

February 3, 1998  
Re: IO-98-15

You inquired whether county employees may accept travel and lodging expenses from the Annapolis and Anne Arundel County Conference and Visitors Bureau (CVB) to accompany them on a trip to meet with government, business, and tourism officials. You indicated that the CVB would either invite specific individuals or ask the county to select two individuals to attend this meeting for the purpose of learning about management of the tourism industry.

The Public Ethics Law, §3-106, generally prohibits county employees from accepting gifts of the type you describe, if the givers are "controlled donors". A controlled donor is a person or entity that is doing business with the county, is subject to the authority of the county, has financial interests that may be substantially affected by the performance of the duties of the recipient employee, or is a lobbyist.

The CVB is a private corporation, wholly independent of regulation or oversight by the county government. Its bylaws provide for a county representative to sit on the Board of Directors, to be chosen by a vote of the membership. The CVB does receive a portion of the hotel tax from the County in the form of a grant or gift, but is under no obligation to report to the County on its expenditures or present the County with its annual budget. The CVB has no contracts with the County and it is not a registered lobbyist with the County. Under these circumstances, the CVB is not a prohibited or "controlled" donor. There would be no violation of the ethics law for the county employees attending the trip that you described to accept payment by the CVB of lodging and travel expenses.

If you have any further questions, please call anytime.

Sincerely,

Betsy K. Dawson