

March 19, 2001
Re: IO-01-29

You inquired whether you may provide free notary services to clients of the senior center where you are employed, in exchange for requesting a small donation to benefit the programs at the center. Under §3-104(a) of the Public Ethics Law, an employee may not use the authority of the employee's position to for private gain or the gain of another. Requesting compensation, or compensation that will be diverted to a charitable purpose would constitute the use of the authority of the position for a private gain, or the gain of another (the senior center). While charitable solicitations for donations to county programs may be conducted with the approval of the county administration, and under specified guidelines, individual county employees may not solicit charitable contributions from citizens who are users of county services.

While recognizing that your intentions are no doubt honorable, the ethics commission advises that you that you may not solicit contributions from senior center clients who seek your notary services.

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

Sincerely,

Betsy K. Dawson
Executive Director