

What You Should Know About: Gifts



The Bowie Public Ethics Ordinance, §2-70F, prohibits you, as a City employee or official, from accepting **most** gifts from a “restricted donor.” A restricted donor is a person (or an entity) who:

- has a contract, or is negotiating a contract with the City that is worth a minimum of \$5000;
- has financial interests that may be affected by the performance of your duties;
- is engaged in activities that are regulated or controlled by the City; or
- is a lobbyist on matters within your jurisdiction.

There are some **exceptions** to this prohibition. With the holidays fast approaching, you need to know what gifts you may accept, if they are offered, and what gifts you may not accept. The exceptions to the prohibition permit you to accept:

- 😊 an occasional meal or beverages, if consumed in the presence of the restricted donor or sponsoring entity;
- 😊 an unsolicited gift of any type that does not exceed \$20 in value;
- 😊 REASONABLE travel expenses for attending a meeting given in return for your participation in a panel or have a speaking engagement;
- 😊 tickets or free admission to attend a charitable, cultural, or political event- but only if you are an ELECTED OFFICIAL, as a courtesy or for a ceremony involving the office;
- 😊 any other gift that is exempted by the City Council or the Ethics Commission if it will not adversely affect the impartial conduct of the City’s business and if the gift is purely personal in nature;
- 😊 honoraria that are not related to your official duties.

🚫 But it doesn’t stop here. There is also an **exception to the exceptions** that you need to know. You, as a City employee or official, may not accept **any** gift if:

- 🚫 it is intended to impair your impartiality;
- 🚫 as to any gift worth more than \$20, it appears designed to impair your impartiality; or,
- 🚫 as to any gift worth more than \$20, you have reason to believe that the gift is designed to impair your impartiality.

SO, NOW YOU KNOW- OR DO YOU? Test yourself with the following examples (Look for the answers at the end):



1. I may accept a fruit basket from a vendor during the holidays.
2. I may be a guest for dinner at a fancy restaurant with a contractor.

3. I may accept dinner at a restaurant with a contractor who is in the midst of negotiating a new contract with the City.
4. I may attend a vendor's conference in Oahu to learn about the new products the City just purchased.
5. I may accept travel expenses from a contractor to attend a conference in Wheeling, West Virginia, to give a presentation on best ways to apply the contract.
6. I may accept a plaque from the vendor for making a presentation at the conference.
7. I may accept two free tickets from a vendor to attend the next Redskins/Ravens game.



CONFUSED? It's not as easy as you thought, is it? The **good news** is that if you are offered a gift, or even if you have already accepted a gift that may be prohibited by the ethics law, you may contact the Bowie City Ethics Commission for advice on what to do next. The ethics commission is here to **help you do the right thing.**

Answers:

1. Fruit baskets usually cost more than \$20- so no, you may not accept this gift. However, perishable gifts are hard to return, so you may accept the gift on behalf of the City, for the enjoyment of the public, or for donation to a shelter or food bank. If the gift is accepted, please advise the Ethics Commission so that the donor of the gift may be informed about the City's gift laws.
2. As long as you will be eating in the presence of the donor, you may accept the gift- **UNLESS** – the donor is currently negotiating a contract with the City, is in litigation with the City, or has a dispute pending with the City.
3. See answer to number 2.
4. You may only accept travel expenses from a vendor if they are reasonable (a conference in Hawaii is not!) and if you are a featured speaker at the conference, so either have the City pay your way, pay your own way, or stay home.
5. See answer to number 4.
6. As long as the plaque cost less than \$20, you may accept this gift.
7. You may not accept tickets to this game. Sorry!.



AND HERE'S SOMETHING TO THINK ABOUT: As a City employee or official, do you think you ought to accept gifts from restricted donors, if they are permitted under the Ethics Law? Weigh the benefits of accepting a frozen turkey or a box of fancy chocolate against the risk to your reputation as an impartial and independent-minded servant of the City.