

State of Colorado



Dan Grossman, *Chairperson*
Sally H. Hopper, *Vice-Chairperson*
Bill Pinkham, *Commissioner*
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INDEPENDENT ETHICS COMMISSION

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Position Statement 12-02

(Application of the Gift Ban at Political Events)

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 remind covered individuals and members of the public that all of the proscriptions contained in Article XXIX are applicable and in effect when such covered individuals attend political events and political conventions.

II. Discussion

Section 3 of Article XXIX prohibits public officers, members of the General Assembly, local government officials and government employees from soliciting,

accepting or receiving any gift or other thing of value worth more than \$53¹ in any calendar year, from a person, without that person receiving lawful consideration of equal or greater value in return, unless such gift or thing of value falls under a listed exception. Covered individuals are further reminded that there is no listed exception in Article XXIX for political events or political conventions.

Moreover, Section 4 of Article XXIX prohibits professional lobbyists from giving a gift or thing of value to a covered individual, regardless of the value of such gift. Again, the prohibition contains no exceptions for covered individuals attending political events or political conventions. In short, covered individuals must comply with Amendment XXIX at all times, including during attendance at national political conventions.

The Independent Ethics Commission

Dan Grossman, *Chairperson*,
Sally H. Hopper, *Vice Chairperson* (Did not participate)
Bill Pinkham, *Commissioner*
Matt Smith *Commissioner*

Dated: September 4, 2012

¹ Raised from \$50 pursuant to Position Statement 11-01 and Art. XXIX section 3(6).