

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

NOTICE OF INTENT TO AMEND TITLE 2, SECTION 54700 OF THE CALIFORNIA CODE
OF REGULATIONS - CONFLICT OF INTEREST CODE
OF THE OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

NOTICE IS HEREBY GIVEN that the Office of Environmental Health Hazard Assessment (OEHHA) is proposing amendments to its conflict of interest code contained in the Title 2, Section 54700 of California Code of Regulations. OEHHA is taking this action pursuant to the authority vested in it by section 87306 of the Government Code. A comment period has been established commencing on January 12, 2024, and closing on February 26, 2024.

Individuals holding designated positions specified in this conflict of interest code are required to file Statements of Economic Interests (Form 700s). Form 700s provide the public information about public officials' personal financial interests to help ensure that they are making decisions in the best interest of the public, and abstain from participating in governmental activities that are considered conflicts of interest. OEHHA proposes to amend its conflict of interest code to include employee positions that involve making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. Additionally, the proposed amendments include adding a new disclosure category and changing the disclosure category for specified positions. The amendments carry out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

SUMMARY OF PROPOSED AMENDMENTS

Proposed amendments to the conflict of interest code include:

- a. Adding a new disclosure category designated as disclosure Category 3. This disclosure category requires disclosure of investments and business positions in business entities and sources of income if the business entity or source provides information technology or telecommunications goods, products or services including computer hardware or software companies, computer consultant services, IT training companies, data processing firms and media services.
- b. Renumbering the existing Category 3 disclosure requirement to Category 4.
- c. Changing the disclosure category for branch chiefs in the Administrative Services Division from disclosure Category 1 to Category 2.
- d. Removing the Air Quality Advisory Committee from the list of OEHHA committees.
- e. Changing the disclosure category for members of OEHHA committees from Category 3 to Category 4 to account for the disclosure category renumbering. This

change has no substantive impact on the reporting requirements for committee members.

- f. Adding as designated positions required to report under disclosure Category 3 personnel in the Information and Technology Branch not previously specified.
- g. Making other non-substantive changes for clarification including the addition of "All" to several designated positions and separating some previously designated positions without amending the disclosure category for these positions.

The proposed amendments and explanation of the reasons can be obtained from the office's contact provided at the bottom of this notice.

PUBLIC COMMENTS

Any interested person or their authorized representative may submit written comments relevant to the proposed regulatory action. To be considered, **OEHHA must receive comments by February 26, 2024**, the designated close of the written comment period. All written comments will be posted on the OEHHA website after the close of the public comment period.

OEHHA strongly recommends that comments be submitted electronically through our website at <https://oehha.ca.gov/comments>, rather than in paper form. Comments submitted in paper form can be mailed or delivered in person to the address below. Thus comments can be made by one of the following:

Electronic Submission (preferred):

Through OEHHA website at: <https://oehha.ca.gov/comments>

Mailed Submission:

Attention: Monet Vela
Office of Environmental Health Hazard Assessment
1001 I Street, 23rd Floor
P. O. Box 4010
Sacramento, California 95812-4010

In-person Delivery Submission:

Attention: Monet Vela
Office of Environmental Health Hazard Assessment
1001 I Street, 23rd Floor
Sacramento, California 95814

OEHHA encourages electronic submission of comments in a format compliant with Section 508 of the federal Rehabilitation Act, Web Content Accessibility Guidelines 2.03 and California Government Code sections 7405 and 11135, so that they can be read using screen reader technology and those with visual impairments are able to listen to them.

OEHHA is subject to the California Public Records Act and other laws that require the release of certain information upon request. If you provide comments, please be aware that your name, address, and e-mail may be available to third parties.

Inquiries concerning the action described in this notice may be directed to Monet Vela, in writing at the address given above, by email at monet.vela@oehha.ca.gov, or by telephone at: 916-323-2517.

LOCAL MANDATE/FISCAL IMPACT

The Office of Environmental Health Hazard Assessment has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses, or small businesses.