

Informal Opinions Approved the 2nd Quarter of Fiscal Year 2025

January 1 - March 31, 2025*

Informal Opinion No.	Summary
<p>*Per Administrative Rule 340-X-1-.04, informal opinions are confidential. What follows is a basic summary of the most frequently asked questions and the general answers given. This summary is not to be relied upon or to be a summary of every informal we have given. Many informals we give are on the same issue and many requests involve issues under another agency's jurisdiction to which we refer the requestor.</p>	
1	The Ethics Act does not prohibit a retired state employee from soliciting public officials to purchase tickets to an event.
2	The Ethics Act does not prohibit a former public employee from lobbying members of a public entity that the former employee was not employed with.
3	The Ethics Act does not prohibit a public official from selling goods to an entity funded by a public grant. The Ethics Act prohibits a public official from receiving payment or honoraria for speaking at an event as a result of their public position. The Ethics Act does not prohibit public officials from charging a speaker's fee for participating in an event unrelated to their public position.
4	The "Revolving Door" provisions of the Ethics Act prohibit a former public employee from engaging in certain activities until two years after they leave their public position.
5	The Ethics Act does not prohibit a public official from entering into a contract with another public entity under certain circumstances.
6	The Ethics Act does not prohibit a public official from voting or participating in a matter under certain circumstances.

7	The Ethics Act does not prohibit a public employee from receiving a gift from a person who is not a lobbyist or principal provided the gift is not received for the purpose of corruptly influencing an official action.
8	The Ethics Act does not prohibit a public employee from secondary employment under certain circumstances.
9	The FCPA permits campaign funds to be used for certain purposes specifically set out by statute.
10	The Ethics Act does not prohibit a County from hiring a public official under certain circumstances.
11	The Ethics Act does not prohibit a public official from receiving a gift from a person who is not a lobbyist or principal provided the gift is not received for the purpose of corruptly influencing an official action.
12	The Ethics Act does not prohibit a public official's business from contracting with the public official's public entity under certain circumstances. See Advisory Opinion No. 2019-10.
13	The Ethics Act does not prohibit a County from utilizing the services of a local business under certain circumstances.
14	The "Revolving Door" provisions of the Ethics Act prohibit a former public employee from accepting employment with a private entity provided they did not audit, regulate or investigate the private entity within the previous two years.
15	The "Revolving Door" provisions of the Ethics Act prohibit a former public employee from interacting with their former public employer on behalf of a client or private employer until two years after they leave their public positions.
16	The Ethics Act does not prohibit a public official from voting or participating in a matter under certain circumstances.

17	The "Revolving Door" provisions of the Ethics Act prohibit a former public employee from accepting employment with a private entity for two years after they audited, regulated or investigated the private entity.
18	The Ethics Act does not prohibit a public employee from secondary employment under certain circumstances.
19	The Ethics Act does not prohibit a principal from donating items to a public entity.
20	The Ethics Act does not prohibit a public official from receiving a gift from a person who is not a lobbyist or principal provided the gift is not received for the purpose of corruptly influencing an official action.
21	"Day" is defined in the Ethics Act as a calendar day.
22	The Ethics Act does not prohibit a public official from starting a non-profit organization under certain circumstances.
23	The Revolving Door provisions of the Ethics Act do not prohibit public employees from returning to their public employer as a retired state employee after retirement.
24	A public official does not have a conflict of interest in a matter involving their aunt because an "aunt" is not a "family member of a public official."
25	The Ethics Act does not prohibit a public employee from hiring a subordinate provided they pay full commercially reasonable value for the service.
26	The Ethics Act does not prohibit a public employee from campaigning for a position as a public official or serving as a public official under certain circumstances.
27	A former public employee may engage in certain activities without violating the "Revolving Door" provisions of the Ethics Act.

28	The "Revolving Door" provisions of the Ethics Act prohibit a former public employee from engaging in certain activities until two years after they leave their public position.
29	The "Revolving Door" provisions of the Ethics Act prohibit a former public employee from engaging in certain activities until two years after they leave their public position.
30	The Ethics Act does not prohibit a public official from representing a client who is a principal in civil litigation under certain circumstances.
31	The Ethics Act does not prohibit the family member of a public employee from becoming a vendor to the public employee's public employer under certain circumstances.
32	The Ethics Act does not prohibit a public official from accepting employment under certain circumstances.
33	The Ethics Act does not prohibit a public official from accepting a position under certain circumstances.
34	The Ethics Act does not prohibit a public employee from providing services to their public employer under certain circumstances.
35	The Ethics Act does not prohibit a public official from working for another public entity.
36	The Ethics Act does not prohibit a public official from using public property to fulfill their obligations in their public position. The Ethics Act does not prohibit a public official who is a candidate from responding to questions about their campaign at non-campaign events under certain circumstances. The Ethics Act does not prohibit a public official from informing their assistant of campaign events for scheduling purposes. The Ethics Act does not prohibit a public official's assistant from coordinating the public official's schedule with the public official's campaign staff.
37	The FCPA only permits campaign funds to be used for certain purposes and those purposes are set out by statute.

38	The FCPA permits campaign funds to be used for certain purposes as set out by statute.
39	The Ethics Act does not prohibit a public employee from campaigning for a position as a public official or serving as a public official under certain circumstances.
40	The Ethics Act does not prohibit a public employee from secondary employment under certain circumstances.
41	The Ethics Act does not prohibit a public employee from providing a gift to public officials under certain circumstances and provided it's not being given to corruptly influence the officials' official actions.
42	The Ethics Act does not prohibit a councilmember from voting for themselves to fill a vacancy in the office of the mayor.
43	The "Revolving Door" provisions of the Ethics Act prohibit a former public employee from engaging in certain activities until two years after they leave their public position.
44	The Ethics Act does not prohibit a public official from accepting employment with a public entity under certain circumstances.
45	Tax and tip are excluded from any calculation for meal allowances.
46	The Ethics Act does not prohibit a public employee from campaigning for a position as a public official or serving as a public official under certain circumstances.
47	The exception to the 12-month period where PCCs may accept contributions only applies to loans made from a candidate to their PCC. It does not apply to transfers from a candidate's PCC to another PCC for that candidate for a different position. Such transfers are considered to be contributions and would need to be made within the 12 months before the election.
48	The Ethics Act does not prohibit a public employee from secondary employment under certain circumstances.

49	This event qualifies as a widely-attended event, which means that you reasonably expect at least 12 people to attend and there is a diversity of viewpoints invited to this event which has an educational or informational component to it.
50	The Ethics Act does not prohibit a public official from serving in another public position under certain circumstances.
51	The Ethics Act does not prohibit a public official from voting or participating in a matter under certain circumstances.
52	The Ethics Act does not prohibit a public official from voting or participating in a matter under certain circumstances.
53	The Ethics Act does not prohibit a public official from voting or participating in a matter under certain circumstances.
54	The Ethics Act does not prohibit a municipality from engaging in business with a public official or employee of the municipality under certain circumstances.
55	The Revolving Door provisions of the Ethics Act do not prohibit former public employees from entering into contracts with their former public employer under certain circumstances.
56	The Ethics Act does not prohibit a public official from accepting employment with a private entity under certain circumstances.
57	The Revolving Door provisions of the Ethics Act do not prohibit former public employees from entering into contracts with their former public employer under certain circumstances.
58	The Ethics Act does not prohibit a public official from resigning from their position and applying for employment with their public entity provided they did not create the opportunity for themselves.

59	The Commission has not adjusted the “de minimis value” since it was adjusted to \$32 and \$64 in 2022.
60	The Ethics Act does not prohibit a public official from accepting employment under certain circumstances.
61	The Ethics Act does not prohibit a public official from hiring the family member of another public official under certain circumstances.
62	The "Revolving Door" provisions of the Ethics Act do not prohibit a former public employee from working for a public entity on a matter that the former employee worked on while working for the state.
63	The Ethics Act does not prohibit a public official from voting or participating in a matter under certain circumstances.
64	The Ethics Act does not prohibit a public employee from collecting money for their child's sports team provided no lobbyist is solicited, as lobbyists can only be solicited for campaign contributions.
65	The FCPA does not provide an exception to the restriction against PCCs using money that was raised by a PCC of a federal candidate. The limit of \$1,000 applies regardless of whether the federal candidate is the same person who is running for a state/local position.
66	The Ethics Act does not prohibit a public official from accepting employment with a private entity under certain circumstances.
67	The Ethics Act does not prohibit a public official from engaging in a financial transaction involving the official's public entity under certain circumstances.
68	The Ethics Act does not prohibit a public official from receiving a gift from a person who is not a lobbyist or principal provided the gift is not received for the purpose of corruptly influencing an official action.
69	The Ethics Act does not prohibit the family member of a public employee from accepting employment with a principal under certain circumstances.

70	The Ethics Act does not prohibit a principal from providing items of de minimis value to public officials.
71	The identification of paid advertisements requirement of the Fair Campaign Practices Act does not apply to the communications at issue because they fall within the exceptions to 17-5-2. There is no restriction in the FCPA on when a candidate may distribute campaign material. However, they may not solicit/receive campaign contributions until 12 months prior to the election.
72	The Ethics Act does not prohibit a public employee from receiving a gift from a person who is not a lobbyist or principal provided the gift is not received for the purpose of corruptly influencing an official action.
73	The Ethics Act does not prohibit a public employee from secondary employment under certain circumstances.
74	A refund is not considered a contribution under the FCPA.
75	The Revolving Door provisions of the Ethics Act do not prohibit public employees from returning to their public employer after retirement.
76	The Ethics Act does not prohibit individuals who are not public officials or public employees from contracting with a public entity.
77	The Revolving Door provisions of the Ethics Act do not prohibit public employees from returning to their public employer after retirement.
78	There is nothing in the Ethics Act that prohibits a public employee from writing about their public employer in their outside employment with a private company under certain circumstances.
79	The Ethics Act does not prohibit a public employee from secondary employment under certain circumstances.

80	The Revolving Door provisions of the Ethics Act do not prohibit public employees from returning to their public employer after retirement.
81	The Ethics Act does not prohibit a public official or employee from receiving a gift from a person who is not a lobbyist or principal provided the gift is not received for the purpose of corruptly influencing an official action.
82	The Ethics Act does not prohibit a principal from providing something that falls under the "compensation and other benefits" exception to what is considered a "Thing of Value."
83	The Ethics Act does not prohibit a principal from providing items of de minimis value to public employees.
84	The circumstances of the presented event qualify as a widely-attended event because there will be a diversity of views present and you reasonably expect more than 12 people will attend.
85	The Ethics Act does not prohibit a public official from accepting employment under certain circumstances.
86	The Ethics Act does not prohibit a public corporation from providing travel expenses to its Board members under certain circumstances.
87	The Ethics Act permits public employees of a public university to recover the amount paid out of pocket for tickets and contributions to alumni organizations made to obtain the opportunity to purchase such tickets, but not to recover more than what they paid.