



Tulare Local Healthcare District

Policy Name:	Conflict of Interest Code
Policy Number:	
Version Number:	003
Approved by Board on:	
Scheduled review date:	

1.0 Conflict of Interest Code

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. (Gov. Code Sec. 87300.) The Fair Political Practices Commission has adopted a regulation (Section 18730 of Title 2 of the California Code of Regulations) that contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency’s code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. This policy and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Tulare Local Healthcare District (District).

- 1.1 Purpose. The purpose of the District Conflict of Interest Code is to incorporate by reference the terms of Section 18730 of Title 2 of the California Code of Regulations pertaining to Conflict of Interest Codes
- 1.2 Code Reviewing Body. The Board of Directors of the District shall be the Code Reviewing Body for this Conflict of Interest Code.
- 1.3 Filing Officer. The CEO of the District shall be the Filing Officer for the District Conflict of Interest Code. All persons occupying designated positions shall file Statements of Economic Interest with the CEO. The CEO shall make statements available for public inspection and reproduction, shall retain all statements pursuant to State Law, and shall perform all other duties and responsibilities of the Filing Officer pursuant to State Law.
- 1.4 Code Administrator. The CEO, or his/her designee, shall be the Code Administrator for the District Conflict of Interest Code. The Code Administrator may promulgate further rules and regulations, which are not inconsistent with this Code, the Political Reform Act, or any regulation of the Fair Political Practices Commission, to administer the Conflict of Interest Code, including non-substantive alterations to this Code.

Non-substantive alterations shall be limited to the following: (a) the reclassification or renaming of previously designated positions; (b) the deletion of a position for which the classification has been abolished; and (c) definitional or operational provisions in conformity to a statutory amendment, a regulation of the Fair Political Practices Commission, or a decision of a Court of competent jurisdiction.

- 1.5 Incorporation of Model Code. The terms of Section 18730 of Title 2 of the California Code of Regulation, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated into this policy by reference.

Incorporation by reference of the terms of said regulation along with the designation of employees and the formulation of disclosure categories in the Appendices referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code Section 87300 (or the amendment of a conflict of interest code within the meaning of Government Code Section 87306 if the terms of said regulation are substituted for terms of a conflict of interest code already in effect). A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to other state or local laws pertaining to conflicts of interest.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. Sections 18100, et seq.), and any amendments to the Act or regulations, are incorporated by reference into the District Conflict of Interest Code.

- 1.6 Disclosure Categories. Such persons holding designated positions shall report economic interests as set forth in Appendix A.

- 1.7 Designated Positions. The positions listed in Appendix B are Designated Positions. Officers and employees holding those positions are Designated Positions and are deemed to make, or participate in the making of, decisions, which may foreseeably have a material effect on a financial interest. Consultants may be Designated Positions, as determined by the Code Administrator.

Positions not listed as designated positions: the Members of the Board of Directors, Chief Executive Officer (CEO), Director of Finance/Treasurer/Controller, other public officials who manage public investments, and candidates for any offices at election, who are required to file Statements of Economic Interest pursuant to Government Code Section 87200 et seq.

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4/24/2019	001	Initial Release
8/24/2022	002	Reviewed and Revised
7/24/2024	003	Reviewed and Revised

APPENDIX A DISCLOSURE CATEGORIES

Category 1: Investments and business positions in business entities and income, including receipt of gifts, loans, and travel payments, from, sources that are contractors engaged in the performance of work or services of the type utilized by the District, or that manufacture, sell or provide supplies, machinery, services or equipment of the type utilized by the District.

Category 2: Interests in real property located in whole or in part within the District's jurisdiction or within two miles of any property owned or used by the District.

Category 3: Investments, business positions in business entities, and sources of income, including receipt of gifts, loans and travel payments, from entities that provide services and supplies of the type utilized by the designated position's division or department.

**APPENDIX B
DESIGNATED POSITIONS**

<u>Designated Position</u>	<u>Assigned Disclosure Categories</u>
Executive Director (Evolutions)	1, 2
Construction Manager	2, 3
Administrative Director	1, 2
Facilities Director (Evolutions)	2, 3
Business Manager (Evolutions)	2, 3
Fitness Manager (Evolutions)	2, 3
Legal Counsel	1, 2
Consultants/New Positions	*

Note: The position of Legal Counsel is filled by an outside consultant who acts in a staff capacity.

*Consultants/new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The CEO may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this section. Such determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The CEO’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code Sec. 81008.)