

Gift Ban Provisions

(5 ILCS 430/1-1)

Sec. 1-1. Short title. This Act may be cited as the State Officials and Employees Ethics Act.

(Source: P.A. 93-615, eff. 11-19-03.)

(5 ILCS 430/1-5)

Sec. 1-5. Definitions. As used in this Act:

"Appointee" means a person appointed to a position in or with a State agency, regardless of whether the position is compensated.

"Board members of Regional Transit Boards" means any person appointed to serve on the governing board of a Regional Transit Board.

"Commission" means an ethics commission created by this Act.

"Contribution" has the same meaning as that term is defined in Section 9-1.4 of the Election Code.

"Employee" means (i) any person employed full-time, part-time, or pursuant to a contract and whose employment duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed or (ii) any appointed or elected commissioner, trustee, director, or board member of a board of a State agency, including any retirement system or investment board subject to the Illinois Pension Code or (iii) any other appointee.

"Executive branch constitutional officer" means the Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, and Treasurer.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an employee, member, or officer. The value of a gift may be further defined by rules adopted by the appropriate ethics commission or by the Auditor General for the Auditor General and for employees of the office of the Auditor General.

"Governmental entity" means a unit of local government (including a community college district) or a school district but not a State agency or a Regional Transit Board.

"Member" means a member of the General Assembly.

"Officer" means an executive branch constitutional officer or a legislative branch constitutional officer.

* * *

"Prohibited source" means any person or entity who:

(1) is seeking official action (i) by the member or officer or (ii) in the case of an employee, by the employee or by the member, officer, State agency, or other employee directing the employee;

(2) does business or seeks to do business (i) with the member or officer or (ii) in the case of an employee, with the employee or with the member, officer, State agency, or other employee directing the employee;

(3) conducts activities regulated (i) by the member or officer or (ii) in the case of an employee, by the employee or by the member, officer, State agency, or other employee directing the employee;

(4) has interests that may be substantially affected by the performance or non-performance of the official duties of the member, officer, or employee;

(5) is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act, except that an entity not otherwise a prohibited source does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors; or

(6) is an agent of, a spouse of, or an immediate family member who is living with a "prohibited source".

"Regional Transit Boards" means (i) the Regional Transportation Authority created by the Regional Transportation Authority Act, (ii) the Suburban Bus Division created by the Regional Transportation Authority Act, (iii) the Commuter Rail Division created by the Regional Transportation Authority Act, and (iv) the Chicago Transit Authority created by the Metropolitan Transit Authority Act.

"State agency" includes all officers, boards, commissions and agencies created by the Constitution, whether in the executive or legislative branch; all officers, departments, boards, commissions, agencies, institutions, authorities, public institutions of higher learning as defined in Section 2 of the Higher Education Cooperation Act (except community colleges), and bodies politic and corporate of the State; and administrative units or corporate outgrowths of the State government which are created by or pursuant to statute, other than units of local government (including community college districts) and their officers, school districts, and boards of election commissioners; and all administrative units and corporate outgrowths of the above and as may be created by executive order of the Governor. "State agency" includes the General Assembly, the Senate, the House of Representatives, the President and Minority Leader of the Senate, the Speaker and Minority Leader of the House of Representatives, the Senate Operations Commission, and the legislative support services agencies. "State agency" includes the Office of the Auditor General. "State agency" does not include the judicial branch.

"State employee" means any employee of a State agency.

ARTICLE 10

GIFT BAN

(Source: P.A. 93-617, eff. 12-9-03.)

(5 ILCS 430/10-10)

Sec. 10-10. Gift ban. Except as otherwise provided in this Article, no officer, member, or State employee shall intentionally solicit or accept any gift from any prohibited source or in violation of any federal or State statute, rule, or regulation. This ban applies to and includes the spouse of and immediate family living with the officer, member, or State employee. No prohibited source shall intentionally offer or make a gift that violates this Section.

(Source: P.A. 93-617, eff. 12-9-03.)

(5 ILCS 430/10-15)

Sec. 10-15. Gift ban; exceptions. The restriction in Section 10-10 does not apply to the following:

(1) Opportunities, benefits, and services that are available on the same conditions as for the general public.

(2) Anything for which the officer, member, or State employee pays the market value.

(3) Any (i) contribution that is lawfully made under the Election Code or under this Act or (ii) activities associated with a fundraising event in support of a political organization or candidate.

(4) Educational materials and missions. This exception may be further defined by rules adopted by the appropriate ethics commission or by the Auditor General for the Auditor General and employees of the Office of the Auditor General.

(5) Travel expenses for a meeting to discuss State business. This exception may be further defined by rules adopted by the appropriate ethics commission or by the Auditor General for the Auditor General and employees of the Office of the Auditor General.

(6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiance or fiancée.

(7) Anything provided by an individual on the basis of a personal friendship unless the member, officer, or employee has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the member, officer, or employee and not because of the personal friendship.

In determining whether a gift is provided on the basis of personal friendship, the member, officer, or employee shall consider the circumstances under which the gift was offered, such as:

(i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals;

(ii) whether to the actual knowledge of the member, officer, or employee the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and

(iii) whether to the actual knowledge of the member, officer, or employee the individual who gave the gift also at the same time gave the same or similar gifts to other members, officers, or employees.

(8) Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to eat and delivered by any means.

(9) Food, refreshments, lodging, transportation, and other benefits resulting from the outside business or employment activities (or outside activities that are not connected to the duties of the officer, member, or employee as an office holder or employee) of the officer, member, or employee, or the spouse of the officer, member, or employee, if the benefits have not been offered or enhanced because of the official position or employment of the officer, member, or employee, and are customarily provided to others in similar circumstances.

(10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to a member, officer, or employee of a State agency from another member, officer, or employee of the same State agency; and "inter-governmental gift" means any gift given to a member, officer, or employee of a State agency, by a member, officer, or employee of another State agency, of a federal agency, or of any governmental entity.

(11) Bequests, inheritances, and other transfers at death.

(12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of one another.

(Source: P.A. 93-617, eff. 12-9-03.)

(5 ILCS 430/10-30)

Sec. 10-30. Gift ban; disposition of gifts. A member, officer, or employee does not violate this Act if the member, officer, or employee promptly takes reasonable action to return the prohibited gift to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

(Source: P.A. 93-617, eff. 12-9-03.)

(5 ILCS 430/10-40)

Sec. 10-40. Gift ban; further restrictions. A State agency may adopt or maintain policies that are more restrictive than those set forth in this Article and may continue to follow any existing policies, statutes, or regulations that are more restrictive or are in addition to those set forth in this Article.

(Source: P.A. 93-617, eff. 12-9-03.)

(5 ILCS 430/50-5)

Sec. 50-5. Penalties.

c) A person who intentionally violates any provision of Article 10 is guilty of a business offense and subject to a fine of at least \$1,001 and up to \$5,000.

e) An ethics commission may levy an administrative fine of up to \$5,000 against any person who violates this Act, who intentionally obstructs or interferes with an investigation conducted under this Act by an inspector general, or who intentionally makes a false, frivolous, or bad faith allegation.

(f) In addition to any other penalty that may apply, whether criminal or civil, a State employee who intentionally violates any provision of Section 5-5, 5-15, 5-20, 5-30, 5-35, 5-45, or 5-50, Article 10, Article 15, or Section 20-90 or 25-90 is subject to discipline or discharge by the appropriate ultimate jurisdictional authority. (Emphasis added)

(Source: P.A. 96-555, eff. 8-18-09.)

EXECUTIVE ORDER 15-09
EXECUTIVE ORDER TO ENSURE
ETHICAL AND RESPONSIVE GOVERNMENT

I. DEFINITIONS

As used in this Executive Order:

“**Commission**” means the Executive Ethics Commission.

“**Gift**” has the meaning given to it in the State Officials and Employees Ethics Act (5 ILCS 430/1-5).

* * *

“**Prohibited Source**” has the meaning given to it in the State Officials and Employees Ethics Act (5 ILCS 430/1-5).

“**State Agency**” means any officer, department, agency, board, commission, or authority of the Executive Branch of the State of Illinois.

“**State Employee**” means any employee, officer, or board member of any State Agency.

* * *

III. GIFTS FROM PROHIBITED SOURCES: GIFT AND TRAVEL BAN

1. No State Employee, and no spouse of or immediate family member living with a State Employee, shall intentionally solicit or knowingly accept any Gift from any Prohibited Source that would be prohibited by Section 10-10 of the State Officials and Employees Ethics Act (5 ILCS 430/10-10) (the “statutory gift ban”).
2. The exceptions to the statutory gift ban contained in Subsection (8) (food and refreshments of up to \$75 per day) and Subsection (12) (other gifts of up to \$100 per year) of Section 10-15 of such Act do not apply to State Employees. This provision is not intended to preclude a State Employee from accepting *de minimis* meals or refreshments served at a business meeting or reception attended by the State Employee in the course of his or her official duties, provided that the State Employee adheres to any rules issued by the Governor’s Office of Management and Budget and his or her State Agency.
3. The exceptions to the statutory gift ban contained in Subsection (4) (educational missions) and Subsection (5) (travel expenses) of Section 10-15 of such Act do not apply to State Employees. This provision is not intended to preclude a Prohibited Source from paying for the cost of registration fees, travel, lodging, or meals, provided that, in addition to complying with all other applicable laws and regulations (including Section 1620.700 of the Illinois Administrative Code), (a) the Prohibited Source makes or arranges payment or reimbursement of such costs directly with the State Agency, and (b) the trip is approved in writing in advance by the Executive Director of the Commission.
4. Gifts, including but not limited to grants and monetary or in-kind donations, from any source to the State of Illinois are excluded from the statutory gift ban and this section.

Joint Committee on Administrative Rules

ADMINISTRATIVE CODE

**TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE E: MISCELLANEOUS STATE AGENCIES
CHAPTER VI: EXECUTIVE ETHICS COMMISSION
PART 1620 ORGANIZATION, INFORMATION, RULEMAKING AND HEARINGS
SECTION 1620.700 GIFT BAN**

Section 1620.700 Gift Ban

For purposes of further defining exceptions to the Gift Ban [5 ILCS 430/10-15], the Commission defines the following terms:

- a) "Educational materials and missions" are those materials and missions that:
 - 1) have a close connection to the recipient officer's or employee's State employment or the mission of the agency or office;
 - 2) predominately benefit the public and not the employee or officer; and
 - 3) are approved by the agency's ethics officer in advance of the mission or receipt of the materials, if practicable. If it is not practicable to obtain advance approval, the mission and materials shall be reported to the agency's ethics officer as soon as practicable and shall contain a detailed explanation of why approval could not be obtained in advance. The following items may be accepted without ethics officer approval:
 - A) Single copies of academic or professional publications or software in the employee's or officer's area of responsibility or field of study.
 - B) Waiver of conference registration fees for officers or employees serving as conference speakers, committee members or invitees of the conference host.
- b) Travel Expenses
 - 1) "Travel expenses for a meeting to discuss State business" are those expenses that:
 - A) have a close connection to the recipient officer's or employee's State employment;
 - B) predominately benefit the public and not the employee or officer;

- C) are for travel in a style and manner in character with the conduct of State business; and
 - D) are approved by the agency's ethics officer in advance of the travel, if practicable. If it is not practicable to obtain advance approval, the travel shall be reported to the agency's ethics officer as soon as practicable and contain a detailed explanation of why approval could not be obtained in advance.
- 2) For site visits, "travel expenses for a meeting to discuss State business" are those expenses that:
- A) are related to site visits necessary as part of a purchasing or product review process, satisfy subsections (b)(1)(A) and (C), and are disclosed in a monthly summary report to the agency ethics officer; or
 - B) for purposes of satisfying the requirement of prior ethics officer approval, are travel, meals or lodging paid for by a prohibited source related to fundraising activities conducted by State university development officers or employees; are disclosed in a monthly summary report to the university ethics officer; and are reimbursable, whenever practicable, to the recipient officer's or employee's agency and not directly to the recipient officer or employee.

(Source: Amended at 32 Ill. Reg. 7099, effective July 1, 2008)

Executive Order 15-09 Gift Ban Exception Request Form

Agencies and employees subject to Executive Order 15-09 may not claim Gift Ban exceptions #4 (Educational Materials and Missions) or #5 (Travel Expenses to Discuss State Business) unless the exceptions comply with the provisions of 2 Ill. Admin. Code 1620.700, the Prohibited Source makes or arranges payment or reimbursement directly with the agency, and the trip is approved in advance by the Executive Director of the Executive Ethics Commission.

Agency seeking waiver

Prohibited source

Employee(s) traveling and date of travel

Travel-related expenses to be paid by the prohibited source and approximate value:

I confirm that the travel identified above:

- 1) has a close connection to the recipient officer's or employee's State employment or the mission of the agency or office;
- 2) predominately benefits the public and not the employee or officer;
- 3) is for travel in a style and manner in character with the conduct of State business; and
- 4) is approved by me as the agency's ethics officer in advance .

I also confirm that the Prohibited Source has made or arranged payment or reimbursement of such costs directly with the State Agency.

Additional information to explain why approval should be granted (attach additional sheets):

Ethics Officer signature

(Date)

Based upon the confirmation above, I approve this travel exception pursuant to Executive Order 15-09.

Executive Director, Executive Ethics Commission

(Date)

NOTE: Return a scanned, signed copy via email to Chad.Fornoff@illinois.gov.

Prohibited Political Activity

Executive Ethics Commission
Ethics Officer Conference
March 6, 2015

**What is
“Prohibited Political Activity”?**

Sec. 5-15(a)

- Prohibition against PPA during compensated time, or using State resources for PPA.

Sec. 5-15(b)

- Prohibition against requiring State employee to engage in PPA
 - as part of employment duties
 - as condition of State employment
 - during any compensated time off (vacation, etc.).

Sec. 5-15(c)

- Prohibition against requiring PPA in exchange for employee bonus, salary raise, continued employment, etc.

Sec. 5-15(d)

- Prohibition against rewarding employee who engages in PPA by providing bonus, salary raise, continued employment, etc.

Sec. 5-15(e)

- Nothing in this section prohibits employees from engaging in official activities or activities that are voluntary and otherwise lawful.

Sec. 5-15(f)

- Employees who fall under merit principles or are paid through federal Merit System funds may not be denied employment or denied tenure for being a member or officer of a political committee, political party, organization or club.

EEC Resources for EO's

- EEC is available for questions
 - Various EO questions that relate to PPA are in handouts

Confidential pursuant to 5 ILCS 430/20-90 and 5 ILCS 430/20-95.

Available only to Ethics Officers designated in accordance with 5 ILCS 430/20-23.

Executive Ethics Commission Advice to Ethics Officers

The Executive Ethics Commission, as part of its duties to provide public information, issue recommendations and provide findings upon which officers and employees may upon good faith rely, provides informal advice to agency ethics officers. 5 ILCS 430/20-15(3), (4) and (6); 5 ILCS 430/20-23.

Below is a partial list of questions received from ethics officers and answers provided by the Commission. The questions and answers have been distilled to increase clarity and to prevent identification of the agency or individuals involved.

Each question was asked in a particular context that is not always apparent from the text below. This context is essential to understand the correct application of these answers to other, similar situations. Ethics officers should contact the Commission to determine whether their particular question would be answered in the same manner as those below.

The Commission does not have the authority to issue formal or informal legal opinions. Any person seeking such an opinion should consult the Office of the Illinois Attorney General.

Prohibited Political Activity

- 1. May an employee attend a conference for an organization of Republican lawyers (or Democratic lawyers)?*

Most employees are free to engage in political activity during time that is not compensated by the State. Certain employees, however, are prohibited from engaging in any political activity, and you should check your own agency's statutes and rules to determine whether this is permissible.

Even if this employee is free to engage in political activity during time that is not compensated by the State, he or she should be careful not to misappropriate any State property or resources for the political purpose or to make any contributions while on State property.

- 2. Certain employees of our agency wear uniforms. One such employee is running for county office. May he have campaign publicity photographs taken of him wearing his uniform?*

The Act provides that “State employees shall not intentionally misappropriate any State property or resources by engaging in any prohibited political activity...” 5 ILCS 430/5-15(a). Posing for campaign photographs is political activity.

We understand that the uniform in question is provided free of charge to the employee by the agency and must be returned to the agency when the employee leaves service or when the uniform wears out. It appears that the uniform is State property and using it for campaign purposes would be misappropriation.

Even if the uniform were the property of the employee, it remains a symbol of the State agency. It would be a best practice that this symbol not be misappropriated for political purposes, and the agency should consider drafting rules that would prohibit the use of the uniform for political purposes.

3. *May State employees solicit contributions to a union’s education and political fund on State time or on State property? Let us assume that some or all of these contributions are going to support political campaigns and/or address questions of public policy.*

No. “Prohibited political activity” includes soliciting anything of value intended as a campaign contribution (5 ILCS 430/5-15(3)) and making contributions on behalf of any candidate in connection with a campaign for elective office (5 ILCS 430/5-15(9)). Furthermore, by soliciting contributions for a political fundraiser, meetings or events, the union may be operating in this aspect as a “political organization” defined at 5 ILCS 430/1-5, and seemingly violates 5 ILCS 430/5-15(2).

Such prohibited political activities should not be performed during compensated time or while on State property.

4. *May a member of a State board or commission support a candidate in a local election?*

Yes. Most employees are free to engage in political activity during time that is not compensated by the State. Certain employees, however, are prohibited from engaging in any political activity and you should check statutes related to your agency and agency rules to determine whether this is permissible.

Even if this employee is free to engage in political activity during time that is not compensated by the State, he or she should be careful not to misappropriate any State property or resources for the political purpose or to make any political contributions while on State property. The board or commission member should take care that the support of the candidate be interpreted as individual support and not as the support of the board or commission.

5. *May a State of Illinois employee appear as a guest on a State Senator's public access television program to describe or explain the work she does for the State of Illinois?*

Yes, but with caution. As public officials, we must be responsible to the public, including informing the public about our activities to the extent not otherwise prohibited. Appearances with an announced candidate obviously have the potential to constitute "political activity" within the very broad definitions of the Ethics Act.

State employees should be mindful of both imperatives, i.e., to inform the public and to avoid prohibited political activities and apply their best judgment in given cases.

6. *Our State agency has been asked by a not-for-profit organization to provide some promotional materials to be distributed at a fundraiser for that organization. It is not a political fundraiser. Can we provide these promotional materials?*

Yes. There is nothing within the Ethics Act that prohibits advertising for your agency's programs. So long as these items do not contain the name or likeness of an executive branch constitutional officer or member of the General Assembly, they may be distributed at the organization's fundraiser.

7. *Can a State employee serve as an election judge?*

Yes. So long as this is not done during time compensated by the State and the employee uses no State resources to do this work, serving as an election judge is permissible for most State employees. Certain agencies or people with certain positions are prohibited from engaging in political activity. You should check the statutes and agency rules.

8. *Some of our agency's grantees are members of an association. The grantees pay annual dues to the association and the association spends a very small percentage of these dues engaging in lobbying efforts on behalf of the members. Is this permissible?*

Since the lobbying is done by a third-party and constitutes only a very small percentage of its business, this is probably acceptable. Your agency may wish to add a condition to the grant that prohibits grant money from being used directly or indirectly to pay for lobbying.

9. *Our agency has a “reasonable use” policy that allows employees to make personal telephone calls from a State telephone in certain situations. Is such a policy a violation of the Ethics Act? Can the policy be expanded to apply to the use of a State fax machine?*

The Ethics Act prohibits misappropriation of State property and services for prohibited political activity (5 ILCS 430/5-15). The Act does not address other uses, such as personal use of State property or services, so agencies have certain discretion in matters such as personal calls from State telephones. It would seem that the same terms of reasonable use for a telephone ought to apply to the use of a fax machine, and perhaps, other pieces of office equipment. The Commission believes that the agency could adjust its rules to cover personal use of other pieces of office equipment and remain within the requirements of the Ethics Act.

10. *May an employees’ union conduct a voter registration drive at a State facility?*

State employees may not intentionally misappropriate State property and resources by engaging in any prohibited political activity for the benefit of any campaign for elective office or any political organization. 5 ILCS 430/5-15(a).

The issue before us is whether a voter registration drive is prohibited political activity. Voter registration drives are not specifically enumerated in the definition of “prohibited political activity.” 5 ILCS 430/1-5. Furthermore, the definitions of “political” and “political organizations” contained in the Ethics Act tend to focus on the campaigns, political parties, committees, associations, and funds, and their related activities. Voter registration drives, on the other hand, should be public, neutral activities. In fact, the Federal Government enacted the Motor Voter law that requires states to offer voter registration when drivers’ licenses are renewed, presumably on state property.

For these reasons, the Commission believes that a voter registration drive is not, on its face, a prohibited political activity. Caution should be exercised, however, to ensure that the voter registration drive is party neutral and is not a guise for, or includes, political activity. All people who wish to register should be allowed to do so without regard to party affiliation. Also, political party and candidate paraphernalia should not be displayed or distributed, and volunteers must refrain from any and all attempts at political persuasion. Finally, State employees whose salaries are paid in full or in part by a Federal grant should consider the application of the Hatch Act to their involvement in a voter registration drive.

11. *My Director has been asked to participate in a pre-election debate/discussion forum of issues relevant to our agency. Opposing him in the forum is an elected official from the other political party. May he attend the forum?*

The ban on prohibited political activity means that political activity may not be conducted on State time and that state resources may not be misappropriated for political purposes. Agency directors tend to be employed around the clock, i.e., they do not work normal scheduled hours. Yet, agency directors and senior staff have a duty to inform the public about the work their agencies do. It can be difficult to distinguish prohibited political activity from legitimate attempts to inform the public.

If your Director decides to participate in the forum, we suggest the following: First, he should clarify in his opening remarks that he is not acting as a spokesperson for a political party or candidate. Rather, he is explaining present State policy that he carries out under the law and his comments are directed to what the present law provides and will still provide regardless of who is elected in November, unless and until the General Assembly changes it. He should not in his remarks endorse any party or candidate, and thus should not respond to partisan attacks. He should avoid mention of any candidate by name. We also advise that any honoraria received for his participation is considered to be a gift for purposes of the gift ban.

12. Our agency's regulatory duties include inspecting certain private facilities. The General Assembly has declared a certain week as "Safety Week" at these facilities. May the agency print and distribute stickers to these facilities that announce the Safety Week, but also contain the name of an executive branch constitutional officer?

Section 5-20 of the Ethics Act prohibits the use of the proper name or image of executive branch constitutional officers on certain items including bumper stickers, lapel pins, billboards, magnets, etc. that are designed, paid for, prepared or distributed using public dollars. There is an exception, however, for items "in furtherance of the person's official State duties or governmental and public service functions..." 5 ILCS 430/5-20(b). Each situation must be carefully analyzed concerning both the governmental function and the content of the item.

Based upon our examination of items in question and the agency's governmental function, it appears that such stickers are in furtherance of the agency's official State duties, so printing and distributing them is not a violation of the Ethics Act.

13. A State employee has been diagnosed with cancer and a political organization is planning a fundraiser for him and his family. Can I circulate an email among our employees that contains the benefit flyer from the political organization?

Announcing to agency staff an organized benefit for an employee does not violate the Ethics Act. In this situation, however, it would be best to remove from the announcement any references to the political organization. Instead, a simple email that gives the date, time and location of the benefit and the cost of tickets at the door could avoid the appearance of any prohibited political activity.