

# Louisiana's Conflict of Interest Laws

## R. S. 42:1101 *et seq.*

**§1102.** Definitions Words You Need to Understand:

Unless the context clearly indicates otherwise, the following words and terms, when used in this Chapter, shall have the following meanings:

\* \* \*

(2)(a) "**Agency**" means a department, office, division, agency, commission, board, committee, or other organizational unit of a governmental entity. For purposes of this Chapter, "agency of the public servant" and "his agency" when used in reference to the agency of a public servant shall mean:

\* \* \*

(iv) For public servants in the **legislative branch** of state government, it shall mean the agency or house of the legislature by which a public employee is employed and **the legislative branch in the case of legislators.**

\* \* \*

4) "**Assist**" means to act in such a way as to help, advise, furnish information to, or aid a person with the intent to assist such person.

\* \* \*

(7) "**Compensation**" means any thing of economic value which is paid, loaned, granted, given, donated, or transferred or to be paid, loaned, granted, given, donated, or transferred for or in consideration of personal services to any person.

(8) "**Controlling interest**" means any ownership in any legal entity or beneficial interest in a trust, held by or on behalf of an individual or a member of his immediate family, either individually or collectively, which exceeds twenty-five percent of that legal entity.

(9) "**Elected official**" means any person holding an office in a governmental entity which is filled by the vote of the appropriate electorate. It shall also include any person appointed to fill a vacancy in such offices.

\* \* \*

(12) "**Governmental entity**" means the **state** or any political subdivision which employs the public employee or employed the former public employee or to which the elected official is elected, as the case may be.

(13) "**Immediate family**" as the term relates to a public servant means his children, the spouses of his children, his brothers

and their spouses, his sisters and their spouses, his parents, his spouse, and the parents of his spouse.

\* \* \*

(15) "**Participate**" means to take part in or to have or share responsibility for action of a governmental entity or a proceeding, personally, as a public servant of the governmental entity, through approval, disapproval, decision, recommendation, the rendering of advice, investigation, or the failure to act or perform a duty.

(16) "**Person**" means an individual or legal entity other than a governmental entity, or an agency thereof.

\* \* \*

(19) "**Public servant**" means a public employee or an elected official.

\* \* \*

(20.1) "**Service**" means the performance of work, duties, or responsibilities, or the leasing, rental, or sale of movable or immovable property.

(21) "**Substantial economic interest**" means an economic interest which is of greater benefit to the public servant or other person than to a general class or group of persons, except:

(a) The interest that the public servant has in his position, office, rank, salary, per diem, or other matter arising solely from his public employment or office.

(b) The interest that an elected official who is elected to a house, body, or authority has in a position or office of such house, body, or authority which is required to be filled by a member of such house, body, or authority by law, legislative rule, or home rule charter.

(c) The interest that a person has as a member of the general public.

(22)(a) "**Thing of economic value**" means money or any other thing having economic value, except . . . . [SEE, EXCEPTIONS, page 22]. . and includes but is not limited to:

(i) Any loan, *except a bona fide loan made by a duly licensed lending institution at the normal rate of interest*, any property interest, interest in a contract, merchandise, service, and any employment or other arrangement involving a right to compensation.

(ii) Any option to obtain a thing of economic value, irrespective of the conditions to the exercise of such option.

(iii) Any promise or undertaking for the present or future delivery or procurement of a thing of economic value.

\* \* \*

(c) Things of economic value shall not include salary and related benefits of the public employee due to his public employment or salary and other emoluments of the office held by the elected official. . . .

\* \* \*

(23) **"Transaction involving the governmental entity"** means any proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other such particular matter which the public servant or former public servant of the governmental entity in question knows or should know:

(a) Is, or will be, the subject of action by the governmental entity.

(b) Is one to which the governmental entity is or will be a party.

(c) Is one in which the governmental entity has a direct interest. A transaction involving the agency of a governmental entity shall have the same meaning with respect to the agency.

**§1111. Payment from nonpublic sources**

A.(1) Payments for services to the governmental entity. No public servant shall receive anything of economic value, other than compensation and benefits from the governmental entity to which he is duly entitled, for the performance of the duties and responsibilities of his office or position; . . . .

\* \* \*

B. Finder's fees. No public servant shall receive any thing of economic value from a person to whom the public servant has directed business of the governmental entity.

C. Payments for nonpublic service.

(1) No *public servant* shall receive any thing of economic value for any *service*, the subject matter of which:

(a) Is devoted substantially to the responsibilities, programs, or operations of the agency of the public servant and in which the public servant has participated;  
or

(b) Draws substantially upon official data or ideas which have not become part of the body of public information.

(2) No *public servant* and no legal entity in which the *public servant* exercises *control* or owns an interest in excess of twenty-five percent, shall receive *any thing of economic value* for or in consideration of *services* rendered, or to be rendered, to or for any *person* during his public service unless such services are:

(a) Bona fide and actually performed by the *public servant* or by the entity;

(b) Not within the course of his official duties;

(c) Not prohibited by R.S. 42:1112 or by applicable laws [R. S. 42:1113 for instance] or regulations governing nonpublic employment for such *public servant*; and

(d) Neither performed for nor *compensated* by any *person* from whom such *public servant* would be prohibited by R.S. 42:1115(A)(1) [*person* who has or is seeking to obtain contractual or other business or financial relationships with the Legislature] or (B) [limited to *public employees, i.e.* your legislative assistants] from receiving a gift. [does NOT include lobbyists or their principles]

[Board has applied this 1111C(2)(d) prohibition as applying to the spouse of a public servant; so if prohibited to you its prohibited to your spouse]

\* \* \*

(4) Notwithstanding the provisions of Subparagraph (d) of Paragraph (2) of this Subsection, an *elected official* shall not be prohibited for a period of not more than ninety days following the first day of his initial term of office from receiving compensation from a *person* from whom he would be prohibited by R.S. 42:1115(A)(1) from receiving a gift [*person* seeking to obtain contractual or other business or financial relationships with the Legislature] for the completion while in office of any contract or subcontract which was entered into prior to his initial election to office, provided that such contract or subcontract is written and includes established terms for compensation and completion and that such contract or subcontract shall not be renewed after his initial election. Within thirty days of taking office, the ELECTED OFFICIAL SHALL FILE A WRITTEN NOTICE of such contract or subcontract with his *governmental entity* [state, but read House, either Speaker or Clerk] and the Board of Ethics, setting forth the nature of the contract or subcontract, the established completion date, and the established compensation therefor.

D. Payments for future services. No *public servant* shall receive, directly or indirectly, *any thing of economic value* during the term of his public service in consideration of personal *services* to be rendered to or for any *person*

subsequent to the term of such public service; however, a *public servant* may enter into a contract for prospective employment during the term of his public service unless otherwise prohibited by R.S. 42:1116. [Can't use the authority of your office in a manner intended to compel or coerce any person to provide you or another person with any thing of economic value, i.e. a future job. Also, note that R.S. 42:1112 prohibits participation involving matter in which such a person (with whom he is negotiating prospective employment or with whom he has prospective employment arrangement) has a substantial economic interest]

E. Payments for rendering assistance to certain *persons*.

(1) No *public servant*, and no legal entity of which such *public servant* is an officer, director, trustee, partner, or employee, or in which such *public servant* has a *substantial economic interest*, shall receive or agree to receive *any thing of economic value* for *assisting a person* in a *transaction*, or in an appearance in connection with a *transaction*, with the *agency* of such *public servant*.

(2)(a) No *elected official* of a *governmental entity* shall receive or agree to receive *any thing of economic value* for *assisting a person* in a *transaction* or in an appearance in connection with a *transaction* with the *governmental entity* or its officials or agencies, unless HE SHALL FILE A SWORN WRITTEN STATEMENT with the board prior to or at least ten days after initial assistance is rendered.

(b) The contents of the sworn written statement required by this Subsection shall be prescribed by the board and such statement shall be a public record. [under oath; your name & address; name & address of person contracting with you; description of nature of work & compensation; and describe transaction]

\* \* \*

**§1112.** Participation in certain transactions involving the governmental entity

A. No *public servant*, except as provided in R.S. 42:1120 [See, page 18], shall *participate* in a *transaction* in which he has a personal *substantial economic interest* of which he may be reasonably expected to know involving the *governmental entity*.

B. No *public servant*, except as provided in R.S. 42:1120 [See, page 18], shall *participate* in a *transaction* involving the *governmental entity* in which, to his actual knowledge, any of the following *persons* has a *substantial economic interest*.

(1) Any member of his *immediate family*.

(2) Any *person* in which he has a *substantial economic interest* of which he may reasonably be expected to know.

(3) Any *person* of which he is an officer, director, trustee, partner, or employee.

(4) Any *person* with whom he is negotiating or has an arrangement concerning prospective employment.

(5) Any *person* who is a party to an existing contract with such *public servant*, or with any legal entity in which the *public servant* exercises control or owns an interest in excess of twenty-five percent, or who owes *any thing of economic value* to such *public servant*, or to any legal entity in which the *public servant* exercises control or owns an interest in excess of twenty-five percent, and who by reason thereof is in a position to affect directly the economic interests of such *public servant*.

\* \* \*

**§1113. Prohibited contractual arrangements**

A. No *public servant*, excluding any legislator . . . , or member of such a *public servant's immediate family*, or legal entity in which he has a *controlling interest* shall bid on or enter into any contract, subcontract, or other *transaction* that is under the supervision or jurisdiction of the *agency* of such *public servant*.

[You can be the *immediate family member* of a *public servant* covered by this prohibition and thus be prohibited from contracting or *transacting* with the *agency* of your family member]

\* \* \*

C. No *legislator*, member of his *immediate family*, or legal entity in which he has a *controlling interest* shall bid on or enter into or be in any way interested in any contract, subcontract, or other *transaction* involving the legislator's *agency*.

D.(1)(a) No *legislator* or person who has been certified by the secretary of state as elected to the legislature, or spouse of a legislator or person who has been certified as elected to the legislature, nor any corporation, partnership, or other legal entity in which the *legislator* or person who has been certified by the secretary of state as elected to the legislature or the spouse of a legislator or spouse of a person who has been certified by the secretary of state as elected to the legislature owns any interest in, except publicly traded corporations, shall enter into any contract or subcontract with any branch, agency, department, or institution of state government or with the Louisiana Insurance Guaranty Association, the Louisiana Health Insurance Guaranty Association, or any other quasi public entity created in law unless . . . . SEE EXCEPTIONS, page 23

(b)(i) SEE EXCEPTIONS, page 24

(ii) SEE EXCEPTIONS, page 24

(2)

SEE EXCEPTIONS, page 24

**§1113.1.** Gubernatorially declared emergencies or disasters; prohibited personal use conversion and prohibited preferences

A. During a gubernatorially declared emergency or disaster, no *public servant* shall convert property or resources of his *governmental entity* or property or resources which have been loaned to his *governmental entity* to or for his personal use.

[Would have thought this was against the code in any case, wouldn't you?]

B. During a gubernatorially declared emergency or disaster, no *public servant* shall offer, loan, or donate the property or resources of his *governmental entity* or property or resources which have been loaned to his *governmental entity* to or for the use of *members of his immediate family* in a manner which is preferential to *members of his immediate family* over members of the general public. [Acts 2007, No. 141, §1.]

[Does "B" create an exception to 1113 without explicitly stating so?]

\* \* \*

**§1115. Gifts**

A. No *public servant* shall solicit or accept, directly or indirectly, *any thing of economic value* as a gift or gratuity from any *person* or from any officer, director, agent, or employee of such

*person*, if such *public servant* knows or reasonably should know that such *person*:

- (1) Has or is seeking to obtain contractual or other business or financial relationships with the *public servant's agency*, or
- (2) Is seeking, for compensation, to influence the passage or defeat of legislation by the *public servant's agency*.

B. No *public employee* shall solicit or accept, directly or indirectly, *anything of economic value* as a gift or gratuity from any *person* or from any officer, director, agent, or employee of such *person*, if such *public employee* knows or reasonably should know that such *person*:

- (1) Conducts operations or activities which are regulated by the public employee's *agency*.
- (2) Has *substantial economic interests* which may be substantially affected by the performance or nonperformance of the *public employee's* official duty.

#### **§1116.** Abuse of office

A. No *public servant* shall use the authority of his office or position, directly or indirectly, in a manner intended to compel or coerce any *person* or other *public servant* to provide himself, any other *public servant*, or other *person* with *any thing of economic value*. This Subsection shall not be construed to

limit that authority authorized by law, statute, ordinance, or legislative rule in carrying out official duties.

B. No *public servant* shall use the authority of his office or position, directly or indirectly, in a manner intended to compel or coerce any *person* or other *public servant* to engage in political activity. For the purposes of this Subsection, "political activity" means an effort to support or oppose the election of a candidate for political office in an election. This Subsection shall not be construed to limit that authority authorized by law, statute, ordinance, or legislative rule in carrying out official duties.

\* \* \*

**§1117. Illegal payments**

No *public servant* or other *person* shall give, pay, loan, transfer, or deliver or offer to give, pay, loan, transfer, or deliver, directly or indirectly, to any *public servant* or other *person any thing of economic value* which such *public servant* or other *person* would be prohibited from receiving by any provision of this Part.

**§1118. Influencing action by legislature or governing authority**

No *public servant* shall solicit or receive *any thing of economic value*, directly or indirectly, for, or to be used by him or a *member of his immediate family* principally to aid in, (1) the

accomplishment of the passage or defeat of any matter affecting his *agency* by the legislature, if his *agency* is a state agency, or by the governing authority, if his agency is an agency of a political subdivision, or (2) the influencing, directly or indirectly, of the passage or defeat of any matter affecting his *agency* by the legislature, if his *agency* is a state agency, or by the governing authority, if his agency is an agency of a political subdivision.

**§1118.1.** Studies or position papers on public policy

A. If not otherwise prohibited by the code of ethics, any *public employee* of the executive, judicial, or legislative branch of state government or any local governmental subdivision who contracts with a *person* or *governmental entity* to provide political position papers, economic studies, or policy statements relative to public policy concerning any rule, regulation, or legislation proposed, passed, or adopted by the state or any of its political subdivisions, or any entity receiving public funds, SHALL DISCLOSE THE NAME AND ADDRESS OF THE *PERSON* OR *GOVERNMENTAL ENTITY* ENGAGING HIS SERVICES, THE AMOUNT OF THE CONTRACT, AND THE NATURE OF THE BUSINESS OR RELATIONSHIP.

B. The disclosure statements required by this Section shall be filed with the appropriate ethics body for public employees prior to the publication, dissemination, or public release of such paper, study, or statement.

[Board has adopted no rules relative to this disclosure]

**§1119. Nepotism**

A. No *member of the immediate family* of an agency head shall be employed in his *agency*.

\* \* \*

C.(1) Any *person* serving in public employment on the effective date of this Section, whose employment is in violation of this Section, may continue in such employment and the provisions of this Section shall not be construed to hinder, alter, or in any way affect normal promotional advancements in public employment for such employee.

(2) The provisions of this Section shall not prohibit the continued employment of any *public employee* nor shall it be construed to hinder, alter, or in any way affect normal promotional advancements for such *public employee* where a member of public employees' *immediate family* becomes the agency head of such public employee's *agency*, provided that such *public employee* has been employed in the *agency* for a

period of at least one year prior to the member of the public employee's *immediate family* becoming the agency head.

\* \* \*

(5) The provisions of this Section shall not be construed to prohibit the reemployment of a retiree whose employment was allowed under the provisions of this Section on the date of his retirement. Any such reemployment shall be in compliance with all other applicable laws.

\* \* \*

D. A willful violation of this Section shall subject the agency head, member of the governing authority, or chief executive, as the case may be, the *public employee* having authority to hire and fire the employee, the immediate supervisor of the employee, and such employee, to disciplinary action and penalties provided by this Chapter.

\* \* \*

**§1120.** Recusal from voting

A. If any *elected official*, in the discharge of a duty or responsibility of his office or position, would be required to vote on a matter which vote would be a violation of R.S. 42:1112, he shall recuse himself from voting. Notwithstanding the foregoing, an *elected official* shall not be required to recuse

himself if he prepares and files the statement required by this Section as provided herein. In such case, the *elected official* shall prepare in writing a statement describing the matter in question, the nature of the conflict or potential conflict, and the reasons why, despite the conflict, the *elected official* is able to cast a vote that is fair, objective, and in the public interest. Such statement shall be filed within three days of the vote with the chief clerical officer of the respective house of the legislature, of the legislative committee, of the governing authority, or of any other body in which the vote is taken, as the case may be, who shall cause the statement to be recorded in the official journal, minutes, or other official record of the body. In addition, the *elected official* shall BE REQUIRED TO FILE A COPY of such statement as it appears in such published or recorded official journal, minutes, or record, with the appropriate ethics body.

B. This Section shall not be applicable when the *elected official* is the sole decisionmaker in the discharge of the particular duty or responsibility of his office or position.

C. This Section shall not extend to any act of *participation* other than voting.

**§1121.** Assistance to certain persons after termination of public service

A.(1) No former agency head or *elected official* shall, for a period of two years following the termination of his public service as the head of such *agency* or as an *elected public official* serving in such *agency*, *assist* another *person*, for *compensation*, in a *transaction*, or in an appearance in connection with a *transaction*, involving that *agency* or render any service on a contractual basis to or for such *agency*.

\* \* \*

B.(1) General rule for other *public employees*. No former *public employee* shall, for a period of two years following the termination of his public employment, *assist* another *person*, for *compensation*, in a *transaction*, or in an appearance in connection with a *transaction* in which such former *public employee participated* at any time during his public employment and involving the *governmental entity* by which he was formerly employed, or for a period of two years following termination of his public employment, render, any service which such former *public employee* had rendered to the *agency* during the term of his public employment on a contractual basis, regardless of the parties to the contract, to, for, or on behalf of the *agency* with which he was formerly employed.

\* \* \*

C. No legal entity in which a former *public servant* is an officer, director, trustee, partner, or employee shall, for a period of two years following the termination of his public service, *assist* another *person*, for *compensation*, in a *transaction*, or in an appearance in connection with a *transaction* in which such *public servant* at any time *participated* during his public service and involving the *agency* by which he was formerly employed or in which he formerly held office.

D. No former *public servant* shall share in any *compensation* received by another *person* for *assistance* which such former *public servant* is prohibited from rendering by this Section.

E. Termination of public service. For the purposes of Subsections B and C of this Section, termination of public employment or service means the termination of employment with the *agency* which employed the *public employee*, or the termination of public service with the *agency* in which an *elected official* served, when he *participated* in the *transaction*.

\* \* \*

## EXCEPTIONS:

[Listed in the order in which they appear in the Code]

**§1102(22)** *Thing of Value* except: “promotional items having no substantial resale value; . . . food, drink, or refreshments consumed by a public servant, including reasonable transportation and entertainment incidental thereto, while the personal guest of some *person*, and, with reference to legislators and employees in the legislative branch of state government only, reasonable transportation when organized primarily for educational or informational purposes, including food and drink incidental thereto”

(d)(i) With reference to legislators and employees in the legislative branch of state government only, and for purposes of this Section, "*reasonable transportation*", when organized primarily for educational or for informational purposes, including on-site inspections, shall include transportation to any point within the boundaries of this state, including the territorial waters thereof, and to any offshore structure located on the outer continental shelf seaward of such territorial waters and offshore of Louisiana. With reference to employees in the legislative branch of state government, such transportation shall only be for official legislative purposes and shall have

prior approval from the presiding officer of the respective house wherein such legislative employee is employed.

(ii) With references to legislators only, "*reasonable transportation*", when organized primarily for entertainment purposes incidental to food, drink, or refreshments, shall include transportation to any point within this state that is within a fifty-mile radius of the perimeter of the legislator's district, or within a fifty-mile radius of the perimeter of the parish wherein the state capitol is located if the legislator is conducting official business in said parish.

**§1113D(1)(a)** – Prohibiting contracts with the State: . . . unless the contract or subcontract is awarded by competitive bidding after being advertised and awarded in accordance with Part II of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950 or is competitively negotiated through a request for proposal process or any similar competitive selection process [Board has found that the “similar competitive process” exception must be objectively competitive, as judged by the Board] in accordance with Chapters 16 or 17 of Title 39 of the Louisiana Revised Statutes of 1950.

**§1113D(1)(b)(i)** For the purposes of this Section, a provider agreement entered into with the Department of Health and Hospitals under the state medical assistance program shall not be considered a contract or subcontract.

**(ii)** For the purposes of this Section, a foster parent provider agreement or a child care provider agreement entered into with the Department of Social Services shall not be considered a contract or subcontract.

**§1113D(2)** The provisions of this Subsection shall not prohibit the following:

(a) Completion of any contract or subcontract otherwise prohibited by this Subsection which was entered into prior to initial election to the legislature; however, no such contract or subcontract shall be renewed. [these are not the §1111C(4) contracts, with contractors with your agency, which may be continued for 90 days with the filing of a disclosure report]

(b) Completion of any contract or subcontract otherwise prohibited by this Subsection which was entered into prior to July 1, 1995; however, no such contract or subcontract shall be renewed.

(c) Contracts for employment in a professional educational capacity in an elementary or secondary school or other educational institution. [professional educational capacity is a term used in Dual officeholding (R.S. 42:61 *et seq.*; the A. G. has opined regarding what

positions qualify: such as, generally you must be in the classroom teaching or be involved in establishing the curriculum criteria or coursework requirements]

(d) Contracts of sale pursuant to the expropriation of immovable property by any branch, agency, department, or institution of state government.

(e) Contracts of employment of a physician with the state or the charity hospitals of the state. [What is the interplay between this and R.S. 42:63(F) in dual officeholding which prohibits an elected official from contracting to perform full time health or health related services to the state?]

(f) Donation of professional veterinary services or the donation of any goods and services related to the provision of such veterinary services.

### **§1123. Exceptions**

This Part shall not preclude:

(1) *Participation* in the affairs of charitable, religious, nonprofit educational, public service, or civic organizations, bona fide organized public volunteer fire departments when no *compensation* is received, or the activities of political parties not proscribed by law. Provided, however, that the Code of Governmental Ethics shall apply to the purchase of fire trucks by bona fide organized public fire departments.

(2)(a) Awards for meritorious public contributions given by public service organizations. [plaques and awards recognizing your

service; also, the Board has opined that monetary grants or awards made by service organizations are allowable]

\* \* \*

(3) Sharing in any *compensation* received from the *governmental entity* by a *person* of which such *public servant* owns or controls less than ten percent, provided such *public servant* did not *participate* or *assist* in the procurement of such *compensation*, except as otherwise specifically prohibited by R.S. 42:1113.

(4) Sharing in any *compensation* received from the *governmental entity* by a *person* of which such *public servant* owns or controls any portion thereof, provided such *compensation* was received by such *person* as a result of having made the lowest sealed competitive bid on a contract or subcontract and having had such bid accepted by the governmental entity or the general contractor, and provided such *public servant* did not *participate* or *assist* in the procurement of the acceptance of such low bid, except as otherwise specifically prohibited by R.S. 42:1113.

(5) Campaign contributions for use in meeting campaign expenses by any *public servant* who is or becomes a candidate for election to the same or another public office.

\* \* \*

(13) The acceptance by an *elected official* of *anything of economic value* as a gift or gratuity from any *person* when the value of such gift does not exceed one hundred dollars per event, up to an aggregate amount of five hundred dollars in a calendar year from any *person*, and when the nature of the gift is limited to a cultural or sporting event within the boundaries of this state including the territorial waters thereof, including entertainment reasonably incidental thereto. The provisions of this Paragraph shall also be applicable to an *elected official* who is on official business of his *governmental entity* outside of the boundaries of this state as long as said elected official is entitled to *compensation* or reimbursement from his *agency* for such official business.

\* \* \*

(16)(a) Notwithstanding the provisions of R.S. 42:1102(22), when making a public speech, the acceptance by a member of the legislature of food, refreshments, and lodging reasonably related to making such speech, as well as reasonable transportation from his home, or the capitol, to and from the site of the speaking engagement from the sponsoring group or organization, provided the public speech is given in any state of the United States or Canada and provided such member of the legislature FILES AN AFFIDAVIT WITH THE BOARD OF ETHICS, within

SIXTY DAYS OF MAKING such public speech, disclosing the name of the sponsoring group or organization and the amount expended on his behalf by the sponsoring group or organization on food and refreshments, lodging, and transportation.

(b) For the purposes of this Paragraph, the phrase "public speech" shall mean a speech, or other oral presentation, including a panel discussion, or radio or television appearance before the public at large, or before any civic, political, religious, educational, or eleemosynary group or organization by a member of the legislature in his capacity as a legislator.

\* \* \*

(26) The acceptance by a *public servant* of *anything of economic value* as a gift or gratuity from any *person* when the value of such gift or gratuity does not exceed one hundred dollars per event, for flowers or a donation in connection with the death of a *member of the immediate family* of a *public servant*.

Rules of the Board of Ethics: §1303.

A. Statements filed pursuant to Section 1111(E) of the Code of Governmental Ethics shall:

1. be made under oath; and

2. contain:

(a) the name and address of the *elected official*;

(b) the name and address of the *person* employing or retaining the official to perform the *services*;

(c) a description of the nature of the work and the amount of the *compensation* for *services* rendered or to be rendered; and

(d) a brief description of the *transaction* in reference to which *services* are rendered or to be rendered.

B. The executive secretary shall maintain these statements suitably indexed.