

California Fair Political Practices Commission

Form 806 – Agency Report of Public Official Appointments

Frequently Asked Questions

This fact sheet provides additional guidance and examples on how to report public official appointments. The Form 806 is used to report additional compensation that officials receive when appointing themselves to positions on committees, boards or commissions of a public agency, special district, or joint powers agency or authority. (FPPC Regulation 18705.5.)

This fact sheet cannot address all the different types of situations that may occur when officials receive additional compensation for appointing themselves to positions. Persons are encouraged to use the FPPC advice service for specific guidance.

The following FAQs address some common activities.

Frequently Asked Questions

1. Q. May an official recuse himself and leave the room while the other members of the council vote to appoint him to another agency position for which the official will receive a \$300 a year stipend? If so, does a Form 806 need to be posted?
 - A. Yes, an official may recuse himself and leave the room. If so, the Form 806 is not required. The Form 806 is only required if the official actually wants to participate in the vote for his appointment.
2. Q. May officials vote to appoint themselves to either an ad hoc committee or a non-governmental entity, such as League of California Cities or California State Association of Counties, if the stipend is at least \$250 in a 12-month period?
 - A. No. The official may not vote and must recuse himself/herself and leave the room. The provisions of FPPC Regulation 18705.5 may be applied only to appointments that are (1) required by state or local law (presumably appointment to an ad hoc committee would not be so required) and (2) to other committees, boards, or commissions of public agencies (which would not include a nongovernmental agency).
3. Q. May officials vote to appoint themselves to serve on another governmental entity if the stipend is waived or results in less than \$250 in a 12-month period?
 - A. Yes. A Form 806 is not required to be posted. The Form 806 must be posted if the stipend would be at least \$250 in a 12-month period.
4. Q. At a city council meeting, city council members vote to appoint a member to the Transportation Commission. The Transportation Commission pays the officials' stipend. Which agency completes the Form 806?

- A. The agency that conducts the vote must complete the Form 806. In the example above, the city posts the Form 806 even though the officials are paid by the Transportation Commission.

- 5. Q. A member of the County Board of Supervisors is appointed to a water district board of directors. The water district board will make an appointment to place a water district board member on the board of an irrigation district. As a board member of the irrigation district, the official will receive a stipend of at least \$250 in a 12-month period. Which agency completes the Form 806?
 - A. The agency that conducts the vote must complete the Form 806. In the example above, the water district must complete the Form 806.

Statutory and Regulatory Authority

Government Code Sections: 87100, 87102.5, 87102.6, 87102.8, 87103
Regulations: 18705.5