



Administrative Policy

CEC Policy Regarding Distribution of
Complimentary Tickets Under FPPC
Regulation §18944.1

Date: May 21, 2025

References/Authority:
California Code of Regulations, Title 2,
§18944.1

Supersedes: None

1.0 Purpose of Policy

The California Energy Commission (CEC) occasionally receives complimentary tickets to conferences, symposiums, summits, or other events (collectively, “Events”) related to the CEC’s public purposes. The purpose of this policy is to establish a fair and equitable process for the distribution of complimentary Tickets to Events related to CEC’s public purposes in compliance with the requirements of Section 18944.1.¹

Tickets distributed and accounted for in compliance with this policy, including any benefits received as part of the Ticket such as food, beverage or other nominal gifts as long as these items are also provided to the general public as part of the Ticket, will not be considered gifts to a CEC official, as defined below, who uses such Tickets.

2.0 Definitions

CEC Official

Any Commissioner, director, officer, or employee of the CEC who is obligated to file an annual Fair Political Practices Commission (FPPC) Statement of Economic Interests (Form 700) under the Political Reform Act or the CEC’s Conflict of Interest Code.

¹ This Policy is subject to all applicable provisions of the Political Reform Act (Gov. Code, § 81000, et seq.), the Warren-Alquist Act (Pub. Resources Code, § 25000 et seq.), FPPC Regulations (Cal. Code Regs, tit. 2, § 18104 et seq.), and CEC Regulations (Cal. Code Regs., tit. 20, § 1001 et seq.), as now exist or may be added or amended.

Fair Value

For a Ticket offered for sale to the general public, the "fair value" means the face value of the Ticket. The "fair value" of a Ticket that does not have a face value indicated, or has a face value that is not available to the general public, is the price at which the Ticket would otherwise be offered for sale to the general public by the operator of the venue or host of the event who offers the Ticket for public sale.² Where the price indicated on the Ticket does not reflect the actual cost for a Ticket in a luxury box or suite, the face value is determined by dividing the total cost of the box or suite by the number of Tickets available for that box or suite.

Immediate Family

The spouse or registered domestic partner and any dependent children as defined in California Government Code section 82089 and Family Code section 297.5.

Political Reform Act

California Political Reform Act of 1974 (Government Code Sections 81000, et seq., as the same may be amended from time to time) and the FPPC Regulations.

Ticket

Means and refers to a "ticket or pass" as those terms are defined in FPPC Regulation 18946, and referenced in Regulation 18944.1, both as amended from time to time, but which currently define "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."

3.0 Policy Application

This policy applies to Tickets that are:

- a. For CEC-sponsored Events.
- b. Gratuitously provided to the CEC by any outside source.
- c. Acquired by the CEC through purchase.

² Cal. Code Regs, tit. 2, § 18946, subd. (d)(1), <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/LegalDiv/Regulations/Index/Chapter9-5/18946.pdf>. If a government rate is offered that differs from the rate available to the public generally, the fair value is the government rate.

- d. Acquired by the CEC as consideration pursuant to the terms of any contract.
- e. Acquired by the CEC in any other manner.

This policy applies to Tickets that provide admission to any facility or event related to one or more of the CEC's public purposes, which include but are not limited to the following:

- a. Promoting the CEC on a local, state, national, or worldwide scale.
- b. Promoting CEC recognition, visibility, or profile on a local, state, national, or worldwide scale.
- c. Promoting intergovernmental and interagency relations, collaboration, or cooperation, including coordination of resources with other governmental entities, including tribes.
- d. Strengthening public support for the CEC.
- e. Facilitating the attendance of a CEC official at an event where the job duties of the official are related to the official's attendance at the event.
- f. Promoting open, visible, and accessible government by CEC official participation or availability at an event.
- g. Networking with other civic and industry leaders at various types of Events.
- h. Conducting CEC business, including oversight of CEC-sponsored Events.
- i. Promoting support for CEC Events.
- j. Promoting conferences, activities, programs, or Events that are organized, sponsored, or supported by the CEC.
- k. Encouraging or rewarding significant achievements of individuals related to the CEC's policy goals and priorities.
- l. Otherwise promoting institutional advancement.
- m. Facilitating the performance of a ceremonial function by a CEC official on behalf of the CEC at an event.
- n. Recognizing CEC officials for their work, supporting general employee morale, retention, or to reward public service for employees that are not Commissioners, Executive or Division Directors, or political appointees.
- o. Attracting and retaining highly qualified employees to the CEC.

- p. Furthering any other public purpose the CEC is required or authorized by law to pursue.
- q. Allowing for the immediate family of a CEC official to accompany them to an event to accomplish any of the purposes listed in this policy.

Tickets provided by an outside source shall also meet all of the following criteria:

- a. The source may not earmark a Ticket for use by the CEC official who uses the Ticket.
- b. The CEC shall determine, in its sole discretion, which CEC official(s) may use the Ticket(s).
- c. The CEC shall distribute the Ticket(s) in accordance with this policy.

This policy does not apply to Tickets provided to a CEC official to an event for which that person performs a ceremonial role or function on behalf of the CEC, as such Tickets are not a gift to the CEC official and are exempt from any disclosure or reporting requirements. However, the policy does apply to Tickets provided to such an event for use by the CEC official's immediate family.

5.0 General Provisions

Tickets received by the CEC that provide admission to an event that is related to one or more of the CEC's public purposes, are not "gifts" and, therefore, are not reportable, are not subject to the gift limits, and do not trigger recusal, provided the following criteria are met:

- a. The Executive Director or their designee ("Ticket Administrator"), in their sole discretion, designates the recipient(s) of the Ticket(s), which may be an individual or a division or other CEC unit, and determines that the distribution accomplishes one or more of the agency's public purposes.
- b. When distributing a Ticket to an individual, the Ticket Administrator may take into account the extent to which the topic of the event, or skills or knowledge acquired pursuant to the event, are related to the recipient's job responsibilities or professional advancement. It is considered an advancement of a CEC public purpose to distribute a Ticket to an employee for the employee's personal use in order to support general employee morale or retention or to reward public service.
- c. When distributing a Ticket to a division or other CEC unit, the Ticket Administrator may take into account the extent to which the topic of the event, or skills or knowledge acquired pursuant to the event, are related to the division's or unit's role at the CEC.

- d. The Ticket shall not be earmarked by an outside source for use by any particular CEC official.
- e. If, at any point, the recipient of a Ticket determines that they are unable to use the Ticket, the Ticket shall be returned to the Ticket Administrator so that it may be re-distributed in a manner consistent with the CEC's public purposes.
- f. Tickets provided to the CEC may not be disproportionately used by a Commissioner, executive director, political appointee, or division director.
- g. No recipient of a Ticket may transfer the Ticket to anyone except to members of the recipient's immediate family or no more than one guest.
- h. The Ticket Administrator shall have the authority, in their sole discretion, to establish additional procedures for the distribution of Tickets in accordance with this policy. All requests for Tickets that fall within the scope of this policy shall be made in accordance with this policy and any procedures established by the Ticket Administrator.
- i. The Ticket Administrator shall determine the fair value of all Tickets distributed by the CEC for purposes of reporting.
- j. For purposes of implementing this policy, and completing and posting of the FPPC Form 802, the Ticket Administrator shall be the "Agency Head" and is delegated responsibility for all required reporting.

6.0 Reporting Procedures

Tickets received pursuant to the above provisions must be reported within 45 days using the FPPC's Form 802.³ All Form 802s will be maintained as public records and may be inspected and copied.⁴ Each form, or a summary of the information thereon, will appear on the CEC website and the CEC will send the FPPC a link to the webpage where the forms will appear. Forms will be kept on this webpage for no fewer than two years.

The form must contain all of the following information:

- a. The name of the CEC official receiving the Ticket or, if the Ticket is distributed to a division or other agency unit and not used by a Commissioner, executive director, political appointee, or division director, the name of the division or unit.

³ This form along with answers to frequently asked questions and other guidance about completing the Form 802, may be found on the FPPC website at <https://fppc.ca.gov/learn/public-officials-and-employees-rules-/reporting-ceremonial-role-events-and-ticket-admission.html>.

⁴ Gov. Code, § 81008.

- b. A description of the event.
- c. The date of the event.
- d. The fair value of the Ticket.
- e. The number of Tickets provided to each person or, if applicable, each division or other CEC unit.
- f. If the Ticket is behested, the name of the official who behested the Ticket.
- g. If the Ticket was transferred to a person in accordance with this policy, the relationship of the transferee.
- h. A written inspection report of findings and recommendations by the official receiving the Ticket if received for the oversight or inspection of facilities.

This Policy shall be posted on the CEC website within 30 days of adoption (a link to which shall be provided to the FPPC by email for posting on the FPPC's website) and is considered a public record subject to inspection and copying.⁵

Signature



Drew Bohan,
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⁵ Gov. Code, § 81008.