

April 12, 2000  
Re: IO-00-54

You inquired whether you should disclose gifts of tickets to political fund raisers given to you by other members of the county council or by other elected officials or candidates, especially if those tickets are given in exchange for tickets received. After consulting with Ross Goldstein, the director of Candidacy and Campaign Finance for the State Board of Elections, I believe I can offer you this advice:

1. tickets to political fund raisers that are given to a county elected official, without charge, by the campaign committee of an elected official or candidate, are probably considered "in kind contributions" to the recipient that must be reported on a Campaign Fund Report. Contributions that are reported in this way, are considered political contributions, and are specifically exempt from county ethics disclosure requirements, under §4-104(e)(2)(ii).

2. if the recipient official is no longer considered a candidate, and has no campaign committee, the ticket would not be considered a political contribution, and would be considered a gift. To be reportable, the gift must have a value in excess of \$25 dollars and be from a person (or entity) that:

- a. does business with the county;
- b. is regulated by the county; or
- c. is a lobbyist (registered or otherwise)

Donors who meet this criteria would generally include other elected officials or candidates from the county or state (including the Maryland representatives to the United States Senate or House of Representatives).

3. tickets given as a *quid pro quo* for tickets received, may also have to be reported in a Campaign Fund Report, but would not be considered gifts under the Public Ethics Law, since they are given for adequate and lawful consideration.

I hope I have not left out any possible permutations; if I have, I'm sure that somebody on the council will think of them. At any rate, please call if you have any other questions. And since April 15 falls on a Saturday, you have until Monday, April 17, 2000 to file your Financial Disclosure Statement.

Sincerely,

Betsy K. Dawson  
Executive Director

c: Ross Goldstein

By fax and interoffice mail