be mandated by the Ethics Commission; however, departments are encouraged to require their Form 700 filers to review training resources during new hire onboarding and annually prior to filing annual statements.

6.) When reviewing Form 700 statements, what is the difference between a facial review and full review?

The Ethics Commission is developing a comprehensive filing officer guide that will cover the State's guidelines pertaining to Form 700 statement review.

7.) Are there late fees or fines if a filer doesn't file on time?

Yes. Statements filed late are subject to a late fee of \$10 per day per up to a maximum of \$100 for each day the statement is late. Additionally, under state and local law, the Ethics Commission may seek administrative penalties separate and apart from the \$100 late fees, including for omitted statements, statements filed significantly late, or statements that omit economic interests that should have been disclosed.

8.) Do Filing Officers notify the Ethics Commission when a filer hasn't filed their Form 700 by the deadline?

Yes. Beginning at the 91st day after the deadline *and* after making at least two attempts to attain compliance, filing officers should refer non-compliant filers to the Ethics Commission's Enforcement Division. The filing officer guide will contain guidelines regarding late filer procedures including when and how to report non-compliant filers to the Ethics Commission's Enforcement Division.

9.) What filer information is redacted from statements that are available online?

Online Form 700 datasets and statements posted online redact the following fields to address filers’ privacy concerns:

Schedule	Redacted fields
Cover Page	address, daytime phone, email
A1	none
A2	address, real property, parcel address
B	income sources, loan address
C	income address, loan address
D	address
E	address

10.) I am a Filing Liaison for a commission. Will I be required to take the mandatory Filing Officer training?

No. A filing liaison’s responsibilities, unless also serving as a filing officer for designated filers, are not changing due to the transition to e-filing. The Ethics Commission will remain the official filing officer for members of boards and commissions.

11.) Do filers have the option to submit a Form 700 statement on paper?

Pursuant to San Francisco Ethics Commission Regulation [3.1-103-1](#), all persons identified in Sections 3.1-103(d) or 3.1.108 of the Campaign and Governmental Conduct Code will be required to file Assuming Office, Annual, and Leaving Office Form 700 statements in an electronic format prescribed by the Ethics Commission. As is the case with existing electronic Form 700 filings, Ethics Commission regulations also establish a process for the Commission's Executive Director to consider a written request by a filer to seek permission to file an original paper copy instead of filing in electronic format in limited circumstances based on a compelling reason. The Executive Director has authority to grant or deny the request in his or her discretion.

12.) Can departments upload Form 700 statements filed on paper in previous years to the NetFile system?

No. Paper filed statements cannot be uploaded from prior years to the NetFile system.

13.) Will Filing Officers add Form 700 filers to the NetFile system?

Later this year, Ethics Commission staff will contact departments to confirm their current Form 700 designated filers. These filers will be added to the NetFile system in bulk by the Ethics Commission prior to January 1, 2022. Thereafter, filing officers will add and maintain filer accounts.