

STATE OF CALIFORNIA	DATE ISSUED:
GOVERNMENT OPERATIONS AGENCY	August 8, 2023
<b>GOVOPS POLICY MEMO</b>	EXPIRES: Until Rescinded or Amended
TO: ALL GOVOPS EMPLOYEES	REFERENCES: 2 CCR 18944.1 2 CCR 18946 2 CCR 18942 Gov. Code 81008
SUBJECT: DISTRIBUTION, USE, AND REPORTING OF TICKETS AND PASSES	

**Purpose**

California Code of Regulations, Title 2, Section 18944.1 (“Regulation 18944.1”) requires any distribution of a ticket or pass under the regulation to be made pursuant to a written agency ticket distribution policy. This regulation sets out the circumstances under which a public agency’s distribution of tickets or passes for which no consideration of equal or greater value is provided by the public official or employee does not result in a gift to the public official or employee. Tickets or passes to an event distributed and accounted for in compliance with this policy and Regulation 18944.1 will not be considered as gifts to the GovOps executives and employees who make use of such tickets and passes.

This policy is subject to all applicable Fair Political Practices Commission (“FPPC”) Regulations and the Political Reform Act. Nothing in this policy is intended to alter, amend, or otherwise affect the obligations of GovOps executives and employees under the Political Reform Act and implementing regulations or under the Conflict-of-Interest Code or Incompatible Activities Policy for GovOps.

## **Definition**

For purposes of this Policy, the following definitions shall apply:

“Ticket or pass” has the same meaning as it is defined in FPPC Regulation 18946, subdivisions (d)(2) and (d)(3), as amended from time to time, but which currently defines “ticket” as “anything that provides access, entry, or admission to a specific future event or function and for which similar tickets are sold to the public to view, listen to, or otherwise take advantage of the attraction or activity for which the ticket is sold and includes any benefits that the ticket provides” and “pass” as “a ticket that provides repeated access, entry, or admission to a facility or series of events and for which similar passes are sold to the public.”

“GovOps” or “Agency” means the Government Operations Agency.

## **Provisions**

The public and governmental purpose in distributing tickets and passes to events is to enable GovOps executives and employees to promote GovOps’s mission; resources; programs; achievements; growth and development; events; departments, boards, and agencies; services and programs available to the public pursuant to GovOps’s initiatives; and to enhance employee morale.

Any ticket or pass distributed to, or at the behest of, a GovOps executive or employee must accomplish one or more of the stated public purposes of GovOps.

No ticket or pass received by a GovOps executive or employee pursuant to this Policy may be transferred to another individual or entity, unless it is transferred to the executive’s or employee’s immediate family member or to no more than one guest solely for their attendance at the event.

The disproportionate use of tickets or passes by the chief administrative officer of the Agency, a political appointee, or the Agency Secretary is prohibited.

No ticket or pass may be earmarked by an outside source for use by a specific GovOps official.

GovOps determines, in its sole discretion, who uses any ticket or pass.

## **Reporting Requirements**

Within 45 days of distribution of a ticket or pass, the distribution must be reported on Form 802 provided by the Fair Political Practices Commission.

Except as provided in Regulation 18944.1, subdivision (d)(2), the information must include the following:

- (A) The name of the official receiving the ticket or pass;
- (B) A description of the event;
- (C) The date of the event;
- (D) The fair value of the ticket or pass as that term is defined in Regulation 18946, subdivision (d)(1);
- (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;
- (G) If the ticket was transferred to a person meeting the requirements of paragraph (b)(3), the relationship of the transferee;
- (H) A written inspection report of findings and recommendations by the official receiving the ticket or pass if received for the oversight or inspection of facilities.

If the ticket or pass is distributed to a department or other unit of the Agency, and not used by a member of the governing body, the chief administrative officer of the Agency, political appointee, or department head, the Agency may report the name of the department or other unit of the agency receiving the ticket or pass and the number of tickets or passes provided to the department or unit in lieu of reporting the name of the individual employee as otherwise required in subdivision (d)(1).

The forms must be maintained as public records and are subject to inspection and copying under Government Code section 81008. The agency must post the form, or a summary of the information on the form, on its website and send to the Commission by e-mail the Agency's website link that displays the form so that the Commission may post the website link.

### **Application**

This Policy applies solely to a ticket or pass, as those terms are defined in Regulation 18946, to an event or function provided by an agency to an official of the agency, or at the behest of an official of that agency. The provisions of this Policy apply only to the benefits the official receives from the ticket or pass that are

provided to all members of the public with the same class of ticket or pass. This Policy does not apply to the following:

(1) An admission provided to a school, college, or university district official, coach, athletic director, or employee to attend an amateur event performed by students, which are neither gifts nor income.

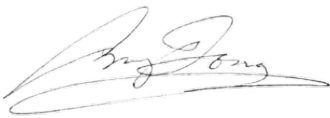
(2) An admission identified in Regulation 18942(a)(13) relating to an official performing a ceremonial role

A ticket or pass is not subject to the provisions of this Policy, and not a gift for purposes of FPPC compliance, if it is taxable income to the official.

A ticket or pass is not subject to the provisions of this Policy, and not a gift for purposes of FPPC compliance, if the official reimburses the Agency for the ticket within 30 days of receipt.

### **Effective Date and Inspection Parameters**

This Policy shall be effective on the date executed by the Agency Secretary. The policy must be maintained as a public record and is subject to inspection and copying under Government Code section 81008. GovOps must post the policy on its website within 30 days of adoption or amendment and send to the FPPC by e-mail GovOps's website link that displays the policy so that the FPPC may post the link. It shall be subject to periodic review to ensure provisions are current and consistent with state policy and enacted legislation.



Amy Tong, Secretary  
Government Operations Agency

Date: August 8, 2023