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## Understanding California's Ethics Training Requirements for Local Officials (Known As AB 1234)

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As we approach the November 5, 2024 election, many local government elected officials and candidates for local elected offices may be thinking about the ethical obligations of holding office. Ethics training is a critical part of understanding the ethical standards required for anyone who serves in local government. [Assembly Bill \(AB\) 1234](#), which was signed into law in 2005 and became effective on January 1, 2006, requires, among other things, that elected and appointed officials who receive compensations for their services or are reimbursed for their expenses receive training on both ethics principles and ethics laws ([Government Code §§ 53234-53235.2](#)).

AB 1234 applies to local agencies, which includes a number of different types of public agencies such as a city, county, city and county, charter city, school district and special district, among others. ([Government Code § 53234\(b\)](#)). If a local agency provides any type of compensation, salary, or stipend to a member of a legislative body, or provides reimbursement for actual and necessary expenses incurred by a member of a legislative body in the performance of official duties, then all "local agency officials" shall receive training in ethics. ([Government Code § 53235\(a\)\(1\)](#)). A "local agency official" is defined as a member of a local agency legislative body or an elected local agency official who receives any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties but can also mean an employee designated by a local agency governing body to receive the training specified under this article. ([Government Code § 53234\(c\)](#)).

## What are the Ethics Training Requirements?

Each local agency official that is required to receive training must undertake at least two hours of training in general ethics principles and ethics laws relevant to the official's public service every two years. ([Government Code § 53235\(b\)](#)).

The training on "general ethical principles" should include topics that address values such as trustworthiness, respect, fairness and responsibility and promote public trust in government. It should also

include the importance of avoiding even the appearance of impropriety.

“Ethics laws” can include:

1. Laws relating to personal financial gain by public servants, including, but not limited to, laws prohibiting bribery and conflict-of-interest laws (e.g., Conflicts of Interest under the Political Reform Act ([Government Code §§ 87100, 87103](#)), Contractual Conflicts of Interest ([Government Code § 1090](#))); or
2. Laws relating to claiming perquisites of office, including, but not limited to, gift and travel restrictions, prohibitions against the use of public resources for personal or political purposes, prohibitions against gifts of public funds, mass mailing restrictions, and prohibitions against acceptance of free or discounted transportation by transportation companies (e.g., Limitations on Receipt of Gifts ([Government Code §§ 86203, 89503, 89506](#)), prohibitions against gifts of public funds ([Cal. Const., art. XVI, § 6](#)), mass mailing restrictions ([Government Code § 89001](#))); or
3. Government transparency laws, including, but not limited to, financial interest disclosure requirements and open government laws (e.g., the Brown Act ([Government Code § 54950 et seq.](#)) and the Public Records Act ([Government Code § 79200 et seq.](#))); or
4. Laws relating to fair processes, including, but not limited to, common law bias prohibitions, due process requirements, incompatible offices, competitive bidding requirements for public contracts, and disqualification from participating in decisions affecting family members ([Government Code § 53234\(d\)](#)).

The training can consist of self-study materials, an online course, or in-person training. Any online or self-study training should include testing to assess retention of the information presented. ([Government Code § 53235\(d\)](#)). The two hour training requirement is a minimum and local agency officials are encouraged to participate in additional training to reinforce the official’s knowledge of the ethical laws. The California Attorney General’s Office has determined that for in-person training, the ethics law portion of any course should be delivered by an attorney licensed to practice law in California and knowledgeable about California’s ethics laws. For online and self-study training materials, the course should be prepared under the supervision of such an attorney.

## When is the Training Required?

Each local agency official is required to receive the training required by AB 1234 at least once every two years. For recently elected

officials, the training is required no later than one year from the first day of service with the local agency. If a local agency official serves more than one local agency then they must satisfy their AB 1234 training once every two years without regard to the number of local agencies they serve. When the training is given to local agency officials, proof of participation is usually provided at the end of the training, which should be provided to the local agency for retention. A local agency that requires its local agency officials to complete the AB 1234 training must maintain records that show the dates the official satisfied the training requirements and the entity that provided the training. ([Government Code § 53235.2\(a\)](#)). The record of the training is a public record (subject to disclosure under the California Public Records Act) and must be retained for at least five years. ([Government Code § 53235.2\(b\)](#)).

## Where Can I Find More Resources About AB 1234 Training?

Your agency's general counsel can provide you with answers to any specific questions you may have regarding AB 1234 training. For general questions, the [Fair Political Practices Commission](#) (FPPC) and the [Institute for Local Government](#) offer resources and training opportunities relating to AB 1234 on their website. The California Attorney General has also published [guidelines](#) on ethics training for local officials.

The [Public Law attorneys](#) at Burke, Williams Sorensen LLP regularly provide advice and AB 1234 training to local agency officials. [Contact us](#) to learn more about how we can help.

The information provided in this publication is for educational purposes only and does not constitute legal advice. Specific legal questions should be directed to agency legal counsel.