

Continued Second Reading
Amendments to Chapter 13-2
Financial Disclosure

May 6, 2014

Proposed Amendments to Second Reading Ordinance

- Amend Definition of “Income.”
- Define “Other household member.”
- Revise definition of “Excepted Investment Fund.”
- Define “Reportable Interest” to replace “Controlling Interest.”
- Require reporting of business interests of and real property held by other household members.
- Require reporting of real property held by any entity in which the reporting person has a “reportable interest.”
- Require reporting of interests in non-profits.

Definition of Income

“Income” means money received for the provision of goods or services, ***not including the unrealized appreciation of any asset, income from any excepted fund or interest earned from any commercial bank, savings and loan or credit union.***

Definition of Other Household Member

“Other household member” means a spouse, domestic partner, or partner in a civil union who resides in the same household as the reporting person.

Definition of Excepted Investment Fund

“Excepted investment” means a mutual fund, common trust fund of a bank, pension or deferred compensation plan, any other investment fund ***or a ten percent or less interest in the stock of a company***, which ***for funds or stocks*** is widely held; publicly traded (or available) or widely diversified; and ***which for funds*** under circumstances where the investor neither exercises control over nor has the ability to exercise control over the financial interests held by the fund. A fund is widely diversified when it holds no more than five percent of the value of its portfolio in the securities of any one issuer (other than the U.S. Government.)

Definition of Reportable Interest

“Reportable interest” means:

(a) In the case of a corporation, either more than 10 percent of the total combined voting power of all classes of stock of the corporation entitled to vote, or more than 10 percent of the capital, profits, or beneficial interest in the voting stock of the corporation;

(b) In the case of a partnership, association, trust, or other entity, more than 10 percent of the capital, profits, or beneficial interest in such partnership, association, trust, or other entity; or

(c) Any interest in any entity that owns real property, if more than 50 percent of the entity’s holdings are in Boulder County.

Revised Reporting of Investments § 13-2-3(b)(3)

(3) The name, location, and nature of activity of any business entities or enterprises, with holdings of real or personal property or with business dealings in the area encompassed by the Boulder Valley Comprehensive Plan, in which the reporting person ***or other household member*** has any financial interest or is actively engaged as an officer, director, or partner and the nature of the reporting person's ***or other household member's*** interest or activity. A reporting person ***or other household member*** is not required to report any financial interest in any business entity in which the reporting person's ***or other household member's*** only interest is through an investment in an excepted investment. ***A charitable donation is not a financial interest;***

Revised Reporting of Real Property

(4) The location of any real property within Boulder County in which the reporting person or other household member has an interest or, if the reporting person ***or other household member*** has a ***reportable*** interest in an entity or enterprise disclosed pursuant to paragraph(b)(3) of this section, in which the entity or enterprise has any interest and the nature of such interest;