

September 28, 2000
Re: IO-00-149

You inquired whether, during a recent conference you attended, it would be permissible for you to accept meals and/ or drinks from vendors attending the conference. You also asked about the propriety of accepting door prizes of various types and values, offered at random from business cards that were submitted. Finally, you asked whether you may accept any types of "freebies" from attending vendors at the conference.

Under §3-106(b) of the Public Ethics Law, a county employee may not accept gifts from people who do business or are seeking to do business with the county (defined as sales, purchases, leases, or contracts involving \$1000 or more during a calendar year). If the vendors have no business with the county, the gift prohibition does not apply.

If the vendors do business (or are actively seeking to do business) with the county, there are specific exceptions to the law prohibiting gifts. Under §3-106(c), an employee may accept occasional meals and beverages of modest value. The commission has determined that a modest value does not exceed \$25 per meal. An employee may also accept gifts of nominal value: pens, pocket calendars, t-shirts, or other items of no more than \$25 in value. Door prizes are considered to be gifts as well, so the same rule applies. If the employee wins a door prize that exceeds the \$25 limit, from a vendor that does business with the county, the prize must be returned, or full value paid to the donor.

Thank you for your inquiry. If you have other questions, please call any time.

Sincerely,

Betsy K. Dawson
Executive Director