

***PART IV. GIFTS*****§ 6-26. Solicitation prohibited.***(a) In general.*

Except as permitted under subsection (b) of this section, a public servant may not solicit or facilitate the solicitation of a gift, whether on the public servant's own behalf or on behalf of another person, from any person that the public servant knows or has reason to know:

- (1) does or seeks to do business of any kind, regardless of amount:
  - (i) with the public servant's agency; or
  - (ii) with another person in connection with or in furtherance of a contract that is being negotiated or has been entered into by the other person with the public servant's agency;
- (2) engages or seeks to engage in an activity that is regulated or controlled by the public servant's agency;
- (3) is or, within the preceding 12 months, has been a lobbyist with respect to matters within the jurisdiction of the public servant;
- (4) has a financial interest that might be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of the public servant's official duties; or
- (5) is an owner, partner, officer, director, trustee, employee, or agent of any person described in items (1) through (4) of this subsection.

*(b) Exception.*

The prohibition in subsection (a) of this section does not apply to a solicitation if:

- (1) it is for the benefit of an official governmental program or activity or a City-endorsed charitable function or activity; and
- (2) it either:
  - (i) is expressly allowed by a rule or regulation of the Ethics Board; or
  - (ii) otherwise has been approved in advance by the Ethics Board, on the written request of the public servant and his or her agency.

*(Ord. 04-795; Ord. 10-267; Ord. 15-373.)*

**EDITOR'S NOTE**

Board Regulations R 06.26.1 and R 06.26.2 sets out criteria for obtaining approval under § 6-26(b) for "official governmental" or "City-endorsed charitable" solicitations.

**Defined terms:**

<i>Agency</i>	§2-2	<i>Lobbyist</i>	§2-20
<i>Ethics Board</i>	§2-10	<i>May not</i>	cf. §2-36
<i>Financial interest</i>	§2-16	<i>Person</i>	§2-22
<i>Gift</i>	§2-17	<i>Public servant</i>	§2-23

**§ 6-27. Acceptance prohibited.**

Except as otherwise provided in this Part IV, a public servant may not knowingly accept any gift, directly or indirectly, from any person that the public servant knows or has reason to know:

- (1) does or seeks to do business of any kind, regardless of amount:
  - (i) with the public servant’s agency; or
  - (ii) with another person in connection with or in furtherance of a contract that is being negotiated or has been entered into by the other person with the public servant’s agency;
- (2) engages or seeks to engage in an activity that is regulated or controlled by the public servant’s agency;
- (3) is or, within the preceding 12 months, has been a lobbyist with respect to matters within the jurisdiction of the public servant;
- (4) has a financial interest that might be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of the public servant’s official duties; or
- (5) is an owner, partner, officer, director, trustee, employee, or agent of any person described in items (1) through (4) of this section.

*(Ord. 04-795; Ord. 10-267; Ord. 15-373; Ord. 16-503.)*

**Defined terms:**

<i>Agency</i>	§2-2	<i>Lobbyist</i>	§2-20
<i>Employee</i>	§2-9	<i>May not</i>	cf. §2-36
<i>Financial interest</i>	§2-16	<i>Person</i>	§2-22
<i>Gift</i>	§2-17	<i>Public servant</i>	§2-23

**§ 6-28. Qualified exemptions.**

Subject to § 6-29 {“Exemption limitations”} of this subtitle, the prohibitions in § 6-27 {“Acceptance prohibited”} of this subtitle do not apply to the unsolicited receipt of:

- (1) food or beverages received and consumed by the recipient in the presence of the donor or sponsoring entity;
- (2) gifts or awards that have insignificant monetary value, as defined by rule or regulation of the Board;