

December 1, 2000
BY FAX ONLY
Re: IO-00-182

You inquired whether you may attend an annual Christmas party hosted by an entity that contracts with your agency. As the construction coordinator, you review the bids on the jobs in which this vendor participates. The party, a dinner and dance, is being held at a restaurant.

Under the Public Ethics Law, §3-106(b), an entity that does business with, or is subject to the regulation by the county, is a controlled donor. Gifts from controlled donors may not generally be accepted by county employees. However, §3-106(c)(1) expressly permits county employees to accept occasional meals and beverages of modest value from controlled donors, unless the gift is designed to impair the independent judgment of the recipient employee. A party of this type is considered to fall within the meals and beverages category of gift.

If you are currently involved in contract negotiations or any type of dispute over an existing contract with this entity, the ethics commission would probably conclude that the gift is designed to impair your judgment and that you could not, in those circumstances, attend the party. However, if there are no pending negotiations or disputes involving this donor, you may accept the invitation if its value does not exceed \$30.00.

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

Sincerely,

Betsy K. Dawson
Executive Director