



*Anne Arundel County
Ethics Commission*

October 27, 2009

By Electronic Mail Only

Re: AO-09-69

You inquired whether a privately owned golf course may offer free membership to people who have been certified as youth sports coaches by the county recreation and parks department. This [certification program](#), which requires attendance at educational training sessions over a period of years, is required for anybody who wants to work as a head coach with children in any county-sponsored sports leagues.

The ethics commission advises that while the gift may be offered and accepted between these private parties, the county may not use, or permit the use by others of county resources to promote the offer. Section [7-5-107\(a\)](#) of the ethics law, prohibits the use of the prestige of an employee's position for the private gain of another. As it has been interpreted over the years, this provision prohibits the use of county resources to promote a commercial business, unless those same resources are available to others on an equal basis. See [AO-08-24](#) (and opinions cited therein).

If county employees circulate this or any commercial promotion, it appears as if the county is endorsing the entity and its offer. The ethics law does not prohibit the private entity from promoting its offer among the certified coaches, and it appears from the department's [website](#) that the names of these coaches are publicly accessible. If the private entity chooses to promote its free membership offer, it may do so by using any publicly available resources. However, unless you generally make the addresses, phone numbers, and e-mail addresses of all certified county coaches available to anybody who asks for that information, you may not provide that information to the private entity for purposes unrelated to the county business.

Thank you for your inquiry. Please call if you have any additional questions.

The Anne Arundel County Ethics Commission

/s/

By: _____
Betsy K. Dawson, Executive Director

