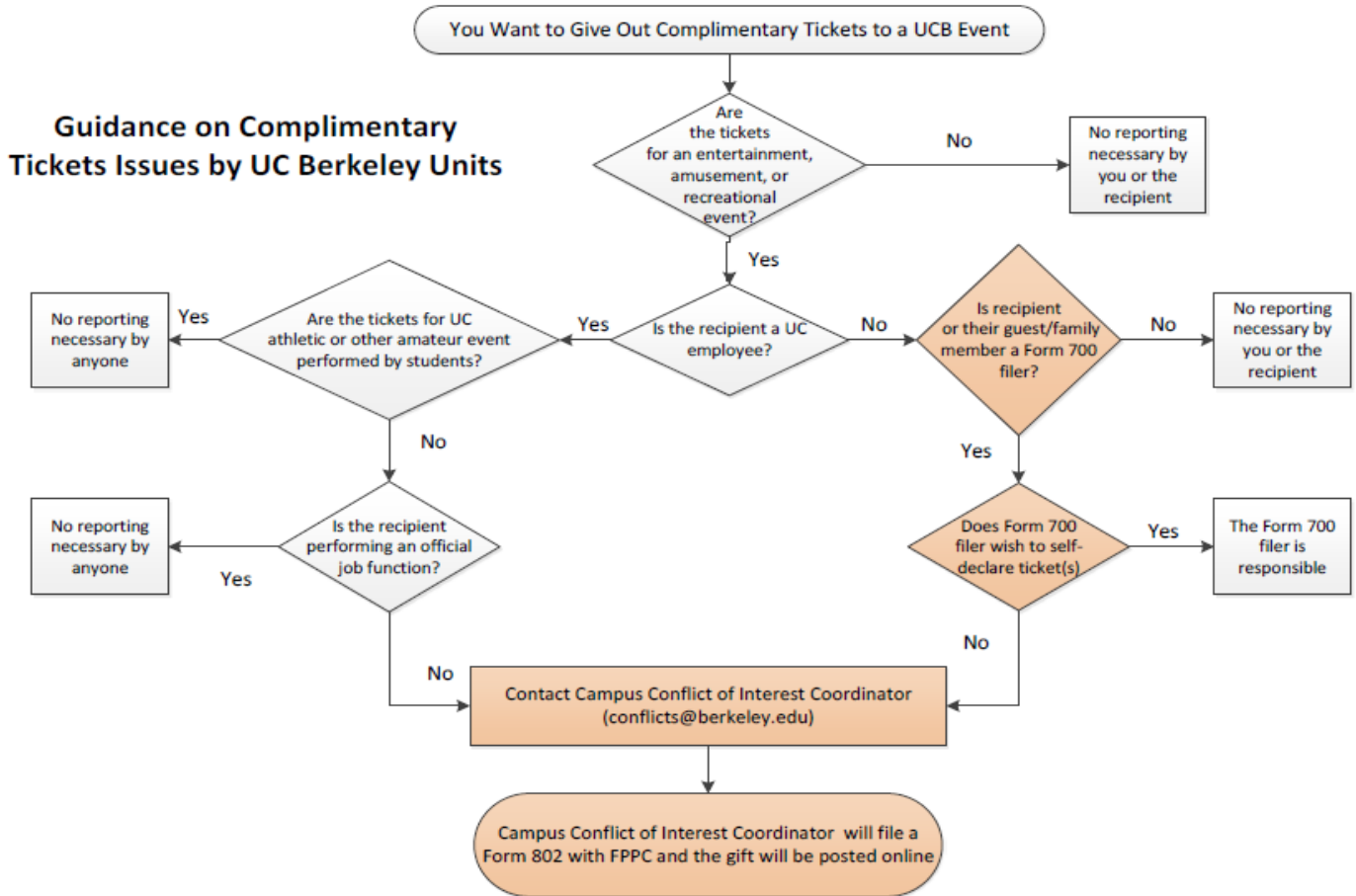


Guidance on Issuing Complimentary Tickets to UC Events

New rules have been announced by the California Fair Political Practices Commission (FPPC) regarding complimentary event tickets issued by the campus to certain donors and friends of the university.

These rules apply only for tickets issued for entertainment, amusement or recreational events, such as football games and Cal Performances events. These rules are separate from those required to comply with IRS rules.

A complete picture of the new rules, including those for UC Employees is found in the flowchart below.



Note: employees may only transfer tickets to immediate family or no more than one guest, and then solely for their attendance at the event.

Office of Ethics, Risk and Compliance Services – July 2020

For donors, their spouses and guests who are required to file Form 700s with the FPPC, the campus is now required to report the filer's receipt of the tickets along with the ticket's fair market value to the FPPC, who, in turn, will post the filer's name and ticket information on their web site. If the Form 700 filer does not want his or her name posted on the FPPC's web site, the filer may choose to self-declare the tickets as a gift. The Form 700 filer has 30 days from the event to inform the campus Conflict of Interest Coordinator that they prefer to self-declare. If the Conflict of Interest Coordinator does not receive notice of the desire to self-declare, the information will be reported to the FPPC. If UC Berkeley reports the Form 700 filer's receipt of the tickets, the filer does not report the tickets as gifts.

If the donors, their spouses and guests are not required to file Form 700s with the FPPC, the campus does nothing.

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Here is an example:

You, your wife, a donor and his wife have complimentary tickets to an event at the Greek Theater. You are performing an official job function, so your ticket does not have to be reported. Your wife's ticket will be reported as being issued to your department, her name will not be reported to the FPPC. The other two tickets may require reporting, but in different ways, depending on the circumstances.

- If the donor or his wife is a Form 700 filer and Cal Performances has issued the complimentary tickets to your office, you will need to ask them to complete the Complimentary Ticket Form indicating the name of the Form 700 filer, the name and date of the event, and the fair market value of the ticket(s). The completed form needs to be sent to the campus Conflict of Interest Coordinator. The coordinator will notify the FPPC.
- If the donor or his wife is a Form 700 filer and they pick up their tickets at the ticket office, Cal Performances will ask them to complete the Complimentary Ticket Form. Cal Performances will send the Complimentary Ticket Form to the campus Conflict of Interest Coordinator. The coordinator will then notify the FPPC, if required.
- If neither the donor nor his wife is required to file a Form 700 and Cal Performances issued the tickets to your office, the Complimentary Ticket Form, indicating that no one is a Form 700 filer, should be sent to the Conflict of Interest Coordinator so that the tickets are not reported to the FPPC as being issued to your office.

The campus Conflict of Interest Coordinator is Laila DeBerry. She can be reached at conflicts@berkeley.edu or 510-643-9317. Complimentary Ticket Forms can be sent via e-mail or by campus mail to 2199 Addison Street, Suite 615B, Berkeley, CA 94720.

Frequently Asked Questions:

1. What does FPPC stand for?

It stands for the California Fair Political Practices Commission.

2. What if the complimentary tickets are for attending a speech by a former head of state?

This would not be considered entertainment, or recreational in nature, so no reporting would be necessary by the campus.

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3. Who are Form 700 filers?

Form 700 filers are state and local governmental elected and agency officials. They may be a mayor, a county supervisor, a judge, a state senator, or a high official in a state agency. They are the equivalent to UC Berkeley's designated officials - those in authority in their various jurisdictions whose roles are identified in the [campus Conflict of Interest code](#).

4. How do you know if a non-UC employee recipient is a Form 700 filer?

We are required to ask. If the recipient will be bringing a guest, we are required to ask if the guest is a Form 700 filer. If yes, we need to have the Form 700 filer's name. If we don't report to the FPPC, the Form 700 filer will be required to report the ticket as a gift.

5. Why would a non-UC employee, Form 700 filer choose to self-declare the receipt of the tickets?

When the campus reports the tickets issued to Form 700 filers to the FPPC, the FPPC will post the information on their web site. The Form 700 filer may not want his or her name out on the internet. Form 700s are public documents, but they are not posted on the web.

6. What if we know that the recipient is a Form 700 filer, but they don't tell us whether or not they want to self-declare?

Without a statement from the Form 700 filer, the campus must report the recipient's name to the FCCP.

7. I am a UC employee and a Form 700 filer, does that mean my football tickets need to be reported as a gift on my annual filing?

No, tickets for UC athletic or other amateur *events* performed by students are not considered gifts to UC employees. You should not report the tickets on your annual filing.

8. I am hosting a donor at a Cal Performances *event*. Will that require any reporting to the FPPC?

Your ticket will not be reported as you are performing an official job function. If your spouse accompanies you, that ticket, but not your spouse's name, will need to be reported. If either the donor and/or the donor's guest is a Form 700 filer, the names of the Form 700 filers must be reported along with the fair market value of the tickets, unless they choose to self-declare.

9. I am a UC employee and I want my 17 year-old son to come to the football game with me, but he lives with my ex-wife. Is he considered immediate family?

The FPPC has defined immediate family as your spouse, and those minors who you declare as tax dependents. That means that if your ex-wife declares your son as her tax dependent, he would not be considered your immediate family. However, he can go as your guest.

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10. I am a UC employee, single, without any immediate family. Do I have to go to football games alone, *even* though the campus is giving out two complimentary tickets to all employees?

No, you can take a guest.

11. My department arranged for some complimentary tickets to a Cal Performances as a reward to several employees for a "job well done." Do we have to do anything?

No, Cal Performances will report the name of your department and the number of tickets your department received to the campus Conflict of Interest Coordinator, who, in turn, will report the information to the FPPC.

12. I received complimentary tickets to an event at the Greek Theater. I heard that the event is being promoted by Another Planet, not Cal Performances. Will these tickets have different rules?

No, the same rules apply. Cal Performances has contracted with Another Planet to promote events in the Greek Theater. The complimentary tickets are coming through Cal Performances.

13. I am a UC employee and I just picked up two complimentary tickets to this week's football game. Can I give them away to friends?

No. UC employees may not transfer complimentary tickets to any other person, except to members of the employee's immediate family or no more than one guest. Neither the immediate family members nor the guest can transfer their tickets to others.

Complimentary Tickets Form

This form documents the information required by the California Fair Political Practices Commission (FPPC) whenever UC Berkeley issues complimentary tickets to campus events to Form 700 filers. This information will be reported to the FPPC which will then be posted to their web site. No information about non-filers will be reported.

Name of the event:

Date of the event:

Number of tickets:

Fair market value of tickets:

Information regarding the recipient(s) of the complimentary tickets (please indicate one of the two options below)

- Form 700 filers:

Form 700 Filer's Name	I prefer to self-declare the receipt of the tickets as a gift on my Form 700.

- No one is required to file a Form 700 with the FPPC.

Unit providing the complimentary tickets:

Please send this form to:

Campus Conflict of Interest Coordinator
Office of Ethics, Risk and Compliance Services
615 University Hall, Suite B
510-643-9317