

August 2, 2006

By Electronic and Interoffice Mail

Re: IO-06-61

You inquired whether a council member may attend a gala fundraising event as the guest of the private charitable organization that is hosting the event, and whether the member may serve as an honorary committee member for that event. The answer is that the council member may attend the event, but may not serve as an honorary committee member.

Sec. 7-5-106(c)(4) of the Public Ethics Law permits elected officials to accept “tickets or free admission extended to an elected employee from the person sponsoring or conducting a charitable, cultural, or political event, as a courtesy or ceremony to the office. . . .” It is clear from the salutation of the letter that the council member is being invited to the event as a courtesy to the office, and not in the member’s personal capacity. Assuming that there are no pending disputes between the entity and the county, and that there are no pending requests for grant funds from the county council, the gift may be accepted. See, IO-03-93, AO-99-219.

The letter of invitation also requests the council member to serve as a member of the honorary committee to host the event. Although council members may generally serve in their personal capacities as honorary board or committee members, Section 7-5-107 prohibits them from serving on boards or committees of private organizations in their official capacities. *See, for e.g.*, IO-00-123, IO-02-07, IO-04-20. Serving in an official capacity would constitute the use of “the prestige of office for. . . the gain of another.” Since the council member was invited to attend the gala in an official capacity, it is clear that the invitation to serve as an honorary committee member was offered in that context as well. Under the circumstances, participation on an honorary committee is not permitted even if the council member refrains from using, or permitting the organization to use the member’s title.

Thank you for your inquiry.

Anne Arundel County Ethics Commission

By: _____
Betsy K. Dawson, Executive Director