

August 7, 2000
Re: IO-00-123

You inquired whether an elected official may lend the employee's name and title as the honorary chair person of a charitable fund raiser, being held by a private §501(c)(3) organization. Section 3-104(a) prohibits an employee from using the prestige, title or authority of the office for the gain of another. In this case, the title would be used to promote a private fund raising effort and to endorse the organization involved. This use of the title of office would be for gain of the organization. It would therefore be prohibited by §3-104(a). *See*, 91 OGE 31 (1991). The honorary chair position would not be any more permissible under the exception of §3-104(b) permitting the "performance of usual and customary constituent service". The chairing of fund raisers is not a usual or customary constituent service, and the organization is not part of the constituency of an elected official.

The elected official may participate personally as the honorary chair of the event. The official may permit the official's name to be used, but not the official county title. *See*, 93 OGE 8 (1993). However, even in a personal capacity, the official should avoid participating in any fund raising effort that targets "controlled donors", as those donors are defined in §3-106(b) of the ethics law. Controlled donors may be included as part of a larger target group, but the elected official should avoid any personal solicitation of those donors.

Thank you for your inquiry.

Sincerely,

Betsy K. Dawson
Executive Director