

Frequently Asked Questions Financial Disclosure Statements

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1. Why do certain State employees and officers have to file Financial Disclosure Statements?

- Public disclosure of personal financial interests assures the public that government officials do not have personal financial interests that conflict with their official duties.
- Public disclosure of personal financial interests of high-level government officials maintains public trust in its government representatives.

2. Who has to file a Financial Disclosure Statement?

State Employees:

- The Governor, Lieutenant Governor and specific staff members in the Office of the Governor;
- The Presidents and members of the governing boards of State Colleges and Universities;
- The members of specified State boards;
- The head and assistant or deputy heads of each principal department;
- The Chiefs of Staff of the principal departments;
- The head and assistant heads of a division of each principal department or anyone exercising substantially similar authority for any board, commission or independent authority.
- The Chief Executive Officers and Deputy Chief Executive Officers of psychiatric hospitals and developmental centers administered by the Department of Human Services.

See Executive Order 2 (Murphy) for a complete list of positions required to file a Financial Disclosure Statement.

3. What if I don't think I should be required to file an FDS?

- If you feel that you should not be required to file an FDS, you may request an opinion from the State Ethics Commission. You will need to provide a copy of your job description and an organization chart. The request will be considered by the State Ethics Commission at a public meeting.

4. Do all FDS filers have to fill out the same form?

- No, there are separate forms for State employees and Special State Officers. Be sure to fill out the correct form for your job title.

5. How can I file an FDS?

- All filers are required to file their FDSs electronically.
- To file electronically, you must have Version 7.0 or higher of the free Adobe Reader Program which can be downloaded from www.adobe.com/downloads/.

6. How do I get the form notarized if I file electronically?

- You will receive an authentication code sent to your State e-mail account. The authentication code takes the place of notarization for electronically filed forms.

7. How do I get a receipt if I file electronically?

- You will receive two receipts when filing electronically. A printable PDF form will appear after you complete the form and a receipt will be sent to your State e-mail account.

8. What are some common errors made on FDS forms?

The most common errors are including personal information that is not required.

- DO NOT include your social security number.
- DO NOT include your home address and phone number.
- DO NOT include schedules from your tax returns.
- DO NOT include brokerage account numbers or attach brokerage account statements.
- DO NOT include the names of spouses or dependent children (use husband, wife, domestic partner, son or daughter).
- DO NOT include credit card numbers.
- DO NOT include the actual value of assets. Use a value class.

9. Are there areas on FDS forms that people forget to fill out?

Yes, other common errors include the following omissions:

- DO include the filing year, which is the current calendar year.
- DO list the name of your employer.
- DO include identify both an occupation and an employer on page 1, b.
- DO include the value of your state salary.
- DO list your date of employment.
- DO include the value of your state pension. (Pension value can be obtained by calling the Division of Pensions at 609-777-1777).
- DO include an asset when you list a value class.
- DO include a value class when you list an asset.
- DO include gifts and gratuities, cash and non-cash, under sources of income.
- DO answer all questions that require a yes/no response.
- DO indicate n/a on sections of the form that do not apply to you.
- DO indicate when and how you completed mandatory ethics training.
- DO list the duties and responsibilities of your State position on Schedule B when applicable.
- DO date the form.

10. What is the deadline for filing my FDS?

- Repeat FDS filers are required to file annually by May 15th.
- The deadline for filing your FDS as a new FDS filer is within 120 days of assuming a filing position and then on May 15th of every subsequent year.
- You are not required to file an FDS twice in one calendar year, so if you file as a new FDS filer in any given year, you do not need to file on May 15th until the following year.
- For example, if you file your FDS as a new filer in December 2017, your next required filing is due by May 15, 2018. If you file your FDS as a new filer in January 2018, your next required filing is due by May 15, 2019.
- If your 120 days for filing as a new FDS filer expires sometime after May 15th, you may follow your specific 120-day deadline and not the annual May 15th deadline for your first filing.
- The only potential exception to the new FDS filer rules is if a substantive change occurs to the FDS form that could trigger the need to file twice in the same year.

11. Is there a penalty for filing my FDS after the deadline?

- Yes, the State Ethics Commission will assess a \$50 per day late filing fee.

12. How long is my FDS on file?

- Your FDS remains on the file as long as you are a public employee or officer and for five years after leaving public employment.

13. Is my FDS confidential?

- No, under the conflicts law, FDSs are public documents and are viewable on the Commission's website.

14. Where can I obtain a blank FDS and detailed filing instructions?

- FDS forms and instructions are available on the Commission's website, www.nj.gov/ethics.

15. How can I review my form for completeness before filing?

- If you filed an FDS in previous years, please review your forms that have been posted on the Commission's website. Forms posted on the internet have been reviewed by the Commission's investigators. Reviewing your approved FDS form from the prior year may help you to avoid making errors. However, you should not copy a previously approved form verbatim, since it is necessary to amend information such as changes in assets, value classes and ethics training information.