

November 16, 1999
Re: IO-99-191

You inquired whether the employees of the county police department could accept coupons from a fast food restaurant located in the Annapolis Mall. The coupons are worth \$2.00 each.

The law on gifts, §3-106, prohibits employees from receiving gifts from controlled donors. A gift is defined as "something of value that is given, regardless of the form, without adequate and lawful consideration." In my opinion, these coupons are not gifts at all, but are promotions to induce the recipient to purchase additional items. The ethics commission has previously advised that county employees could accept cellular phones at a reduced rate as part of a promotion offered by the cellular phone company, not as a gift. I have attached a copy of that opinion for your review.

For this reason, the employees of the police department may accept the coupons from the retailer at the Annapolis Mall. Thank you for your inquiry and I apologize for my delay in getting back to you more promptly. If you have any other questions, call anytime.

Sincerely,

Betsy K. Dawson
Executive Director