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Position Statement 15-01 (Adjustment of the Fifty Three (\$53) Dollar Gift Limit)

I. Introduction

The Colorado Constitution authorizes the Independent Ethics Commission (“the 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. A Position Statement is 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 Commission issues this Position Statement to inform public employees and officials, as well as members of the public, pursuant to Article XXIX, section 3(6) that the gift limit amount shall be raised to \$59.00 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 the gift or thing of value falls under a listed exception. Section 3(6) states:

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 consulted with the United States Bureau of Labor Statistics. Between 2011, the date of the last adjustment, and February 2015, the rate of inflation for the Denver-Boulder-Greeley area for all items, all consumers is 11.7%. Therefore the \$53.00 limit should be increased by 11.7% to \$59.20. Because Article XXIX states that the limit will be rounded to the next lowest dollar, The Commission announces the gift limit is \$59 until the first quarter of 2019 when it shall be recalculated.

The Independent Ethics Commission

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