

August 5, 2005
By Electronic & Interoffice Mail

Re: IO-05-52

You inquired whether and to what extent you may accept gifts from controlled donors at a conference held by a professional association of which you are a member, and which you and your employees will be attending as part of your duties with the county. The controlled donors, entities that have contracts with your agency, are exhibiting as vendors at the conference. You indicated that among the gifts offered will be dinners at restaurants and tickets to Orioles games.

The Public Ethics Law, §5-106, regulates the solicitation and acceptance of gifts by county employees. (This provision may be found online at: <http://www.aacounty.org/Ethics/publicEthics.cfm>.) Without knowing more details about the exact nature of the gifts that may be offered, the ethics commission advises that in general, an employee may accept a gift from a vendor that is valued at \$25 or less (a nominal value). A permissible gift would include a meal (if valued at \$25 or less) or a ticket to a sports event (if valued at \$25 or less). A ticket to a sporting event that exceeds \$25 in value, may not be accepted under any circumstances by any county employee, even an elected official.

The same limitation applies to door prizes, raffles, or other gifts offered by controlled donors at a conference. In general, an employee may accept a gift valued at \$25 or less of a controlled donor. Acceptance of gifts of nominal value may not be accepted however, if the gift would give the appearance of impairing the impartiality or independent judgment of the recipient employee. Circumstances that would create such an appearance would include, for example, a pending dispute or ongoing contract negotiations between the donor and the county.

The ethics commission also reminds you that an employee who files an annual financial disclosure statement, and who receives a gift or gifts from a controlled donor, may be required to disclose information about the gift pursuant to §6-104(e) of the ethics law.

Sincerely,

Betsy K. Dawson
Executive Director