

## INSTRUCTIONS: FINANCIAL DISCLOSURE STATEMENT FOR PUBLIC OFFICERS

### Important Notes

**Due Date:** Your initial Financial Disclosure Statement (“FDS”) is due within 120 days of your appointment. Thereafter, your FDS is due no later than **May 15**, regardless of whether May 15 falls on a weekend or holiday. A \$50 per day late filing fee will be assessed.

**Personal Identifiers:** Pursuant to *N.J.S.A. 52:13D-21(n)*, all FDSs must be made available on the State Ethics Commission’s website. Therefore, DO NOT include personal information on your FDS or in attachments to your FDS that is not required (for example, Social Security numbers, home addresses, personal phone numbers, tax returns, brokerage account numbers or statements, credit card numbers, names of spouses, civil union partners, domestic partners, or dependent children).

### FDS Officer Form Instructions

To get started, click the SimpliGov link provided to you by the SEC. You may access the link from any internet-connected device, including your desktop, laptop, tablet, or phone. Please add “njsec.prod@simpligov.com” to your email contacts so that you will receive emails concerning your form to your inbox.

When you begin to complete your form, you will notice a blue “Save” box on the bottom of each page. You have the option to save your form and return to it later by clicking the blue “Save” button. When you click on the “Save” button, a pop-up box will appear. Enter your email address to receive a link to re-enter the form. Click “Send” to receive the link, then click “Continue Editing” to continue; or, you may exit the form at that point if you wish to return to it later.

### Form Selection

As noted, the following instructions are for the **OFFICER** form. Please take caution in choosing whether you are filing your Financial Disclosure Statement as an Employee or Officer. Your choice here determines the information that you are required to provide for the remainder of the form. **If you try to change this selection after you have entered information on the form, the information that you previously provided will be deleted and you will be required to re-enter the information.**

If you are a State employee who also serves on a Board, you must determine whether you are required to file an FDS as an Employee or as the Board member (Officer). Contact your ELO for guidance.

If you are unsure which form (Employee or Officer) to select, **STOP** and contact your Ethics Liaison Officer (“ELO”) for guidance. If you are unsure of your ELO, please refer to the SEC website tab “Agency Ethics Liaison Officers.”

### Instructions

**Please read the instructions** thoroughly. After you have done so, click “Yes” indicating that you

understand the instructions. If you do not understand the instructions, please **STOP** and contact your Agency's ELO or the SEC at 609-292-1892 for guidance. All calls to the SEC will be answered, or messages returned, between 8:30 am and 4:30 pm, Monday through Friday.

### **General Information**

The Date of Statement and Filing Year will be pre-populated for you. Please complete all other information. When choosing your Department or Agency, be mindful to choose the more specific option. For example, if you are an Officer for the Pinelands Commission, please choose Pinelands Commission, not Department of Environmental Protection, for your Department or Agency. **If your Department or Agency is not listed, please STOP and contact your ELO or the SEC for guidance.**

Please disclose any other governmental positions (Federal, State, County or Local) held by you, whether compensated or uncompensated. All other governmental positions held by you must be listed, even if no compensation is received. This includes, but is not limited to, elected public office, appointed positions on planning, zoning, environmental or tax boards, or positions on utilities authorities.

If you, your spouse/civil union partner/domestic partner, or dependent children presently engage in any occupation, trade, business, profession, or employment, please list that position in the space provided.

### **Licenses**

If you hold a license issued by a State agency that entitles you to engage in a particular business, profession, trade, or occupation (for example, law, medicine, nurse, pharmacist, engineer, real estate, insurance, private detective, teacher), click "Yes" and specify the type of license. Choose from the drop-down menu whether the license is active or inactive. Completing this section satisfies your obligation to report under *N.J.S.A. 52:13D-23(e)(2)*.

If you have a personal, contractual, or business relationship with any State Officer or Employee, or Special State Officer or Employee in your agency, please disclose the name, position, and relationship in the space provided. Refer to sections IX and XIII of the Uniform Ethics Code for assistance. Also note that pursuant to section X of the Uniform Ethics Code, an agency head, deputy head or assistant head is prohibited from engaging in any private business transactions with any employee in their agency.

### **State Employment—Relatives**

The Conflicts Law was amended in January 2006 to include a nepotism provision. See *N.J.S.A. 52:13D-21.2*.

If you have a relative employed in any State position, indicate so here. Provide the name of the relative(s), their relationship to you, and the employing agency(-ies). For the purpose of this question, relative means your spouse/civil union partner/domestic partner, or your or your spouse's/civil union partner's/domestic partner's parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother, or half-sister, whether the relative is related to you or your spouse/civil union partner/domestic partner by blood, marriage or adoption.

Indicate whether you exercise authority, supervision, or control, including personnel actions, over the individual(s) named in this section.

### Assets

These instructions apply to you, your spouse/civil union partner/domestic partner, and dependent children.

**As of your Date of Statement**, assets valued **at more than \$1,000**, both tangible and intangible, must be disclosed. Indicate assets with a checkmark. If an asset is held jointly, place a checkmark in the “Public Officer” box as well as the “Spouse/Civil Union Partner/Domestic Partner” box if applicable, or the “Dependent Children” box if applicable. If an asset is not held at all, please check the “N/A or None” box.

Cash on Hand in Bank: If the total exceeds \$1,000, enter a checkmark in the appropriate box(es).

Notes Receivable: Secured and unsecured notes receivable must be disclosed by entering appropriate checkmark(s). A secured note is one supported or backed by security or collateral, such as real or personal property. The nature of the note(s), *i.e.*, whether unsecured or secured by a contract, mortgage, or other form of collateral, will be disclosed in the “Income” tab.

Accounts Receivable: An account receivable is a debt owed to you that arises in the normal course of business dealings. Enter appropriate checkmark(s) to disclose such a debt and indicate the nature of the account(s) in the “Income” tab.

Government Bonds: Check to disclose ownership of government bonds. Bonds should then be itemized (U.S., New Jersey State, New Jersey Local, Out-of-State, and Foreign) in the “Stocks and Bonds Held” tab.

Stocks & Corporate Bonds: Check to disclose ownership of stocks and corporate bonds, including mutual funds. These must be itemized in the “Stocks and Bonds Held” tab.

Interest in Contracts with Government Instrumentalities: Enter a checkmark to disclose an interest (or interests) in any contract(s) with any governmental entity. Contracts should then be itemized in the “Interests in Contracts with Government Instrumentalities” tab.

New Jersey Real Estate Interests: Indicate by checkmark ownership of any real property, in whole or in part. Include primary residence, vacation homes, rental property, commercial property, and land holdings. Itemize real estate holdings in the “New Jersey Real Estate Interests” tab.

Real Estate Interests Outside of New Jersey: Indicate by checkmark ownership of any real property outside of New Jersey in whole or in part.

Total Value of Pension Funds: Enter appropriate checkmarks if the total value of all pension funds including State of New Jersey and any other plans established by you, your spouse/civil union partner/domestic partner, or former employers (IRA, Keogh, annuities, etc.) exceeds \$1,000.

Accumulated Cash Value of Life Insurance: Enter appropriate checkmarks if life insurance redemption value is more than \$1,000.

Vehicles: Indicate with a checkmark if value exceeds \$1,000.

Other Assets: Itemize and list asset(s) if value exceeds \$1,000. Make a separate entry for each additional asset.

Blind Trusts: A blind trust is one in which the grantor has no management rights and has no knowledge of or control over the acquisition or disposition of trust assets. All blind trusts must receive the approval of the Commission and must possess the characteristics outlined in the Commission's Guidelines on Blind Trusts and any applicable executive orders. Provide the name and address of the Trustee to the Blind Trust in this section.

Closely-Held Business Interests: "Interest" is defined as any ownership or control of any profits or assets of such business entity. Check "Yes" and itemize in the "Closely-Held Business Interests" tab if you have such an interest.

### **Income**

Identify all sources of income. If filing before July 1 in any year, disclose the income from the prior calendar year. If filing after July 1, disclose the income received during the 12 months immediately preceding the filing of your form.

The following need not be disclosed:

- income from any source totaling less than \$1,000.
- cash gifts of less than \$100 in the aggregate received from a person.
- non-cash gifts with a fair market value of less than \$200 in the aggregate received from a person.
- gifts of less than \$3,000 in the aggregate received from a relative.

Note: Relative includes a spouse/civil union partner/domestic partner, son, daughter, grandson, granddaughter, father, mother, grandfather, grandmother, great-grandfather, great-grandmother, brother, sister, nephew, niece, uncle, or aunt. Relatives by adoption, half-blood, marriage or remarriage, shall be treated as relatives of the whole kinship.

When you click "Yes," the following categories will appear. Click on the appropriate person (State Official; Spouse/Civil Union Partner/Domestic Partner; or Dependent Children) and enter the required information.

Item #1 Compensated Employment: Include your State employment if compensation of more than \$1,000 is received, as well as any other employment, full or part-time, for you, your spouse/civil union partner/domestic partner, or dependent children. Indicate commencement date(s) and termination date(s), if applicable.

Income in the nature of "delayed" compensation, including deferred or future income from the practice of a profession, should be reported here.

Item #2 Compensated directorships and other fiduciary positions: List only compensated directorships and other fiduciary positions here. One is said to act in a fiduciary capacity when the business that he/she transacts or the money or property that he/she handles is not his/her own or for his/her own benefit but for the benefit of another person (executor of an estate, trustee, receiver in bankruptcy). Be sure to also list these positions in the "Positions Held" tab.

Item #3 Contractual Arrangements: All contractual arrangements producing or expected to produce income must be listed. Contractual arrangements include, but are not limited to, a buyout agreement, severance payments, a purchase contract, contract of sale, lease or rental agreement of any goods or services or license.

Item #4 Capital Gains: Disclose capital gains here and itemize in the "Capital Gains" tab. A capital gain is a profit realized on the sale or exchange of a capital asset (stocks, bonds, house, property, car, etc.).

Item #5 Miscellaneous Sources of Income: Honoraria, lecture fees, reportable gifts, and other miscellaneous sources of income must be disclosed here, including but not limited to Social Security, pensions, bank interest, dividends, rental income, accounts and notes receivable, and royalties over \$1,000. List each source in the box provided.

### **Positions Held**

Disclose any compensated or uncompensated offices, trusteeships, directorships, or positions of any nature held by you, your spouse/civil union partner/domestic partner or dependent children, with any firm, corporation, association, partnership, or business. List all applicable positions and indicate whether held by the State officer, spouse/civil union partner/domestic partner, or dependent child. Also, indicate whether the business entity in question does business with a casino or with the State, or if it is regulated, licensed, or inspected by a State agency.

### **Liabilities**

Identify liabilities. The following liabilities need not be disclosed:

- Less than \$10,000 owed to a relative.
- Less than \$1,000 owed to any other person.
- Loans with an outstanding balance of less than \$10,000 as of the close of the preceding calendar year, secured by a personal motor vehicle, and household furniture or appliances where the loan did not exceed the purchase price of the item.
- Revolving charge accounts where the outstanding liability did not exceed \$10,000 in total as of the close of the preceding calendar year.

Note that **you must indicate a value class for each listed liability**. Value classes are listed in the chart in the middle of the page.

Disclose all of your own liabilities **and** those of your spouse/civil union partner/domestic partner, and dependent children and identify the creditor. Provide value classes of liabilities of public officers and spouse/civil union partner/domestic partner only. Do not include value classes of liabilities of dependent children.

Liabilities include, but are not limited to, notes and accounts payable, past due taxes, mortgages or liens, and loans on life insurance. It is not necessary to list the current year's real estate taxes as a liability. However, if such taxes are not current, the value class of the arrears should be listed.

If any liability has been forgiven by any creditor within the last 12 months, please check the box indicating so.

### **Stocks and Bonds Held**

Choose the type of security (stock or bond) from the drop-down menu. Enter the issuer, and whether security is held by you, your spouse/civil union partner/domestic partner, or dependent children. **If ownership exists through a mutual fund, you need not list individual stocks, but you must list the name of the mutual fund or holding company. (Please note: for purposes of the FDS, investment and brokerage firms such as Prudential, Black Rock, Merrill Lynch, and Charles Schwab are not holding companies.)** If ownership exists through a beneficial trust and you have no knowledge of the stocks or bonds owned, list the name of the trustee.

If you, your spouse/civil union partner/domestic partner, or dependent children own more than 10% of the total stock of any company, you must disclose the percentage of ownership in the "Percentage Ownership" box.

### **Closely-Held Business Interests**

Disclose any interests in closely-held corporations or similar business entities. Interest is defined as any ownership or control of any profits or assets of such business entity.

Indicate the business name and whether the interest is held by you or your spouse/civil union partner/domestic partner. Be sure to provide a description of the activities of the business as well as the duties and responsibilities of your State position.

Interests in Contracts with Government Instrumentalities: Business or commercial transactions involving the sale, conveyance, or rental of any goods or services to any State, county or municipal or other public agency in New Jersey must be disclosed. Enter the name of the Government Instrumentality, a description of the contract, and indicate the holder of the contract.

### **New Jersey Real Estate Interests**

Item #1: Indicate all real estate holdings, in whole or in part, of you or your spouse/civil union partner/domestic partner, or dependent children. Be sure to list your primary residence, vacation residence, residential/commercial rental properties, and land under this section.

Item #2: If any of the individuals sharing a real estate interest is employed by the same State agency, please disclose the names of those individuals and whether there is a supervisor/subordinate relationship between the individuals in question.

Under Commission precedent, officers in the same State agency in a supervisor/subordinate relationship are not permitted to have joint business interests. The Commission requires that these situations be remedied by the termination of either the business relationship or the supervisor/subordinate relationship.

Item #3: Government tenants/government action pending. Provide the name of any government instrumentality that is a tenant in any property listed under Item #1. Also, disclose whether any government instrumentality has before it an application, complaint, or proceeding directly affecting any property listed under Item #1.

### **Capital Gains**

Capital gains identified in the “Income” tab, Item #4, must be itemized here. Capital gains should include real property, stocks, or any other asset where a profit was realized. Provide the item that was sold, a description of the item, the date it was acquired, the date it was sold, and the name of the purchaser (if known). Also indicate who received the gain.

### **Attachments**

If you have any additional information to append to your form, please click “Yes” and “Select files.” You may only attach a PDF document. Also, please ensure that any documents you attach do not include any personal identifiers, such as your address, account numbers, Social Security number, and/or telephone numbers.

### **Attestation**

Electronically sign the form by choosing from the options under the signature box. You may type, draw, or upload your signature. Note that your electronic signature is the legal equivalent of your written signature, and that you are subject to penalties for perjury if you falsely certify the FDS. Indicate who completed the form on behalf of the filer. If you choose “Other,” a text box will appear for more information. **You will be required to verify your information by clicking “I’m not a robot,” and following the instructions.**

### **Submitting Your FDS**

When you are satisfied with your FDS, click “Submit.” You will receive an email indicating that your statement has been filed. You will not receive a copy of your statement at this point. If corrections to your statement are needed, you will receive an email from njsec.prod@simpligov.com. Once your statement is finalized, you will receive notice of such and a PDF copy of the finalized statement.

**If you have any questions about your FDS filing, please contact the State Ethics Commission at (609) 292-1892.**

