



## LEVINE ACT DISCLOSURE STATEMENT

(The completed form submitted to the San Joaquin County is a public record.)

California Government Code Section 84308, commonly referred to as the "Levine Act," requires that parties to a proceeding involving a license, permit, or other entitlement for use disclose if they made campaign contributions over \$500 within the prior 12 months to any County employee or officer. Parties and participants with a financial interest are prohibited from making more than \$500 in campaign contributions to a decisionmaker for the 12 months after the final decision is rendered on the proceeding. The above campaign contribution disclosures and restrictions do not apply when the proceeding is competitively bid or involves a contract for less than \$50,000, or a personnel or labor contract, as defined in Government Code Section 84308 (see below).

Please note, the summary contained on this document is not legal advice and you should consult your own attorney for such advice. You may also sometimes obtain answers to legal questions on the Levine Act from the FPPC:

General Contact Line: (916) 322-5660

Advice Line: 1-866-ASK-FPPC (866) 275-3772

### **Parties and their Agents are responsible for reviewing and disclosing their applicable contributions to County Officers on the record of a proceeding.**

1. Have you or your entity, or any agent on behalf of you or your entity, made any political contribution(s) totaling more than \$500 to any County Officer in the twelve (12) months preceding the date of the submission of your license, permit, contract, or entitlement for use or the anticipated date of any County Board or Commission consideration or action related to this license, permit, contract, or entitlement for use?

YES ☐

NO ☐

If yes, please identify the County Officer(s) and the amount of the contribution(s):

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2. Do you or your entity, or any agent on behalf of you or your entity, anticipate or plan to make any political contribution(s) totaling more than \$500 to any County Officer in the twelve (12) months following any County Board or Commission consideration or action related to this license, permit, contract, or entitlement for use?

YES ☐

NO ☐



If yes, please identify the County Officer(s) and the amount of the anticipated contribution(s):

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Answering yes to either of the two questions above does not preclude San Joaquin County from considering and/or taking action on a license, permit, or contract. It does, however, potentially preclude the identified County Officers from participating in consideration of and in taking any actions related to the license, permit, contract, or entitlement for use.

Please accurately complete and sign this form, under the penalty of perjury:

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(Date) (Printed Name/Title of Authorized Representative)

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(Name of business/legal entity)

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(Signature) (Type of Transaction - e.g. contract, permit, or license)

You must submit a new statement if you make any new reportable contribution(s) while the contract, license, permit, or other entitlement for use is being considered and is pending. Submit the completed form with the contract, license, permit, or other entitlement for use being considered by the County on the date the proceeding is initiated (e.g. the date the permit application is filed).

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# SAN JOAQUIN —COUNTY—

Term	Definition	Law
Covered "proceedings"	A proceeding to grant, deny, revoke, restrict, or modify a license, permit or other entitlement for use, that does not solely involve purely ministerial decisions and is: (1) Applied for by the party; (2) Formally or informally requested by the party; or (3) A contract between the agency and the party or a franchisee granted by the agency to the party, other than a contract that is competitively bid, a labor contract, or a personal employment contract, as defined by Government Code Section 84308.	<u>FPPC Reg 18438.2(a)</u>
Party	Any person who files an application for, or is the subject of, a proceeding involving a license, permit, contract, or other entitlement for use.	Gov. Code 84308(a)(1)
Participant	Any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, contract, or other entitlement for use and who has a financial interest in the decision. A person actively supports or opposes a particular decision in a proceeding if that person lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.	Gov. Code 84308(a)(2)  FPPC Reg 18438.4
Agent	A person who represents a party or participant for compensation and appears before or otherwise communicates with the governmental agency for the purpose of influencing the pending proceeding. See FPPC Reg 18438.3 for exceptions for certain consultants.	FPPC Reg 18438.3
Competitively Bid	A contract required by law to be awarded to the lowest responsible bidder with a responsive bid, or, if the successful bidder refuses or fails to execute the contract, to the next lowest bidder with a responsive bid.	FPPC Reg 18438.2(a)(3)(A)





Labor Contract	A contract or agreement reached through collective bargaining or with a representative group regarding the salary, benefits, or terms and conditions under an employment or retirement policy for employees or retirees, including a project labor agreement entered under Public Contract Code Section 2500.	FPPC Reg 18438.2(a)(3)(B)
Personal Employment Contract	A contract for employment, including the terms and conditions of employment, between the agency and an agency employee. A contract with an independent contractor is NOT a personal employment contract,	FPPC Reg 18438.2(a)(3)(C)-(D)
License, permit, or other entitlement for use	All business, professional, trade, and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts, and all franchises.	Gov. Code 84308(a)(5)(A)
Officer	Any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elected office in an agency, other than a city attorney or county counsel providing legal advice to the agency who does not have the authority to make a final decision in the proceeding.	Gov. Code 84308(a)(4)

A **party** to a proceeding before an agency involving a license, permit, contract, or other entitlement for use **shall disclose on the record of the proceeding** any contribution in an amount of more than five hundred dollars (\$500) made within the preceding 12 months by the party or the party's agent.

A **party, or agent to a party**, to a proceeding involving a license, permit, contract, or other entitlement for use pending before any agency or a participant, or agent to a participant, in the proceeding **shall not make a contribution** of more than five hundred dollars (\$500) to any officer of that agency during the proceeding and for 12 months following the date a final decision is rendered by the agency in the proceeding. (Gov. Code Section 84308.)