The California State University
SYSTEMWIDE HUMAN RESOURCES

Office of the Chancellor
401 Golden Shore, 4th Floor
Long Beach, CA 90802-4210
562-951-4411
Email: hradmin@calstate.edu

Date: December 16, 2014

To: CSU Presidents

From: Lori Lamb
Vice Chancellor
Human Resources

Subject: **Conflict of Interest – Revisions to the Fair Political Practices Commission's Gifts to Agency Policy and CSU Policy for the Distribution of Tickets and Passes to Events and Report of Ceremonial Roles**

Colleagues:

I am pleased to forward you information regarding recent changes to the Fair Political Practices Commission's (FPPC) reporting requirements pertaining to gifts to an agency, and the distribution of tickets and passes to events. Systemwide HR has worked in collaboration with our Office of General Counsel to develop reporting guidelines.

I encourage campuses to review the attached policy. My hope is that our communication of these changes will 1) give our campus Filing Officers the information needed to implement the new policy on the distribution of tickets and passes to events, and 2) prepare for the 2015 Conflict of Interest (COI) Filing period.

The HR memorandum (HR 2014-14) that will be distributed to the Vice Presidents for University Advancement and Conflict of Interest Filing Officers is attached.

Please let me know if you have any questions or concerns.

Warm regards,

Lori

Distribution: With Attachments:
Conflict of Interest Filing Officers
Vice President for University Advancement

Without Attachments:
CSU Chancellor
Vice Presidents, Academic Affairs
Vice Presidents, Administration
Vice Presidents, Information Systems
Vice Presidents/Dean of Students
Associate Vice Presidents/Deans of Faculty
Business Managers
Human Resources Officers
General Counsel

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401 Golden Shore, 4th Floor
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Email: hradmin@calstate.edu

DATE: December 16, 2014 **Code:** **HR 2014-14**

Supersedes: **HR 2008-19**

TO: Vice President for University Advancement, Conflict of Interest Filing Officer and individual(s) designated by the campus as "Agency Head" for purposes of processing a gift to the agency

SUBJECT: **Conflict of Interest – Revisions to the Fair Political Practices Commission's Gifts to Agency Policy and CSU Policy for the Distribution of Tickets and Passes to Events and Report of Ceremonial Roles**

Summary
This policy supersedes HR 2008-19 and includes a revised Form 801 (Payment to Agency Report) due to FPPC regulatory changes to the publication requirements for gifts to agency. It also sets the CSU Policy for the Distribution of Tickets and Passes to Events and Report of Ceremonial Roles.

This HR letter should be reviewed in its entirety by the Vice President for University Advancement, Conflict of Interest Filing Officer and/or the campus designee responsible for completing and filing the FPPC Gift to Agency Report (Form 801) and the Agency Report of Ceremonial Role Events and Ticket/Pass Distributions (Form 802).

Action Item(s):
Administer the revised Fair Political Practice Commission (FPPC) Regulations regarding gifts to an agency and gifts of tickets and passes.

Affected Employees Groups(s)/Units:
Employees who are recipients of gifts to the agency and certain tickets and passes.

Introduction
This HR letter discusses changes to the FPPC regulations regarding gifts to agency and certain gifts of tickets and passes to events. The FPPC has revised the regulations concerning gifts to agency and has made significant changes to the requirements for publishing this information. A summary of the revised regulations and an updated Form 801 follow.

This HR letter also establishes the policy for the distribution of tickets and passes to university employees and discusses reporting requirements for the Form 802 (Agency Report of Ceremonial Role Events and Ticket/Pass Distributions). The HR letter further clarifies that tickets or passes to CSU athletic games and amateur events performed by students are not subject to the reporting requirements.

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Background

Most gifts received by CSU employees in a designated position are subject to reporting requirements and limitations by the Political Reform Act. Gifts totaling $50 or more in a calendar year received from a reportable source must be listed on the annual Form 700 and may not exceed a set dollar amount. (The current cap is $440, and will be increased to $460 beginning January 1, 2015. This amount is periodically adjusted for changes in the cost of living). Gifts over this set amount received from a single source also disqualify the official from making a decision affecting that source.

A *gift* is defined as: "any payment that confers a *personal benefit* on the recipient to the extent that consideration of equal or greater value is not received and includes a rebate or discount in the price of anything of value unless the rebate or discount is made in the regular course of business to members of the public without regard to official status." Cal. Gov. Code § 92028(a).

Under limited circumstances, payments made to the CSU by an outside source that are used by CSU employees to conduct CSU business or to achieve a stated public purpose may not be treated as gifts or income by the CSU employee who uses them. These payments may be reported on either a Form 801 or Form 802 instead of the CSU employee's Form 700.

Form 801. This form covers gifts made to the CSU and used by one or more CSU employee to conduct CSU business. This may include travel payments, reimbursements, or other uses by a CSU employee (other than tickets or passes). If the payment meets the requirements of FPPC Regulations 18944 or 18950.1, the University must report it on a Form 801 and the item is not reported on the CSU employee's Form 700. The FPPC substantially revised the reporting requirements for publication of the Form 801 based on the value of the payment received.

Form 802. This form covers tickets or passes to an entertainment or sporting event given to the CSU by an outside source and provided to a CSU employee to achieve a stated public purpose. If the ticket or pass is distributed according to this policy and meets the requirements of FPPC Regulation 18944.1, the University must report it on a Form 802 and the ticket or pass is not reported on the CSU employee's Form 700. The Form 802 is also used to report tickets provided to CSU employees who perform a ceremonial role at an event on behalf of the CSU.

Criteria for Designating a Gift as a Gift to an Agency

The following factors must be present for a gift to be designated as a gift to the agency:

A. The Agency Head Must Determine and Control the Agency's Use of the Gift; Not the Donor.
The Regulation requires that a single person from the agency control the use of the gift. Each campus must designate an "Agency Head" to be delegated authority to make determinations by the campus for purposes of this Regulation. The Agency Head should be an administrator.

The Regulation defines *Agency Head* as: "the individual who has the ultimate legal authority for the agency, or the individual the agency authorizes to determine how the agency uses the payment."

The Agency Head determines and controls the campus' use of the gift, including the selection of the campus official who will use it. The Agency Head may not select himself or herself unless the gift is for an item that provides for general use by campus officials and the Agency Head is one of the officials who will have access to such use. The donor may identify a purpose of the gift, but the donor may not designate by name, title, class, or otherwise an official who may use it. **If a donor does specify who may use the gift, the gift cannot be characterized as a gift to the agency, but rather, a gift to the individual official. This may result in a reportable gift on the Form 700 for the public official.**

If the gift involves travel, the Agency Head should approve the travel in advance and in writing. The Chancellor's Office has created a Gift to Agency Travel Request Form that campuses may use (see Attachment A).

B. The Gift Must be Used for Official University Business

The payment or travel must be used for official University business. Regulation 18950.1 provides that a travel payment is used for official University business when made under any of the following circumstances:

1. The travel payment is set forth in a contract.
2. The travel expenses are required for a CSU employee to attend a location to view an in place operation, structure, facility, or available product where the viewing would substantially enhance the University's knowledge and understanding in making an informed decision to enter into a contract or purchase a product.
3. The travel expenses are for an educational conference directly related to the CSU's function; the CSU employee is a named presenter* at the conference; and the travel payment is made by the organizer of the event. *(*Note: in this situation, the donor may request the official most qualified to make the presentation)*
4. The travel is for training directly related to the CSU employee's job duties and the payment is provided by an organization that commonly provides such training.
5. The travel is for purposes approved by the CSU under the same requirements applicable to travel using its own funds, and the CSU employee is representing CSU in the course and scope of his/her official duties.

C. Certain Restrictions Apply to Travel Payments

Regulation 18950.1 also details specific restrictions concerning travel payments including: (1) the payment must be made directly to the University or arranged with the University, (2) the duration of the travel must be limited to the time necessary to accomplish the purpose for which it was provided and approved; and (3) travel payments must be limited to the allowable expenses under the CSU Travel Policy (ICSUAM 3601.01).

D. The University Must Report the Gift

1. Form 801

The FPPC has created Form 801 (see Attachment B) which must be completed whenever a payment is deemed a gift to the agency.

The value of the payment or the actual or estimated value of the goods or services provided must be disclosed on the Form 801. If a donor makes a travel payment directly to a third party vendor instead of to the state agency, the agency must follow up and obtain the specific amounts paid for lodging, transportation and meals. If the travel involves a private aircraft, the value is determined by taking the fair market value of the normal charter fare or rental charge for a comparable plane, divided by the number of passengers on the flight (2 CCR §18946.5).

Form 801 must be signed by the Agency Head.

2. Reporting Payments

Significant changes have been made to the reporting requirements for a gift to the agency. The new regulations set different reporting requirements based on the value of the payment received.

If the aggregate value of payments received by the agency is ***$2,500 or more in a quarter year***, the campus must prominently post the Form 801 or a summary of the information on its website

and submit a copy of the Form 801 to the FPPC. The FPPC will post the form on its website as well. Forms can be sent to the FPPC by mail, fax or email:

Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, CA 95814
Fax: (916) 322-0886
E-mail: Form801@fppc.ca.gov

The campus must publish the Form 801 to the campus website and to the FPPC **within 30 days after the close of the quarter**. For guidance, if July 1 is the first day of the fiscal year, 30 days after the first calendar quarter closes would be October 30. Following that pattern, the reporting days would be October 30, January 30, April 30 and July 30.

If the aggregate value of the payments received by the agency is less than $2,500 in a quarter year, the campus must maintain the Form 801 in its files as a public record, but it is not required to post the information on its website or send it to the FPPC.

Form 801 is a public document and must be available as soon as possible during the agency's regular business hours, but no later than the second business day after the request is received. Copies can be provided at $.10 a page.

The campus must retain the Form 801 for 4 years on its webpage and 7 years in hard copy.

This Regulation does not apply to payments for travel for CSU employees who manage public investments.

CSU Policy for the Distribution of Tickets and Passes to Events and Report of Ceremonial Roles

As a general rule, if a CSU employee in a designated position receives a ticket or pass to a non-CSU event from a reportable source, s/he must report the receipt of the gift on his/her annual Form 700. In certain situations, tickets or passes given by the University to its employees that accomplish a "public purpose" are not considered "gifts" under the Political Reform Act and do not need to be reported on the individual's Form 700 if they are distributed in accordance with this policy. Instead, the ticket distribution must be tracked by each campus and reported to the FPPC on the Form 802 (see Attachment C).

This policy applies when the University receives a ticket or pass from an outside source and distributes it to a CSU employee to accomplish a "public purpose." The receipt of the ticket or pass by the CSU employee is not considered a "gift" if the following criteria are met:

1. **CSU must determine who receives the ticket or pass; Not the outside source who provides it.** The ticket or pass may not be earmarked for use by a particular CSU employee. Instead, CSU must decide who will use the ticket or pass.

   Once tickets or passes have been distributed to the CSU employee, the CSU employee may not transfer the ticket or pass to any other person, except to members of the official's immediate family or no more than one guest solely for their attendance at the event.

2. **The ticket or pass must be distributed per this policy to meet one of the stated public purposes.**
   a. Conducting CSU business, including oversight of CSU events;
   b. Recognizing CSU employees for their work and promoting staff morale;
   c. Strengthening alumni and private support for the CSU;

d. Promoting of intergovernmental relations and collaboration between the CSU and other public agencies;
e. Promoting support for CSU athletics, arts, cultural, and entertainment offers;
f. Promoting attendance at CSU events in order to maximize potential CSU revenue from parking and concession sales;
g. Promoting civic engagement;
h. Promoting community outreach;
i. Attracting or rewarding volunteer service; and/or
j. Otherwise promoting institutional advancement.

3. **Receipt of the ticket or pass must be publicly posted.** Each campus is responsible for tracking its own ticket distributions and reporting the following information to the FPPC on the Form 802:
    a. The name of the person receiving the ticket or pass, or the name of the University department to whom the tickets or passes are provided along with the number provided;
    b. A description of the event;
    c. The date of the event;
    d. The face value of the ticket or pass;
    e. The number of tickets or passes provided to each person;
    f. If the ticket or pass is behested, the name of the official who behested the ticket; and
    g. A description of the public purpose under which the distribution was made or, alternatively, that the ticket or pass was distributed as income to the official.

The University must maintain the Form 802 in its files for 7 years. Additionally, a copy of all Form 802s must be forwarded to the FPPC for posting on its website no later than **45 days from the distribution of the tickets**. Forms can be sent to the FPPC by mail, fax or email, but email delivery is preferred:

Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, CA 95814
Fax: (916) 322-0886
E-mail: Form802@fppc.ca.gov

The campus may post the forms on its website as well, but is not required to do so.

For guidance on completing the Form 802, see Attachment D or visit http://www.fppc.ca.gov/factsheets/Form802FactSheet.pdf for California FPPC's Form 802 Fact Sheet.

Additional Use of Form 802: Ceremonial Role

The Form 802 can also be used to report receipt of a ticket or pass by an official who performs a ceremonial role at an event.

Exceptions to Reporting Requirements

The Form 802 is not required in the following situations:

A. Student Events

Tickets or passes distributed to University officials or employees for **CSU athletic games or events performed by students (plays, concerts, etc.) are not considered "gifts"** by the FPPC and are therefore not reportable on the Form 802.

B. Income

If the official treats the ticket or pass as income consistent with state and federal tax laws, it is not considered a "gift" by the FPPC and need not be reported on the individual's Form 700 or a Form 802.

Additional Resources

The rules and restrictions concerning gifts to individuals and the many exceptions to these rules are discussed in detail in the Conflict of Interest Handbook: http://www.calstate.edu/gc/Docs/Conflict_of_Interest_Handbook.doc.

Questions regarding this HR policy letter should be directed to Systemwide Human Resources at (562) 951-4411 or the campus HR department. This document is available on the Human Resources Management's Website at http://www.calstate.edu/HRAdm/memos.shtml.

LL/tl

Attachments

CSU The California State University

Gift to Agency – Travel Request

Campus Information			
Campus Name:			
Address:			
City:		State, ZIP:	
Campus Contact:		Title:	
Phone Number:		E-mail:	
Official Using Travel Payment:		Title:	
Department:			

Donor Information			
Donor Name:			
Address:			
City:		State, ZIP:	

Travel Payment Information			
Gift Amount:		Date Received:	
Travel Location:			
Date(s) of Travel:	From:	To:	

ESTIMATED TRAVEL EXPENSES:

Transportation Expenses	$ _____
Lodging Expenses	$ _____
Meal Expenses	$ _____
Other Expenses	$ _____
Total Estimated Expenses:	**$**

Describe purpose of trip, and use of travel gift for official agency business:			
I have determined that it is in the interest of the agency to accept this travel gift and use it for the official agency business described above.			
_____ Signature of Agency Head or Designee	_____ Print Name	_____ Title	_____ Date

Payment to Agency Report — A Public Document

PAYMENT TO AGENCY REPORT

California Form 801

For Official Use Only

1. Agency Name

Date Stamp

Division, Department, or Region (if applicable)

Street Address

Area Code/Phone Number | **Email**

Agency Contact (name and title)

☐ **Amendment** (explain in comment section)

Date of Original Filing: _____ (month, day, year)

2. Donor Name and Address

☐ Individual _____ (Last Name) _____ (First Name) ☐ Other _____ (Name)

_____ (Address) _____ (City) _____ (State) _____ (Zip Code)

If "Other" is marked, describe the entity's business activity (if business) or its nature and interests.

→ If applicable, identify the name of each source and the amount(s) received by the donor for this payment:

_____ (Name) $_____ (Amount) _____ (Name) $_____ (Amount)

3. Payment Information (Complete Sections 3.1 (a or b), 3.2, 3.3)

3.1 (a) Travel Payment

_____ (Location of Travel) _____ (Dates (month, day, year))

_____ (Transportation Provider) ☐ Rail ☐ Air ☐ Bus ☐ Auto ☐ Other (Check Applicable Boxes) _____ (Name of Lodging Facility)

$_____ (Lodging Expenses) $_____ (Meal Expenses) $_____ (Transportation Expenses) $_____ (Other Expenses) $_____ (Total Expenses)

3.1 (b) Payment(s) not related to travel:

_____ (Dates (month, day, year)) $ _____ (Total Expenses)

3.2. Payment Description. Provide a specific description of the payment and its agency purpose and use.

3.3. Identify the officials who used the payment in Section 3.1 (See instructions)

_____ (Last Name) _____ (First Name) _____ (Position/Title) _____ (Department/Division)

_____ (Last Name) _____ (First Name) _____ (Position/Title) _____ (Department/Division)

4. Verification

I authorized the acceptance of the reported payment(s) as in compliance with FPPC regulations.

_____ (Signature) _____ (Print Name) _____ (Title) _____ (month, day, year)

Comment:

(Use this space or an attachment for any additional information)

Clear Page | Print Form

Payment to Agency Report Instructions

A Public Document

California Form 801

This form is used to report certain payments received by state and local government agencies. It includes:

- a payment for an official's travel expenses for the purpose of facilitating the public's business in lieu of a payment using agency funds; and
- a payment that would otherwise be considered a gift or income to the benefiting official, but is instead accepted on behalf of the agency.

FPPC Regulations 18944 and 18950.1 provide a procedure that state and local agencies may use to disclose payments used for agency purposes and paid by a third party. The regulations' reporting procedures provide an alternative means to disclose a payment that may otherwise be considered income or a gift to a benefitting employee and subject to reporting on a Statement of Economic Interest, Form 700.

When and Where to File

An agency accepting a payment pursuant to Regulation 18944 and 18950.1 must complete Form 801 for each payment received regardless of the amount. The form must be maintained as a public document. If payments aggregate $2,500 or more in a calendar quarter, website posting is required.

Website Posting:

State Agencies
Within 30 days after the end of a calendar quarter if aggregated reported payments, for travel and non-travel purposes, total $2,500 or more:

- the agency must post the reports (or a report summary) on the agency website; and
- forward the information to the FPPC which will also post the information.

Local Agencies
The website posting rules differ for travel and non-travel payments.

Travel
Within 30 days after the end of a calendar quarter if aggregated reported payments total $2,500 or more:

- the agency must post the reports (or a report summary) on the agency website; and
- forward the information to the FPPC.

Payments Not Related to Travel
The agency's filing officer for Statement of Economic Interests, Form 700, must receive the report. Within 30 days after the end of a calendar quarter if aggregated reported payments total $2,500 or more, the local agency must post the information on the local agency website. A report is not sent to the FPPC unless the agency does not have a website.

Postings must be displayed in a prominent manner and easily accessible. Reports may be posted earlier.

FPPC: Statements should be emailed to form801@fppc.ca.gov. Statements may also be mailed to 428 J Street, Suite 620, Sacramento, CA, 95814 or faxed to (916) 322-3711.

Part 1. Agency Identification
List the agency's name and address and the name of an agency contact. Mark the amendment box if changing any information on a previously filed form and include the date of the original filing.

Part 2. Donor Information
Disclose the name and address of the donor. If the donor is not an individual, identify the business activity or nature and interests of the entity.

If the donor received funds from other sources that were used in connection with the payment, disclose the name and payment information for each source.

Part 3. Payment Information
Expenses may be rounded to whole dollars.

Section 3.1.a. Itemize travel payments including departure and return dates. Complete all fields, use "n/a" appropriately. Total the expenses for items such as taxi rides, gratuities, and rental cars in the "other" field and describe in the comments section.

Section 3.1.b. Report agency payments that are not travel related.

Section 3.2. Description

All payments must include a specific description of the use of the payment and the intended purpose for agency business. For example, a travel payment may read: Travel to attend an EPA co-sponsored solar energy seminar in Washington D.C.

Section 3.3. Identify Officials
Travel Payments: The name of the position/title and department of each official who used the payment is required. List the official's name if he/she is an elected or appointed official. It is not required to list the names of other officials, rather insert "n/a." Do not leave blank.

Non-Travel Payments: The name, position/title and department of the agency official who used the payment must be identified. All officials' names are required.

Part 4. Verification

Verification of travel payments must be signed by an authorized agency official. Such individuals are those who have the authority to approve similar travel payments when made with agency funds.

Verification of non-travel payments must be signed by the agency head.

Reset Page Print Form

HR 2014-14
ATTACHMENT C

Agency Report of: Ceremonial Role Events and Ticket/Pass Distributions

A Public Document

1. Agency Name

Division, Department, or Region *(If Applicable)*

Designated Agency Contact *(Name,Title)*

Area Code/Phone Number | **E-mail**

Date Stamp

California Form 802

For Official Use Only

☐ **Amendment** *(Must provide explanation in Part 3.)*

Date of Original Filing: _____ *(Month, Day, Year)*

2. Function or Event Information

Does the agency have a ticket policy? Yes ☐ No ☐

Face Value of Each Ticket/Pass $ _____

Event Description _____ *Provide Title/Explanation*

Date(s) ____/____/____ ____/____/____

Ticket(s)/Pass(es) provided by agency? Yes ☐ No ☐

If no: _____ *Name of Source*

Was ticket distribution made at the behest of agency official? No ☐ Yes ☐

If yes: _____ *Official's Name (Last, First)*

3. Recipients

• **Use Section A to identify the agency's department or unit.** • **Use Section B to identify an individual.** • **Use Section C to identify an outside organization.**

A. Name of Agency, Department or Unit	Number of Ticket(s)/ Pass(es)	Describe the public purpose made pursuant to the agency's policy

B. Name of Individual *(Last, First)*	Number of Ticket(s)/ Pass(es)	Identify one of the following:
		Ceremonial Role ☐ Other ☐ Income ☐ *If checking "Ceremonial Role" or "Other" describe below:*
		Ceremonial Role ☐ Other ☐ Income ☐ *If checking "Ceremonial Role" or "Other" describe below:*

C. Name of Outside Organization (include address and description)	Number of Ticket(s)/ Pass(es)	Describe the public purpose made pursuant to the agency's policy

4. Verification

I have read and understand FPPC Regulations 18944.1 and 18942. I have verified that the distribution set forth above, is in accordance with the requirements.

Signature of Agency Head or Designee | *Print Name* | *Title* | *(Month, Day, Year)*

Comment: _____

Agency Report of:
Ceremonial Role Events and Ticket/Pass Distributions

California Form 802

A Public Document

This form is for use by all state and local government agencies. The form identifies persons that receive admission tickets and passes and describes the public purpose for the distribution. This form was prepared by the Fair Political Practices Commission (FPPC) and is available at www.fppc.ca.gov.

General Information

FPPC Regulation 18944.1 sets out the circumstances under which an agency's distribution of tickets to entertainment events, sporting events, and like occasions would not result in a gift to individuals that attend the function. In general, the agency must adopt a policy which identifies the public purpose served in distributing the admissions. The Form 802 serves to detail each event and the public purpose of each ticket distribution. FPPC Regulation 18942 lists exceptions to reportable gifts, including ceremonial events, when listed on this form.

When the regulation procedures are followed, persons, organizations, or agencies who receive admissions are listed on a Form 802. Agency officials do not report the admissions on the official's Statement of Economic Interests, Form 700, and the value of the admission is not subject to the gift limit.

The Form 802 also informs the public as to whether the admissions were made at the behest of an agency official and whether the behested tickets were provided to an organization or to specific individuals.

Exception

This form is not required for admission provided to a school or university district official, coach, athletic director, or employee to attend an amateur event performed by students of that school or university.

Public Posting

This form must be maintained as a public document. A copy of all forms must be forwarded to the FPPC for posting on its website. E-mail delivery is preferred. E-mail: Form802@fppc.ca.gov; Fax: 916.322.0886; 428 J Street, Suite 620, Sacramento, CA 95814.

Forms must be sent to the FPPC as soon as possible. General business practice is no later than 45 days from the distribution.

A local agency may also also post the forms on its wesbite, but it is not required to do so.

Privacy Information Notice

Information requested by the FPPC is used to administer and enforce the Political Reform Act. Failure to provide information may be a violation subject to administrative, criminal, or civil penalties. All reports are public records available for inspection and reproduction. Direct questions to FPPC's General Counsel.

Instructions

Part 1. Agency Identification:

List the agency's name. Provide a designated agency contact person, their phone number, and e-mail address. Mark the amendment box if changing any information on a previously filed form and include the date of the original filing.

Part 2. Function or Event Information:

Confirm that your agency has a policy for ticket distribution. Unless the the ceremonial role or income box in Part 3, Section B, is marked, this form is only applicable if your agency has a policy.

Complete all of the other required fields that identify the ticket value, description of event, date(s) and whether the ticket was provided by the agency or an outside source. If an agency official behests the tickets, the official's name is also required. Use the comment field or an attachment to explain in full.

Part 3. Ticket Recipients:

This part identifies who uses the tickets. The identification requirements vary depending upon who received the tickets and are categorized into three sections. Each section must list the number of tickets received. Use the comment field or an attachment to explain in full.

Section A. Report tickets distributed to agency staff, other than an elected official or governing board member, pursuant to the agency's policy. It is not necessary to list each employee's name, but identify the unit/department for which the employee works. The agency must describe the public purpose associated with the ticket distribution. A reference to the policy is permissible.

Section B. Report: 1) any agency official who performs a ceremonial role; 2) any agency official who reports the value as income; or 3) tickets used by elected officals and governing board members (including those distributed pursuant to the agency's policy).

Section C. Report tickets provided to an organization. The organization's name, an address (website url is permissible), and a brief description of the public purpose are required.

Reset Page Print Form

Agency Report of: Ceremonial Role Events and Ticket/Pass Distributions Continuation Sheet

California Form **802**

A Public Document

Agency Name

3. Recipients

- Use Section A to identify the agency's department or unit.
- Use Section B to identify an individual.
- Use Section C to identify an outside organization.

A. Name of Agency, Department or Unit	Number of Ticket(s)/ Pass(es)	Describe the public purpose made pursuant to the agency's policy

B. Name of Individual *(Last, First)*	Number of Ticket(s)/ Pass(es)	Identify one of the following:
		Ceremonial Role ☐ Other ☐ Income ☐ *If checking "Ceremonial Role" or "Other" describe below:*
		Ceremonial Role ☐ Other ☐ Income ☐ *If checking "Ceremonial Role" or "Other" describe below:*
		Ceremonial Role ☐ Other ☐ Income ☐ *If checking "Ceremonial Role" or "Other" describe below:*
		Ceremonial Role ☐ Other ☐ Income ☐ *If checking "Ceremonial Role" or "Other" describe below:*

C. Name of Outside Organization (include address and description)	Number of Ticket(s)/ Pass(es)	Describe the public purpose made pursuant to the agency's policy

California Fair Political Practices Commission
Form 802 – Agency Report of Ceremonial Role Events and Ticket/Pass Distributions Fact Sheet

This fact sheet provides additional guidance and examples on how to report tickets and passes distributed to persons for use in ceremonial roles or other agency related activities. The Form 802 provides information to the public on how the agency distributes tickets to events such as fairs, professional athletic games and other entertainment events. (FPPC Regulations 18944.1 and 18942.)

This fact sheet can not address all the different types of situations that may occur with respect to the distribution of tickets and passes. Persons are encouraged to use the FPPC advice service for specific guidance.

The following FAQs and example address some common activities.

Frequently Asked Questions

1. Q. If the agency's elected official takes a staff member to a ceremonial event, does the staff member's name need to be disclosed on the Form 802?

   A. No. The official's name is required in Part 3, Section B and two tickets would be listed. The staff member's name is not required.

2. Q. An organization gives an agency 10 tickets to a concert. The agency distributes the tickets to employees. The agency does not have a ticket policy. Does this need to be disclosed on the Form 802?

   A. No. Since the agency does not have a ticket policy, the individuals receiving the tickets would report the value of the tickets on their Form 700 if the organization is a reportable source and the value of the ticket(s) to each individual is $50 or more. The agency must adopt a policy identifying the public purpose of distributing tickets so that the tickets do not result in a reportable gift to employees.

3. Q. An agency adopts a ticket policy. A local minor league baseball team donates 10 tickets to the city and the city distributes the tickets in accordance with the agency's ticket policy to employees in its parks department. Does this need to be disclosed on the Form 802?

   A. Yes. Part 3, Section A will list the department but not individual names.

4. Q. After an agency e-mails a copy of the Form 802 to the FPPC, must the agency post the Form 802 on its website?

   A. No. However, the agency must maintain the original Form 802 for seven years.

5. Q. The county fair board members received tickets to the county fair. Does the agency complete Part 3, Section A or Section B?

   A. Section B is completed because the members are a governing board.

Example:

An agency received 24 tickets from an organization established to sponsor a major bicycling event. The tickets are for seats at the awards ceremony on March 15 and are valued at $50 each.

The agency's director distributed tickets according to its ticket policy as follows: two tickets to the employees in the Parks and Recreation Division; 10 tickets, respectively, to the Boy Scouts Club and Girl Scouts Club; and two tickets to an elected official who will present the winner's trophy on behalf of the agency.

2. Function or Event Information

Does the agency have a ticket policy? Yes [X] No [ ] Face Value of Each Ticket/Pass $ $50

Event Description CA Cycle awards ceremony (provide title/explanation) Date(s) 3 / 15 / XX ___/___/___

Ticket(s)/Pass(es) provided by agency? Yes [ ] No [X] If no: CA Cycle Association (Name of Source)

Was ticket distribution made at the behest of agency official? No [X] Yes [ ] If yes: ___ (Official's Name (Last, First))

3. Ticket Recipients

- Use Section A to identify the agency's department or unit.
- Use Section B to identify an individual.
- Use Section C to identify outside organization.

A Name of Agency, Department or Unit	Number of Ticket(s)/Pass(es)	Describe the public purpose made pursuant to the agency's policy
Parks and Recreation	2	Ticket Policy Section Number 16

B Name of Individual (Last, First)	Number of Ticket(s)/Pass(es)	Identify one of the following:
Linn, Sandra	2	Ceremonial Role [X] (Describe Below) Other [ ] (Describe Below) Income [ ] Present trophy at bicycling event
		Ceremonial Role [ ] (Describe Below) Other [ ] (Describe Below) Income [ ]

C Name of Outside Organization (Include address and description)	Number of Ticket(s)/Pass(es)	Describe the public purpose made pursuant to the agency's policy
Boy Scouts Club www.boyscouts.org	10	Ticket Policy Section Number 14
Girl Scouts Club www.girlscouts.org	10	Ticket Policy Section Number 14