

State of Colorado



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Sally H. Hopper, *Commissioner*
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INDEPENDENT ETHICS COMMISSION

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Position Statement 11-01

(Adjustment of the fifty-dollar (\$50) limit)

I. Introduction

The Colorado Constitution authorizes the Independent Ethics Commission ("IEC" or "Commission") to give advice and guidance on ethics issues arising under Article XXIX of the Colorado Constitution and any other standards of conduct and reporting requirements as provided by law. The Commission may, at its discretion, issue position statements. See IEC Rule 6. Position Statement means a "generally applicable written statement addressing ethics issues, which provides guidance for public officers, members of the General Assembly, local government employees and members of the public." IEC Rule 3(15).

The IEC issues this Position Statement to inform public employees and officials and members of the public that pursuant to Article XXIX section 3(6) the gift limit amount shall be raised to \$53.00 for the next four years.

II. Discussion

Article XXIX Section 3 prohibits a public official or employee from soliciting, accepting or receiving any gift or other thing of value worth more than \$50 in any calendar year, from a person, without that person receiving lawful consideration of equal

or greater value in return, unless it falls under a listed exception. Section 3 (6) provides that:

The fifty-dollar (\$50) limit ...shall be adjusted by an amount based upon the percentage change over a four-year period in the United States bureau of labor statistics consumer price index for Denver- Boulder-Greeley, all items, all consumers, or its successor index, rounded to the nearest lowest dollar. The first adjustment shall be done in the first quarter of 2011 and then every four years thereafter.

The Commission has consulted with the United States Bureau of Labor Statistics, and since the effective date of Article XXIX, the rate of inflation for the Denver-Boulder-Greeley area for all items, all consumers is 7.5%¹. Therefore the \$50 limit should be increased by 7.5% to \$53.75. Article XXIX provides, however, that the gift limitation shall be rounded to the lowest dollar. The Commission therefore announces that the gift limit is \$53 until the first quarter of 2015 when it shall be recalculated.

The Independent Ethics Commission

Matt Smith, *Chairperson*,
Dan Grossman, *Vice Chairperson*
Sally H. Hopper, *Commissioner*
Larry R. Lasha, *Commissioner*
Roy V. Wood, *Commissioner* (Did not participate)

Dated: April 8, 2011

¹ Details of the calculations performed on behalf of the IEC are available at the Commission's Office.