



NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

This table is intended to provide general information and does not necessarily address all aspects of this topic. Because the facts of each situation may vary, this information may need to be supplemented by consulting legal advisors. It reflects in summary form statutes/constitutional provisions/legislative chamber rules in effect as of 5/31/2008 or statutes set to take effect shortly thereafter.

State	Policy	Statutory Reference
Alabama	<p>TITLE 36 Public Officers and Employees CHAPTER 25 Code of Ethics for Public Officials, Employees, etc. § 36-25-1 Definitions</p> <p>...</p> <p>(8) Conflict of interest. A conflict on the part of a public official or public employee between his or her private interests and the official responsibilities inherent in an office of public trust. A conflict of interest involves any action, inaction, or decision by a public official or public employee in the discharge of his or her official duties which would materially affect his or her financial interest or those of his or her family members or any business with which the person is associated in a manner different from the manner it affects the other members of the class to which he or she belongs. A conflict of interest shall not include any of the following:</p> <p style="padding-left: 40px;">a. A loan or financial transaction made or conducted in the ordinary course of business.</p> <p style="padding-left: 40px;">b. An occasional nonpecuniary award publicly presented by an organization for performance of public service.</p> <p style="padding-left: 40px;">c. Payment of or reimbursement for actual and necessary expenditures for travel and subsistence for the personal attendance of a public official or public employee at a convention or other meeting at which he or she is scheduled to meaningfully participate in connection with his or her official duties and for which attendance no reimbursement is made by the state.</p> <p style="padding-left: 40px;">d. Any campaign contribution, including the purchase of tickets to, or advertisements in journals, for political or testimonial dinners, if the contribution is actually used for political purposes and is not given under circumstances from which it could reasonably be inferred that the purpose of the contribution is to substantially influence a public official in the performance of his or her official duties.</p>	Ala. Code § 36-25-1(8) (2008).
	<p>TITLE 36 Public Officers and Employees CHAPTER 25 Code of Ethics for Public Officials, Employees, etc. § 36-25-5 Personal use of office</p> <p>...</p> <p>(f) A conflict of interest involves any action, inaction, or decision by a public official in the discharge of his or her official duties which would materially affect his or her financial interest or those of his or her family members or any business</p>	Ala. Code § 36-25-5(f) (2008).

	<p>with which the person is associated in a manner different from the manner it affects the other members of the class to which he or she belongs.</p> <p>A conflict of interest shall exist when a member of a legislative body, public official, or public employee has a substantial financial interest by reason of ownership of, control of, or the exercise of power over any interest greater than five percent of the value of any corporation, company, association, or firm, partnership, proprietorship, or any other business entity of any kind or character which is uniquely affected by proposed or pending legislation; or who is an officer or director for any such corporation, company, association, or firm, partnership, proprietorship, or any other business entity of any kind or character which is uniquely affected by proposed or pending legislation.</p>	
Alaska	<p>TITLE 24. LEGISLATURE CHAPTER 60. STANDARDS OF CONDUCT ARTICLE 2. STANDARDS OF CONDUCT Sec. 24.60.030. Prohibitions related to conflicts of interest and unethical conduct</p> <p>(a) A legislator or legislative employee may not</p> <p>(1) solicit, agree to accept, or accept a benefit other than official compensation for the performance of public duties; this paragraph may not be construed to prohibit lawful solicitation for and acceptance of campaign contributions, solicitation or acceptance of contributions for a charity event, as defined in AS 24.60.080(a)(2)(B), or the acceptance of a lawful gratuity under AS 24.60.080;</p> <p>(2) use public funds, facilities, equipment, services, or another government asset or resource for a nonlegislative purpose, for involvement in or support of or opposition to partisan political activity, or for the private benefit of either the legislator, legislative employee, or another person; this paragraph does not prohibit</p> <p>(A) limited use of state property and resources for personal purposes if the use does not interfere with the performance of public duties and either the cost or value related to the use is nominal or the legislator or legislative employee reimburses the state for the cost of the use;</p> <p>(B) the use of mailing lists, computer data, or other information lawfully obtained from a government agency and available to the general public for nonlegislative purposes;</p> <p>(C) the legislative council, notwithstanding AS 24.05.190, from designating a public facility for use by legislators and legislative employees for health or fitness purposes; when the council designates a facility to be used by legislators and legislative employees for health or fitness purposes, it shall adopt guidelines governing access to and use of the facility; the guidelines may establish times in which use of the facility is limited to specific groups;</p> <p>(D) a legislator from using the legislator's private office in the capital city during a legislative session, and for the 10 days immediately before and the 10 days immediately after a legislative session, for nonlegislative purposes if the use does not interfere with the performance of public duties and if there is no cost to the state for the use of the space and equipment, other than utility costs and minimal wear and tear, or the legislator promptly reimburses the state for the cost; an office is considered a legislator's private office under this subparagraph if it is the primary space in the capital city reserved for use by the legislator, whether or not it is shared with others;</p> <p>(E) a legislator from use of legislative employees to prepare and send out</p>	Alaska Stat. § 24.60.030 (2008).

	<p>seasonal greeting cards;</p> <p>(F) a legislator from using state resources to transport computers or other office equipment owned by the legislator but primarily used for a state function;</p> <p>(G) use by a legislator of photographs of that legislator;</p> <p>(H) reasonable use of the Internet by a legislator or a legislative employee except if the use is for election campaign purposes;</p> <p>(I) a legislator or legislative employee from soliciting, accepting, or receiving a gift on behalf of a recognized, nonpolitical charitable organization in a state facility;</p> <p>(J) a legislator from sending any communication in the form of a newsletter to the legislator's constituents, except a communication expressly advocating the election or defeat of a candidate or a newsletter or material in a newsletter that is clearly only for the private benefit of a legislator or a legislative employee; or</p> <p>(K) full participation in a charity event approved in advance by the Alaska Legislative Council;</p> <p>(3) knowingly seek, accept, use, allocate, grant, or award public funds for a purpose other than that approved by law, or make a false statement in connection with a claim, request, or application for compensation, reimbursement, or travel allowances from public funds;</p> <p>(4) require a legislative employee to perform services for the private benefit of the legislator or employee at any time, or allow a legislative employee to perform services for the private benefit of a legislator or employee on government time; it is not a violation of this paragraph if the services were performed in an unusual or infrequent situation and the person's services were reasonably necessary to permit the legislator or legislative employee to perform official duties;</p> <p>(5) use or authorize the use of state funds, facilities, equipment, services, or another government asset or resource for the purpose of political fund raising or campaigning; this paragraph does not prohibit</p> <p>(A) limited use of state property and resources for personal purposes if the use does not interfere with the performance of public duties and either the cost or value related to the use is nominal or the legislator or legislative employee reimburses the state for the cost of the use;</p> <p>(B) the use of mailing lists, computer data, or other information lawfully obtained from a government agency and available to the general public for nonlegislative purposes;</p> <p>(C) storing or maintaining, consistent with (b) of this section, election campaign records in a legislator's office;</p> <p>(D) a legislator from using the legislator's private office in the capital city during a legislative session, and for the 10 days immediately before and the 10 days immediately after a legislative session, for nonlegislative purposes if the use does not interfere with the performance of public duties and if there is no cost to the state for the use of the space and equipment, other than utility costs and minimal wear and tear, or the legislator promptly reimburses the state for the cost; an office is considered a legislator's private office under this subparagraph if it is the primary</p>	
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	<p>space in the capital city reserved for use by the legislator, whether or not it is shared with others; or</p> <p>(E) use by a legislator of photographs of that legislator.</p> <p>(b) A legislative employee may not on government time assist in political party or candidate activities, campaigning, or fund raising. A legislator may not require an employee to perform an act in violation of this subsection.</p> <p>(c) Unless approved by the committee, during a campaign period for an election in which the legislator or legislative employee is a candidate, a legislator or legislative employee may not use or permit another to use state funds, other than funds to which the legislator is entitled under AS 24.10.110, to print or distribute a political mass mailing to individuals eligible to vote for the candidate. In this subsection,</p> <p>(1) a "campaign period" is the period that</p> <p>(A) begins 60 days before the date of an election to the board of an electric or telephone cooperative organized under AS 10.25, a municipal election, or a primary election, or that begins on the date of the governor's proclamation calling a special election; and</p> <p>(B) ends the day after the cooperative election, municipal election, or general or special election;</p> <p>(2) a mass mailing is considered to be political if it is from or about a legislator, legislative employee, or another person who is a candidate for election or reelection to the legislature or another federal, state, or municipal office or to the board of an electric or telephone cooperative.</p> <p>(d) A legislator, legislative employee, or another person on behalf of the legislator or legislative employee, or a campaign committee of the legislator or legislative employee, may not distribute or post campaign literature, placards, posters, fund-raising notices, or other communications intended to influence the election of a candidate in an election in public areas in a facility ordinarily used to conduct state government business. This prohibition applies whether or not the election has been concluded. However, a legislator may post, in the legislator's private office, communications related to an election that has been concluded.</p> <p>(e) A legislator may not directly, or by authorizing another to act on the legislator's behalf,</p> <p>(1) agree to, threaten to, or state or imply that the legislator will take or withhold a legislative, administrative, or political action, including support or opposition to a bill, employment, nominations, and appointments, as a result of a person's decision to provide or not provide a political contribution, donate or not donate to a cause favored by the legislator, or provide or not provide a thing of value;</p> <p>(2) state or imply that the legislator will perform or refrain from performing a lawful constituent service as a result of a person's decision to provide or not provide a political contribution, donate or not donate to a cause favored by the legislator, or provide or not provide a thing of value; or</p> <p>(3) unless required by the Uniform Rules of the Alaska State Legislature, take or withhold official action or exert official influence that could substantially benefit or harm the financial interest of another person with whom the legislator is</p>	
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	<p>negotiating for employment.</p> <p>(f) A legislative employee may not serve in a position that requires confirmation by the legislature. A legislator or legislative employee who serves on a board of an organization, including a governmental entity, shall disclose the board membership to the committee. A person required to make a disclosure under this subsection shall file the disclosure with the committee by the deadlines set out in AS 24.60.105 stating the name of each organization on whose board the person serves. The committee shall maintain a public record of the disclosure and forward the disclosure to the appropriate house for inclusion in the journal. This subsection does not require a legislator or legislative employee who is appointed to a board by the presiding officer to make a disclosure of the appointment to the committee if the appointment has been published in the appropriate legislative journal during the calendar year.</p> <p>(g) Unless required by the Uniform Rules of the Alaska State Legislature, a legislator may not vote on a question if the legislator has an equity or ownership interest in a business, investment, real property, lease, or other enterprise if the interest is substantial and the effect on that interest of the action to be voted on is greater than the effect on a substantial class of persons to which the legislator belongs as a member of a profession, occupation, industry, or region.</p> <p>(h) An employee who engages in political campaign activities other than incidental campaign activities during the employee's work day shall take leave for the period of campaigning. Political campaign activities while on government time are permissible if the activities are part of the normal legislative duties of the employee, including answering telephone calls and handling incoming correspondence.</p> <p>(i) Except for supplying information requested by the hearing officer or the individual, board, or commission with authority to make the final decision in the case, or when responding to contacts initiated by the hearing officer or the individual, board, or commission with authority to make the final decision in the case, a legislator or legislative employee may not attempt to influence the outcome of an administrative hearing by directly or indirectly contacting or attempting to contact the hearing officer assigned to the hearing or the individual, board, or commission with authority to make the final decision in the case unless the</p> <p>(1) contact is made in the presence of all parties to the hearing or the parties' representatives and the contact is made a part of the record; or</p> <p>(2) fact and substance of the contact is promptly disclosed by the legislator or legislative employee to all parties to the hearing and the contact is made a part of the record.</p>	
<p>Arizona</p>	<p>TITLE 38. PUBLIC OFFICERS AND EMPLOYEES CHAPTER 3. CONDUCT OF OFFICE ARTICLE 8. CONFLICT OF INTEREST OF OFFICERS AND EMPLOYEES § 38-503. Conflict of interest; exemptions; employment prohibition</p> <p>A. Any public officer or employee of a public agency who has, or whose relative has, a substantial interest in any contract, sale, purchase or service to such public agency shall make known that interest in the official records of such public agency and shall refrain from voting upon or otherwise participating in any manner as an officer or employee in such contract, sale or purchase.</p> <p>B. Any public officer or employee who has, or whose relative has, a substantial interest in any decision of a public agency shall make known such interest in the official records of such public agency and shall refrain from participating in any</p>	<p>A.R.S. § 38-503 (2008).</p>

	<p>manner as an officer or employee in such decision.</p> <p>C. Notwithstanding the provisions of subsections A and B of this section, no public officer or employee of a public agency shall supply to such public agency any equipment, material, supplies or services, unless pursuant to an award or contract let after public competitive bidding, except that:</p> <p>1. A school district governing board may purchase, as provided in sections 15-213 and 15-323, supplies, materials and equipment from a school board member.</p> <p>2. Political subdivisions other than school districts may purchase through their governing bodies, without using public competitive bidding procedures, supplies, materials and equipment not exceeding three hundred dollars in cost in any single transaction, not to exceed a total of one thousand dollars annually, from a member of the governing body if the policy for such purchases is approved annually.</p> <p>D. Notwithstanding subsections A and B of this section and as provided in sections 15-421 and 15-1441, the governing board of a school district or a community college district may not employ a person who is a member of the governing board or who is the spouse of a member of the governing board.</p>	
	<p>TITLE 38. PUBLIC OFFICERS AND EMPLOYEES CHAPTER 3. CONDUCT OF OFFICE ARTICLE 8. CONFLICT OF INTEREST OF OFFICERS AND EMPLOYEES § 38-502. Definitions</p> <p>...</p> <p>10. "Remote interest" means:</p> <p>(a) That of a nonsalaried officer of a nonprofit corporation.</p> <p>(b) That of a landlord or tenant of the contracting party.</p> <p>(c) That of an attorney of a contracting party.</p> <p>(d) That of a member of a nonprofit cooperative marketing association.</p> <p>(e) The ownership of less than three per cent of the shares of a corporation for profit, provided the total annual income from dividends, including the value of stock dividends, from the corporation does not exceed five per cent of the total annual income of such officer or employee and any other payments made to him by the corporation do not exceed five per cent of his total annual income.</p> <p>(f) That of a public officer or employee in being reimbursed for his actual and necessary expenses incurred in the performance of official duty.</p> <p>(g) That of a recipient of public services generally provided by the incorporated city or town, political subdivision or state department, commission, agency, body or board of which he is a public officer or employee, on the same terms and conditions as if he were not an officer or employee.</p> <p>(h) That of a public school board member when the relative involved is not a dependent, as defined in section 43-1001, or a spouse.</p> <p>(i) That of a public officer or employee, or that of a relative of a public officer or employee, unless the contract or decision involved would confer a direct economic benefit or detriment upon the officer, employee or his relative, of any of the following:</p>	<p>A.R.S. § 38-502 (2008).</p>

	<p>(i) Another political subdivision.</p> <p>(ii) A public agency of another political subdivision.</p> <p>(iii) A public agency except if it is the same governmental entity.</p> <p>(j) That of a member of a trade, business, occupation, profession or class of persons consisting of at least ten members which is no greater than the interest of the other members of that trade, business, occupation, profession or class of persons.</p> <p>11. "Substantial interest" means any pecuniary or proprietary interest, either direct or indirect, other than a remote interest.</p>	
	<p>A personal financial interest exists if it is reasonably foreseeable that an action in the discharge of his official duties will have a material financial benefit or detriment either directly or indirectly on the member, his spouse or any minor child of whom he has legal custody, except that no personal financial interest exists if the legislator or such member of his household is a member of a class of persons and it reasonably appears that a majority of the total membership of that class is to be affected by such action.</p>	<p>House Rule 35(E)(2) & Senate Rule 30(E)(2).</p>
Arkansas	<p>Title 21 Public Officers and Employees Chapter 8 Ethics and Conflicts of Interest Subchapter 8 -- Disclosure by State and Local Officials -- Conflict of Interest § 21-8-803. Reporting of potential conflicts.</p> <p>(a) A legislator who is required to take an action in the discharge of his or her official duties that may affect his or her financial interest or cause financial benefit or detriment to him, or a business in which he or she is an officer, director, stockholder owning more than ten percent (10%) of the stock of the company, owner, trustee, partner, or employee, which is distinguishable from the effects of the action on the public generally or a broad segment of the public, shall:</p> <p>(1) Prepare a written statement describing the matter requiring action and stating the potential conflict; and</p> <p>(2) (A) Deliver a copy of the statement to the appropriate official to be filed with the statement of financial interest.</p> <p>(B) The copy of the statement may be delivered in person by the public official, by mail, or by a person authorized by the public official to deliver the copy.</p> <p>(b) The obligation to report a potential conflict of interest under this section arises as soon as the legislator is aware of the conflict.</p> <p>(c) If the statement of financial interest filed by the legislator makes the conflict readily apparent, then no report need be filed.</p>	<p>Ark. Code Ann. § 21-8-803 (2008).</p>
California	<p>GOVERNMENT CODE Title 9. Political Reform Chapter 7. Conflicts of Interest Article 1. General Prohibition § 87100. Prohibition because of financial interest</p> <p>No public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a</p>	<p>Cal. Gov't Code § 87100 (2007).</p>

	governmental decision in which he knows or has reason to know he has a financial interest.	
	<p>GOVERNMENT CODE Title 9. Political Reform Chapter 7. Conflicts of Interest Article 1. General Prohibition § 87101. Exception when participation in decision required</p> <p>Section 87100 does not prevent any public official from making or participating in the making of a governmental decision to the extent his participation is legally required for the action or decision to be made. The fact that an official's vote is needed to break a tie does not make his participation legally required for purposes of this section.</p>	Cal. Gov't Code § 87101 (2007).
	<p>GOVERNMENT CODE Title 9. Political Reform Chapter 7. Conflicts of Interest Article 1. General Prohibition § 87102.5. Application of remedies of Fair Political Practices Act</p> <p>(a) The remedies provided in Chapter 3 (commencing with Section 83100) shall apply to any Member of the Legislature who makes, participates in making, or in any way attempts to use his or her official position to influence any of the following governmental decisions in which he or she knows or has reason to know that he or she has a financial interest:</p> <p>(1) Any state governmental decision, other than any action or decision before the Legislature, made in the course of his or her duties as a member.</p> <p>(2) Approval, modification, or cancellation of any contract to which either house or a committee of the Legislature is a party.</p> <p>(3) Introduction as a lead author of any legislation that the member knows or has reason to know is nongeneral legislation.</p> <p>(4) Any vote in a legislative committee or subcommittee on what the member knows or has reason to know is nongeneral legislation.</p> <p>(5) Any rollcall vote on the Senate or Assembly floor on an item which the member knows is nongeneral legislation.</p> <p>(6) Any action or decision before the Legislature in which all of the following occur:</p> <p>(A) The member has received any salary, wages, commissions, or similar earned income within the preceding 12 months from a lobbyist employer.</p> <p>(B) The member knows or has reason to know the action or decision will have a direct and significant financial impact on the lobbyist employer.</p> <p>(C) The action or decision will not have an impact on the public generally or a significant segment of the public in a similar manner.</p> <p>(7) Any action or decision before the Legislature on legislation that the member knows or has reason to know will have a direct and significant financial impact on any person, distinguishable from its impact on the public generally or a significant segment of the public, from whom the member has received any compensation within the preceding 12 months for the purpose of appearing, agreeing to appear,</p>	Cal. Gov't Code § 87102.5 (2007).

	<p>or taking any other action on behalf of that person, before any local board or agency.</p> <p>(b) For purposes of this section, all of the following apply:</p> <p>(1) "Any action or decision before the Legislature" means any vote in a committee or subcommittee, or any rollcall vote on the floor of the Senate or Assembly.</p> <p>(2) "Financial interest" means an interest as defined in Section 87103.</p> <p>(3) "Legislation" means a bill, resolution, or constitutional amendment.</p> <p>(4) "Nongeneral legislation" means legislation that is described in Section 87102.6 and is not of a general nature pursuant to Section 16 of Article IV of the Constitution.</p> <p>(5) A Member of the Legislature has reason to know that an action or decision will have a direct and significant financial impact on a person with respect to which disqualification may be required pursuant to subdivision (a) if either of the following apply:</p> <p>(A) With the knowledge of the member, the person has attempted to influence the vote of the member with respect to the action or decision.</p> <p>(B) Facts have been brought to the member's personal attention indicating that the action or decision will have a direct and significant impact on the person.</p> <p>(6) The prohibitions specified in subdivision (a) do not apply to a vote on the Budget Bill as a whole, or to a vote on a consent calendar, a motion for reconsideration, a waiver of any legislative rule, or any purely procedural matter.</p> <p>(7) A Member of the Legislature has reason to know that legislation is nongeneral legislation if facts have been brought to his or her personal attention indicating that it is nongeneral legislation.</p> <p>(8) Written advice given to a Member of the Legislature regarding his or her duties under this section by the Legislative Counsel shall have the same effect as advice given by the commission pursuant to subdivision (b) of Section 83114 if both of the following apply:</p> <p>(A) The member has made the same written request based on the same material facts to the commission for advice pursuant to Section 83114 as to his or her duties under this section, as the written request and facts presented to the Legislative Counsel.</p> <p>(B) The commission has not provided written advice pursuant to the member's request prior to the time the member acts in good faith reliance on the advice of the Legislative Counsel.</p>	
	<p>GOVERNMENT CODE Title 9. Political Reform Chapter 7. Conflicts of Interest Article 1. General Prohibition § 87102.6. "Nongeneral legislation"</p> <p>(a) "Nongeneral legislation" means legislation as to which both of the following apply:</p>	<p>Cal Gov Code § 87102.6 (2007).</p>

	<p>(1) It is reasonably foreseeable that the legislation will have direct and significant financial impact on one or more identifiable persons, or one or more identifiable pieces of real property.</p> <p>(2) It is not reasonably foreseeable that the legislation will have a similar impact on the public generally or on a significant segment of the public.</p> <p>(b) For purposes of this section and Section 87102.5, all of the following apply:</p> <p>(1) "Legislation" means a bill, resolution, or constitutional amendment.</p> <p>(2) "Public generally" includes an industry, trade, or profession.</p> <p>(3) Any recognized subgroup or specialty of the industry, trade, or profession constitutes a significant segment of the public.</p> <p>(4) A legislative district, county, city, or special district constitutes a significant segment of the public.</p> <p>(5) More than a small number of persons or pieces of real property is a significant segment of the public.</p> <p>(6) Legislation, administrative action, or other governmental action impacts in a similar manner all members of the public, or all members of a significant segment of the public, on which it has a direct financial effect, whether or not the financial effect on individual members of the public or the significant segment of the public is the same as the impact on the other members of the public or the significant segment of the public.</p> <p>(7) The Budget Bill as a whole is not nongeneral legislation.</p> <p>(8) Legislation that contains at least one provision that constitutes nongeneral legislation is nongeneral legislation, even if the legislation also contains other provisions that are general and do not constitute nongeneral legislation.</p>	
	<p>GOVERNMENT CODE Title 9. Political Reform Chapter 7. Conflicts of Interest Article 1. General Prohibition § 87102.8. Use of official position to influence governmental decision in which official has financial interest</p> <p>(a) No elected state officer, as defined in subdivision (f) of Section 14 of Article v. of the California Constitution, shall make or participate in the making of, or use his or her official position to influence, any governmental decision before the agency in which the elected state officer serves, where he or she knows or has reason to know that he or she has a financial interest.</p> <p>(b) An elected state officer knows or has reason to know that he or she has a financial interest in any action by, or a decision before the agency in which he or she serves where either of the following occur:</p> <p>(1) The action or decision will have a direct and significant financial impact on a lobbyist employer from which the officer has received any salary, wages, commissions, or similar earned income within the preceding 12 months and the action or decision will not have an impact on the public generally or a significant segment of the public in a similar manner.</p>	<p>Cal Gov Code § 87102.8 (2007).</p>

	<p>(2) The action or decision will have a direct and significant financial impact on any person, distinguishable from its impact on the public generally or a significant segment of the public, from whom the officer has received any compensation within the preceding 12 months for the purpose of appearing, agreeing to appear, or taking any other action on behalf of that person, before any local board or agency.</p> <p>(c) The definitions of "public generally" and "significant segment of the public" contained in Section 87102.6 shall apply to this section.</p> <p>(d) Notwithstanding Section 87102, the remedies provided in Chapter 3 (commencing with Section 83100) shall apply to violations of this section.</p>	
	<p>GOVERNMENT CODE Title 9. Political Reform Chapter 7. Conflicts of Interest Article 1. General Prohibition § 87103. Financial interest</p> <p>A public official has a financial interest in a decision within the meaning of Section 87100 if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the official, a member of his or her immediate family, or on any of the following:</p> <p>(a) Any business entity in which the public official has a direct or indirect investment worth two thousand dollars (\$2,000) or more.</p> <p>(b) Any real property in which the public official has a direct or indirect interest worth two thousand dollars (\$2,000) or more.</p> <p>(c) Any source of income, except gifts or loans by a commercial lending institution made in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided or promised to, received by, the public official within 12 months prior to the time when the decision is made.</p> <p>(d) Any business entity in which the public official is a director, officer, partner, trustee, employee, or holds any position of management.</p> <p>(e) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating two hundred fifty dollars (\$250) or more in value provided to, received by, or promised to the public official within 12 months prior to the time when the decision is made. The amount of the value of gifts specified by this subdivision shall be adjusted biennially by the commission to equal the same amount determined by the commission pursuant to subdivision (f) of Section 89503.</p> <p>For purposes of this section, indirect investment or interest means any investment or interest owned by the spouse or dependent child of a public official, by an agent on behalf of a public official, or by a business entity or trust in which the official, the official's agents, spouse, and dependent children own directly, indirectly, or beneficially a 10-percent interest or greater.</p>	<p>Cal Gov Code § 87103 (2007).</p>
Colorado	<p>A member who has a personal or private interest in any measure or bill proposed or pending before the general assembly, shall disclose the fact to the house of which he is a member, and shall not vote thereon.</p>	<p>Colo. Const. Art. 5, § 43 (2008).</p>
	<p>Requires that "A member who has an immediate personal or financial interest in any bill or measure proposed or pending before the General Assembly shall disclose the fact to the House, and shall not vote upon such bill or measure."</p>	<p>House rule 21(c) (2008).</p>

	"Any Senator having a personal or private interest in any question or bill pending, shall disclosure such fact to the Senate and shall not vote thereon, and if the vote be by ayes or noes, such fact shall be entered in the journal."	Senate rule 17 (c) (2008).
	<p>...</p> <p>(b) Conflicts of interest - personal or private interests versus public interest - definition. (1) Subject to article V, section 43, of the state constitution, a Senator has the right to vote upon all questions before the Senate and to participate in the business of the Senate and its committees, and, in so doing, is presumed to act in good faith and in the public interest. When a personal interest conflicts with the public interest and tends to affect the Senator's independence of judgment, legislative activities are subject to limitations. Where any such conflict exists, it disqualifies the Senator from voting upon any question and from attempting to influence any legislation to which it relates.</p> <p>(2) A question arises as to whether a personal or private interest tends to affect a Senator's independence of judgment if the Senator:</p> <p>(A) Has or acquires a substantial economic interest by reason of the Senator's personal situation, distinct from that held generally by members of the same occupation, profession, or business, in a measure proposed or pending before the General Assembly; or has a close relative or close economic associate with such an interest.</p> <p>(B) Has or acquires a financial interest in an enterprise, direct or indirect, which enterprise or interest would be affected by proposed legislation differently from like enterprises.</p> <p>(C) Has or acquires a close economic association with, or is a close relative of, a person who has a financial interest in an enterprise, direct or indirect, which enterprise or interest would be affected by proposed legislation differently from like enterprises.</p> <p>(D) Has or acquires a close economic association with, or is a close relative of, a person who is a lobbyist or who employs or has employed a lobbyist to propose legislation or to influence proposed legislation on which the Senator has or may be expected to vote.</p> <p>(E) Accepts a gift, loan, service, or economic opportunity of significant value from a person who would be affected by or who has an interest in an enterprise which would be affected by proposed legislation. This provision shall likewise apply where such gift, loan, service, or opportunity is accepted by a close relative of the Senator. It shall not normally apply in the following cases: A commercially reasonable loan made in the ordinary course of business by an institution authorized by the laws of this state to engage in the business of making loans; an occasional nonpecuniary gift, insignificant in value; a nonpecuniary award publicly presented by a nonprofit organization in recognition of public service; or payment of or reimbursement for actual and necessary expenditures for travel and subsistence for personal attendance at a convention or other meeting at which the Senator is scheduled to participate and for which attendance no reimbursement is made by the state of Colorado.</p>	Senate Rule 41 (2008).
Connecticut	<p>TITLE 1 PROVISIONS OF GENERAL APPLICATION CHAPTER 10 CODES OF ETHICS PART I CODE OF ETHICS FOR PUBLIC OFFICIALS § 1-85. (Formerly Sec. 1-68). Interest in conflict with discharge of duties.</p> <p>A public official, including an elected state official, or state employee has an interest which is in substantial conflict with the proper discharge of his duties or</p>	Conn. Gen. Stat. § 1-85 (2008).

	<p>employment in the public interest and of his responsibilities as prescribed in the laws of this state, if he has reason to believe or expect that he, his spouse, a dependent child, or a business with which he is associated will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his official activity. A public official, including an elected state official, or state employee does not have an interest which is in substantial conflict with the proper discharge of his duties in the public interest and of his responsibilities as prescribed by the laws of this state, if any benefit or detriment accrues to him, his spouse, a dependent child, or a business with which he, his spouse or such dependent child is associated as a member of a profession, occupation or group to no greater extent than any other member of such profession, occupation or group. A public official, including an elected state official or state employee who has a substantial conflict may not take official action on the matter.</p>	
<p>Delaware</p>	<p>TITLE 29. STATE GOVERNMENT PART II. THE GENERAL ASSEMBLY CHAPTER 10. LEGISLATIVE CONFLICTS OF INTEREST § 1002. Restrictions relating to personal or private interest</p> <p>(a) A legislator who has a personal or private interest in any measure or bill pending in the General Assembly shall disclose the fact to the House of which he or she is a member and shall not participate in the debate nor vote thereon; provided, that upon the request of any other member of the House or Senate, as the case may be, a legislator who has such a personal or private interest may nevertheless respond to questions concerning any such measure or bill. A personal or private interest in a measure or bill is an interest which tends to impair a legislator's independence of judgment in the performance of his or her legislative duties with respect to that measure or bill.</p> <p>(b) A legislator has an interest which tends to impair his or her independence of judgment in the performance of his or her legislative duties with regard to any bill or measure when:</p> <p>(1) The enactment or defeat of the measure or bill would result in a financial benefit or detriment to accrue to the legislator or a close relative to a greater extent than such benefit or detriment would accrue to others who are members of the same class or group of persons; or</p> <p>(2) The legislator or a close relative has a financial interest in a private enterprise which enterprise or interest would be affected by a measure or bill to a lesser or greater extent than like enterprises or other interests in the same enterprise; or</p> <p>(3) A person required to register as a legislative agent pursuant to Chapter 16 of this title is a close relative of the legislator and that person acts to promote, advocate, influence or oppose the measure or bill.</p> <p>(c) Disclosure required under subsection (a) of this section shall be made in open session:</p> <p>(1) Prior to the vote on the measure or bill by any committee of which the legislator is a member; and</p> <p>(2) Prior to the vote on the measure or bill in the House of which the legislator is a member.</p> <p>(d) A legislator who violates the provisions of this section shall be subject to such sanction as shall be prescribed by the House of which he or she is a member pursuant to rules adopted under article II, § 9 of the Delaware Constitution.</p>	<p>Del. Code Ann. tit. 29, § 1002 (2008).</p>

<p>Florida</p>	<p>TITLE 10. PUBLIC OFFICERS, EMPLOYEES, AND RECORDS (Chs. 110-122) CHAPTER 112. PUBLIC OFFICERS AND EMPLOYEES: GENERAL PROVISIONS PART III. CODE OF ETHICS FOR PUBLIC OFFICERS AND EMPLOYEES § 112.3143. Voting conflicts</p> <p>...</p> <p>(2) No state public officer is prohibited from voting in an official capacity on any matter. However, any state public officer voting in an official capacity upon any measure which would inure to the officer's special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom the officer is retained or to the parent organization or subsidiary of a corporate principal by which the officer is retained; or which the officer knows would inure to the special private gain or loss of a relative or business associate of the public officer shall, within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes.</p>	<p>Fla. Stat. § 112.3143 (2008).</p>
	<p>TITLE 10. PUBLIC OFFICERS, EMPLOYEES, AND RECORDS (Chs. 110-122) CHAPTER 112. PUBLIC OFFICERS AND EMPLOYEES: GENERAL PROVISIONS PART III. CODE OF ETHICS FOR PUBLIC OFFICERS AND EMPLOYEES § 112.312. Definitions</p> <p>...</p> <p>(8) Conflict or conflict of interest means a situation in which regard for a private interest tends to lead to disregard of a public duty or interest.</p>	<p>Fla. Stat. § 112.312(8) (2008).</p>
<p>Georgia</p>	<p>TITLE 45. PUBLIC OFFICERS AND EMPLOYEES CHAPTER 10. CODES OF ETHICS AND CONFLICTS OF INTEREST ARTICLE 1. CODES OF ETHICS § 45-10-3. Code of ethics for members of boards, commissions, and authorities -- Establishment and text</p> <p>Notwithstanding any provisions of law to the contrary, each member of all boards, commissions, and authorities created by general statute shall:</p> <p>...</p> <p>(9) Never take any official action with regard to any matter under circumstances in which he knows or should know that he has a direct or indirect monetary interest in the subject matter of such matter or in the outcome of such official action.</p>	<p>Ga. Code Ann. § 45-10-3(9) (2008).</p>
	<p>Members are expected to abstain from voting if they are "immediately and particularly interested."</p>	<p>House Rule 133 (2008).</p>
	<p>No Senator shall vote upon any question if the Senator or any member of the Senator's immediate family has a direct pecuniary interest in the result of such vote which interest is distinct, unique or peculiar to the Senator or the Senator's immediate family.</p>	<p>Senate Rule 1-4.1(d) (2008).</p>
	<p>Senators and staff shall avoid financial conflicts of interest and close economic associations where official action or decisions are motivated not by public duty but by economic self-interest or association. "Financial conflicts of interest and close economic associations" are defined as those financial interests or interests arising from close economic associations with other persons or entities which are so material, direct, distinct, unique, and peculiar to the Senator or staff that it might reasonably be expected that impartial official judgment could not be exercised.</p>	<p>Senate Rule 1-4.3(a) (2008).</p>
<p>Hawaii</p>	<p>DIVISION 1. GOVERNMENT TITLE 7 Public Officers And Employees CHAPTER 84 Standards of Conduct</p>	<p>Haw. Rev. Stat. § 84-14 (2008).</p>

	<p>PART II. Code of Ethics § 84-14. Conflicts of interests.</p> <p>(a) No employee shall take any official action directly affecting:</p> <p>(1) A business or other undertaking in which he has a substantial financial interest; or</p> <p>(2) A private undertaking in which he is engaged as legal counsel, advisor, consultant, representative, or other agency capacity.</p> <p>A department head who is unable to disqualify himself on any matter described in items (1) and (2) above will not be in violation of this subsection if he has complied with the disclosure requirements of section 84-17; and</p> <p>A person whose position on a board, commission, or committee is mandated by statute, resolution, or executive order to have particular qualifications shall only be prohibited from taking official action that directly and specifically affects a business or undertaking in which he has a substantial financial interest; provided that the substantial financial interest is related to the member's particular qualifications.</p> <p>(b) No employee shall acquire financial interests in any business or other undertaking which he has reason to believe may be directly involved in official action to be taken by him.</p> <p>(c) No legislator or employee shall assist any person or business or act in a representative capacity before any State or county agency for a contingent compensation in any transaction involving the State.</p> <p>(d) No legislator or employee shall assist any person or business or act in a representative capacity for a fee or other compensation to secure passage of a bill or to obtain a contract, claim, or other transaction or proposal in which he has participated or will participate as a legislator or employee, nor shall he assist any person or business or act in a representative capacity for a fee or other compensation on such bill, contract, claim, or other transaction or proposal before the legislature or agency of which he is an employee or legislator.</p> <p>(e) No employee shall assist any person or business or act in a representative capacity before a state or county agency for a fee or other consideration on any bill, contract, claim, or other transaction or proposal involving official action by the agency if he has official authority over that state or county agency unless he has complied with the disclosure requirements of section 84-17.</p>	
<p>Idaho</p>	<p>GENERAL LAWS TITLE 59. PUBLIC OFFICERS IN GENERAL CHAPTER 7. ETHICS IN GOVERNMENT § 59-703. Definitions</p> <p>(4) "Conflict of interest" means any official action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit of the person or a member of the person's household, or a business with which the person or a member of the person's household is associated, unless the pecuniary benefit arises out of the following:</p> <p>(a) An interest or membership in a particular business, industry, occupation or class required by law as a prerequisite to the holding by the person of the office or</p>	<p>Idaho Code Ann. § 59-703 (2008).</p>

	<p>position;</p> <p>(b) Any action in the person's official capacity which would affect to the same degree a class consisting of an industry or occupation group in which the person, or a member of the person's household or business with which the person is associated, is a member or is engaged;</p> <p>(c) Any interest which the person has by virtue of his profession, trade or occupation where his interest would be affected to the same degree as that of a substantial group or class of others similarly engaged in the profession, trade or occupation;</p> <p>(d) Any action by a public official upon any revenue measure, any appropriation measure or any measure imposing a tax, when similarly situated members of the general public are affected by the outcome of the action in a substantially similar manner and degree.</p> <p>(5) "Economic gain" means increase in pecuniary value from sources other than lawful compensation as a public official.</p>	
	<p>GENERAL LAWS TITTLE 59. PUBLIC OFFICERS IN GENERAL CHAPTER 7. ETHICS IN GOVERNMENT § 59-704. Required action in conflicts</p> <p>A public official shall not take any official action or make a formal decision or formal recommendation concerning any matter where he has a conflict of interest and has failed to disclose such conflict as provided in this section. Disclosure of a conflict does not affect an elected public official's authority to be counted for purposes of determining a quorum and to debate and to vote on the matter, unless the public official requests to be excused from debate and voting at his or her discretion. In order to determine whether a conflict of interest exists relative to any matter within the scope of the official functions of a public official, a public official may seek legal advice from the attorney representing that governmental entity or from the attorney general or from independent counsel. If the legal advice is that no real or potential conflict of interest exists, the public official may proceed and shall not be subject to the prohibitions of this chapter. If the legal advice is that a real or potential conflict may exist, the public official:</p> <p>(1) If he is an elected legislative public official, he shall disclose the nature of the potential conflict of interest and/or be subject to the rules of the body of which he/she is a member and shall take all action required under such rules prior to acting on the matter. If a member requests to be excused from voting on an issue which involves a conflict or a potential conflict, and the body of which he is a member does not excuse him, such failure to excuse shall exempt that member from any civil or criminal liability related to that particular issue.</p> <p>(2) If he is an elected state public official, he shall prepare a written statement describing the matter required to be acted upon and the nature of the potential conflict, and shall file such statement with the secretary of state prior to acting on the matter. A public official may seek legal advice from the attorney representing that agency or from the attorney general or from independent counsel. The elected public official may then act on the advice of the agency's attorney, the attorney general or independent counsel.</p> <p>(3) If he is an appointed or employed state public official, he shall prepare a written statement describing the matter to be acted upon and the nature of the potential conflict, and shall deliver the statement to his appointing authority. The</p>	<p>Idaho Code Ann. § 59-704 (2008).</p>

	<p>appointing authority may obtain an advisory opinion from the attorney general or from the attorney representing that agency. The public official may then act on the advice of the attorney general, the agency's attorney or independent counsel.</p> <p>(4) If he is an elected public official of a county or municipality, he shall disclose the nature of a potential conflict of interest prior to acting on a matter and shall be subject to the rules of the body of which he/she is a member and take all action required by the rules prior to acting on the matter. If a member requests to be excused from voting on an issue which involves a conflict or a potential conflict, and the body of which he is a member does not excuse him, such failure to excuse shall exempt that member from any civil or criminal liability related to that particular issue. The public official may obtain an advisory opinion from the attorney general or the attorney for the county or municipality or from independent counsel. The public official may then act on the advice of the attorney general or attorney for the county or municipality or his independent counsel.</p> <p>(5) If he is an appointed or employed public official of a county or municipality, he shall prepare a written statement describing the matter required to be acted upon and the nature of the potential conflict, and shall deliver the statement to his appointing authority. The appointing authority may obtain an advisory opinion from the attorney for the appointing authority, or, if none, the attorney general. The public official may then act on the advice of the attorney general or attorney for the appointing authority or independent counsel.</p> <p>(6) Nothing contained herein shall preclude the executive branch of state government or a political subdivision from establishing an ethics board or commission to perform the duties and responsibilities provided for in this chapter. Any ethics board or commission so established shall have specifically stated powers and duties including the power to:</p> <p>(a) Issue advisory opinions upon the request of a public official within its jurisdiction;</p> <p>(b) Investigate possible unethical conduct of public officials within its jurisdiction and conduct hearings, issue findings, and make recommendations for disciplinary action to a public official's appointing authority;</p> <p>(c) Accept complaints of unethical conduct from the public and take appropriate action.</p>	
<p>Illinois</p>	<p>CHAPTER 5. GENERAL PROVISIONS GOVERNMENTAL ETHICS ILLINOIS GOVERNMENTAL ETHICS ACT ARTICLE 3. CODE OF CONDUCT PART 2. ETHICAL PRINCIPLES FOR LEGISLATORS § 5 ILCS 420/3-202. [Conflict situations; abstention]</p> <p>When a legislator must take official action on a legislative matter as to which he has a conflict situation created by a personal, family, or client legislative interest, he should consider the possibility of eliminating the interest creating the conflict situation. If that is not feasible, he should consider the possibility of abstaining from such official action. In making his decision as to abstention, the following factors should be considered;</p> <p>a. whether a substantial threat to his independence of judgment has been created by the conflict situation;</p>	<p>5 ILCS 420/3-202 (2008).</p>

	<p>b. the effect of his participation on public confidence in the integrity of the legislature;</p> <p>c. whether his participation is likely to have any significant effect on the disposition of the matter;</p> <p>d. the need for his particular contribution, such as special knowledge of the subject matter, to the effective functioning of the legislature.</p> <p>He need not abstain if he decides to participate in a manner contrary to the economic interest which creates the conflict situation.</p> <p>If he does abstain, he should disclose that fact to his respective legislative body.</p>	
	<p>CHAPTER 5. GENERAL PROVISIONS GOVERNMENTAL ETHICS ILLINOIS GOVERNMENTAL ETHICS ACT ARTICLE 3. CODE OF CONDUCT PART 2. ETHICAL PRINCIPLES FOR LEGISLATORS § 5 ILCS 420/3-203. [Public interest to prevail]</p> <p>When, despite the existence of a conflict situation, a legislator chooses to take official action on a matter, he should serve the public interest, and not the interest of any person.</p>	<p>5 ILCS 420/3-203 (2008).</p>
<p>Indiana</p>	<p>Title 35 Criminal Law and Procedure Article 44 Offenses Against Public Administration Chapter 1 Bribery -- Official Misconduct 35-44-1-3. Conflicts of interest -- Public servants.</p> <p>(a) A public servant who knowingly or intentionally:</p> <p>(1) has a pecuniary interest in; or</p> <p>(2) derives a profit from;</p> <p>a contract or purchase connected with an action by the governmental entity served by the public servant commits conflict of interest, a Class D felony.</p> <p>(b) This section does not prohibit a public servant from receiving compensation for:</p> <p>(1) services provided as a public servant; or</p> <p>(2) expenses incurred by the public servant as provided by law.</p> <p>(c) This section does not prohibit a public servant from having a pecuniary interest in or deriving a profit from a contract or purchase connected with the governmental entity served under any of the following conditions:</p> <p>(1) If the:</p> <p>(A) public servant is not a member or on the staff of the governing body empowered to contract or purchase on behalf of the governmental entity;</p> <p>(B) functions and duties performed by the public servant for the governmental entity are unrelated to the contract or purchase; and</p> <p>(C) public servant makes a disclosure under subsection (d)(1) through (d)(6).</p>	<p>Ind. Code § 35-44-1-3 (2008).</p>

	<p>(2) If the contract or purchase involves utility services from a utility whose rate structure is regulated by the state or federal government.</p> <p>(3) If the public servant:</p> <p>(A) is an elected public servant or a member of the board of trustees of a state supported college or university; and</p> <p>(B) makes a disclosure under subsection (d)(1) through (d)(6).</p> <p>(4) If the public servant:</p> <p>(A) was appointed by an elected public servant or the board of trustees of a state supported college or university; and</p> <p>(B) makes a disclosure under subsection (d)(1) through (d)(7).</p> <p>(5) If the public servant:</p> <p>(A) acts in only an advisory capacity for a state supported college or university; and</p> <p>(B) does not have authority to act on behalf of the college or university in a matter involving a contract or purchase.</p> <p>(6) If the public servant:</p> <p>(A) is employed by the governing body of a school corporation and the contract or purchase involves the employment of a dependent or the payment of fees to a dependent; and</p> <p>(B) makes a disclosure under subsection (d)(1) through (d)(6).</p> <p>(7) If the public servant is under the jurisdiction of the state ethics commission as provided in IC 4-2-6-2.5 and obtains from the state ethics commission, following full and truthful disclosure, written approval that the public servant will not or does not have a conflict of interest in connection with the contract or purchase under IC 4-2-6 and this section. The approval required under this subdivision must be:</p> <p>(A) granted to the public servant before action is taken in connection with the contract or purchase by the governmental entity served; or</p> <p>(B) sought by the public servant as soon after the contract or purchase as the public servant becomes aware of the facts that give rise to a question of conflict of interest.</p> <p>(d) A disclosure required by this section must:</p> <p>(1) be in writing;</p> <p>(2) describe the contract or purchase to be made by the governmental entity;</p> <p>(3) describe the pecuniary interest that the public servant has in the contract or purchase;</p>	
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	<p>(4) be affirmed under penalty of perjury;</p> <p>(5) be submitted to the governmental entity and be accepted by the governmental entity in a public meeting of the governmental entity prior to final action on the contract or purchase;</p> <p>(6) be filed within fifteen (15) days after final action on the contract or purchase with:</p> <p>(A) the state board of accounts; and</p> <p>(B) if the governmental entity is a governmental entity other than the state or a state supported college or university, the clerk of the circuit court in the county where the governmental entity takes final action on the contract or purchase; and</p> <p>(7) contain, if the public servant is appointed, the written approval of the elected public servant (if any) or the board of trustees of a state supported college or university (if any) that appointed the public servant.</p> <p>(e) The state board of accounts shall forward to the state ethics commission a copy of all disclosures filed with the board under IC 16-22-2 through IC 16-22-5, IC 16-23-1, or this section.</p> <p>(f) The state ethics commission shall maintain an index of all disclosures received by the commission. The index must contain a listing of each public servant, setting forth the disclosures received by the commission made by that public servant.</p> <p>(g) A public servant has a pecuniary interest in a contract or purchase if the contract or purchase will result or is intended to result in an ascertainable increase in the income or net worth of:</p> <p>(1) the public servant; or</p> <p>(2) a dependent of the public servant who:</p> <p>(A) is under the direct or indirect administrative control of the public servant; or</p> <p>(B) receives a contract or purchase order that is reviewed, approved, or directly or indirectly administered by the public servant.</p> <p>(h) It is a defense in a prosecution under this section that the public servant's interest in the contract or purchase and all other contracts and purchases made by the governmental entity during the twelve (12) months before the date of the contract or purchase was two hundred fifty dollars (\$250) or less.</p> <p>(i) Notwithstanding subsection (d), a member of the board of trustees of a state supported college or university, or a person appointed by such a board of trustees, complies with the disclosure requirements of this chapter with respect to the member's or person's pecuniary interest in a particular type of contract or purchase which is made on a regular basis from a particular vendor if the member or person files with the state board of accounts and the board of trustees a statement of pecuniary interest in that particular type of contract or purchase made with that particular vendor. The statement required by this subsection must be made on an annual basis.</p> <p>(j) This section does not apply to members of the governing board of a hospital</p>	
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	<p>organized or operated under IC 16-22-1 through IC 16-22-5 or IC 16-23-1.</p> <p>(k) As used in this section, "dependent" means any of the following:</p> <p>(1) The spouse of a public servant.</p> <p>(2) A child, stepchild, or adoptee (as defined in IC 31-9-2-2) of a public servant who is:</p> <p>(A) unemancipated; and</p> <p>(B) less than eighteen (18) years of age.</p> <p>(3) Any individual more than one-half (1/2) of whose support is provided during a year by the public servant.</p>	
	<p>VII. ETHICS</p> <p>87. It is declared that high moral and ethical standards among State Senators are essential to the conduct of free government; that the Senate believes that a code of ethics for the guidance of State Senators will help them avoid conflicts of interest in public office, will improve standards of public service, and will promote and strengthen the faith and confidence of the people of Indiana. The code is intended to protect the individual Senators while providing guidelines for all members of the Senate. Recognizing that service in the Indiana General Assembly is a part-time endeavor and that members of the General Assembly are individuals who are active in the affairs of their localities and elsewhere and that it is necessary that they maintain a livelihood and source of income apart from their legislative compensation, the following guidelines are adopted to assist the members in the conduct of their legislative duties.</p> <p>88. A Senator who is offered:</p> <p>(1) an economic or investment opportunity; or</p> <p>(2) a loan, gratuity, discount, favor, hospitality, or other goods or services; by a person, shall consider, in determining whether or not to accept the offer, whether the Senator's acceptance of the offer may affect the Senator's independent legislative judgment. In so considering, the Senator shall take into account the following:</p> <p>(A) whether the opportunity is being offered with the intent to influence the Senator's conduct in the performance of legislative duties; or</p> <p>(B) whether acceptance of the offer would have a unique, direct, and material effect on the nonlegislative income of the Senator, a member of the Senator's immediate family or those of a partnership, corporation or business in which the Senator holds a legal or equitable interest. Should the Senator determine that, by acceptance of the offer, the Senator's independent legislative judgment may be affected, the Senator shall refuse the offer.</p> <p>89. A Senator who has a direct personal or pecuniary interest in a piece of legislation which is so substantial as to affect the Senator's independent legislative judgment is not precluded from participating in committee and floor debate on the legislation, if the Senator publicly proclaims that interest.</p> <p>90. During the course of a legislative session, a Senator may be placed in a position where the Senator has the obligation to vote on legislation in which the Senator has a direct personal or pecuniary interest. In making this decision pursuant to Rule 4 of the Standing Rules of the Senate and Orders for Government relative to the Senator's activity on the legislation, the Senator shall consider the following:</p>	<p>Senate Rules 87 through 96 (2008).</p>

	<p>(1) Whether the Senator’s interest in the legislation is so substantial as to affect the Senator’s independence of judgment with respect to the legislation.</p> <p>(2) To what extent the Senator’s interest in the legislation mirrors the interest of the citizenry to which the Senator is directly responsible.</p> <p>(3) The effect of the Senator’s participation in the voting on the legislation on public confidence in the integrity of the legislature.</p> <p>(4) The need of the Senator’s particular contribution, such as special knowledge of the subject matter, to the effective functioning of the legislature.</p> <p>(5) Whether the legislation would have a unique, direct, and material effect on the nonlegislative income of the Senator, a member of the Senator’s immediate family or those of a partnership, corporation, or business in which the Senator holds a legal or equitable interest.</p> <p>91. A Senator may request the assistance of the Senate Legislative Ethics Committee (established pursuant to IC 2-2.1-3-5) in determining the propriety of the Senator’s:</p> <ul style="list-style-type: none">(1) proposed acceptance of an offer;(2) participation in upcoming debate; or(3) participation in an upcoming vote. <p>92. Under Rule 91, the Senator shall:</p> <ul style="list-style-type: none">(1) Prepare a written statement describing the matter requiring action or decision by the Senator and the nature of the Senator’s potential conflict of interest; and(2) Deliver a copy of the statement to the Chairman of the Senate Legislative Ethics Committee. If the Chairman is unavailable, a copy of the statement may be delivered to the President Pro Tempore. <p>93. If a Senator requests the assistance of the Senate Legislative Ethics Committee under Rule 91, and there is insufficient time to comply with Rule 92, the Senator shall orally inform the Chairman of the Senate Legislative Ethics Committee of the potential conflict. The matter shall then be immediately referred to the Legislative Ethics Committee for its recommendation. The Committee shall issue an oral recommendation to the Senator making the request as soon as possible after considering the request. The Committee shall follow the oral recommendation with a written report as required by Senate Rule 95.</p> <p>94. The Legislative Ethics Committee shall meet as soon as possible and render an advisory opinion on the question raised. Should the committee vote result in a tie, the effect will be to make no recommendation.</p> <p>95. The written report of the Legislative Ethics Committee shall be forwarded to the President Pro Tempore of the Senate and the Senate Minority Leader. Copies of the report and the written statement of the Senator making the request shall be maintained in the offices of the Majority Attorney and the Minority Attorney. The committee’s written report and the written statement of the Senator making the request under Rule 92 shall remain confidential unless the Senator making the request consents to their disclosure.</p> <p>96. In addition to any meetings held under Rule 94, the Senate Legislative Ethics Committee shall meet and may recommend amendments to the code of ethics for the Senate not later than thirty (30) days after the first session day of each legislative session, pursuant to IC 2-2.1-3-6.</p>	
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Iowa	<p>TITLE II. ELECTIONS AND OFFICIAL DUTIES SUBTITLE 2. PUBLIC OFFICERS AND EMPLOYEES CHAPTER 68B. GOVERNMENT ETHICS AND LOBBYING DIVISION I. 68B.2A Conflicts of interest -- outside employment and activities.</p> <p>1. Any person who serves or is employed by the state or a political subdivision of the state shall not engage in any outside employment or activity which is in conflict with the person's official duties and responsibilities. In determining whether particular outside employment or activity creates an unacceptable conflict of interest, situations in which an unacceptable conflict shall be deemed to exist shall include, but not to be limited to, any of the following:</p> <p>a. The outside employment or activity involves the use of the state's or the political subdivision's time, facilities, equipment, and supplies or the use of the state or political subdivision badge, uniform, business card, or other evidences of office or employment to give the person or member of the person's immediate family an advantage or pecuniary benefit that is not available to other similarly situated members or classes of members of the general public. This paragraph does not apply to off-duty peace officers who provide private duty security or fire fighters or emergency medical care providers certified under chapter 147A who provide private duty fire safety or emergency medical services while carrying their badge or wearing their official uniform, provided that the person has secured the prior approval of the agency or political subdivision in which the person is regularly employed to engage in the activity. For purposes of this subsection, a person is not "similarly situated" merely by being or being related to a person who serves or is employed by the state or a political subdivision of the state.</p> <p>b. The outside employment or activity involves the receipt of, promise of, or acceptance of money or other consideration by the person, or a member of the person's immediate family, from anyone other than the state or the political subdivision for the performance of any act that the person would be required or expected to perform as a part of the person's regular duties or during the hours during which the person performs service or work for the state or political subdivision of the state.</p> <p>c. The outside employment or activity is subject to the official control, inspection, review, audit, or enforcement authority of the person, during the performance of the person's duties of office or employment.</p> <p>2. If the outside employment or activity is employment or activity described in subsection 1, paragraph "a" or "b", the person shall immediately cease the employment or activity. If the outside employment or activity is employment or activity described in subsection 1, paragraph "c", or constitutes any other unacceptable conflict of interest, unless otherwise provided by law, the person shall take one of the following courses of action:</p> <p>a. Cease the outside employment or activity.</p> <p>b. Publicly disclose the existence of the conflict and refrain from taking any official action or performing any official duty that would detrimentally affect or create a benefit for the outside employment or activity. For purposes of this paragraph, "official action" or "official duty" includes, but is not limited to, participating in any vote, taking affirmative action to influence any vote, granting any license or permit, determining the facts or law in a contested case or rulemaking proceeding, conducting any inspection, or providing any other official service or thing that is not available generally to members of the public in order to</p>	Iowa Code § 68B.2A (2008).
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	<p>further the interests of the outside employment or activity.</p> <p>3. Unless otherwise specifically provided the requirements of this section shall be in addition to, and shall not supersede, any other rights or remedies provided by law.</p>	
Kansas	<p>CHAPTER 46. LEGISLATURE ARTICLE 2. STATE GOVERNMENTAL ETHICS 46-229. "Substantial interest" and "client or customer" defined.</p> <p>"Substantial interest" means any of the following:</p> <p>(a) If an individual or an individual's spouse, either individually or collectively, has owned within the preceding 12 months a legal or equitable interest exceeding \$ 5,000 or 5% of any business, whichever is less, the individual has a substantial interest in that business.</p> <p>(b) If an individual or an individual's spouse, either individually or collectively, has received during the preceding calendar year compensation which is or will be required to be included as taxable income on federal income tax returns of the individual and spouse in an aggregate amount of \$ 2,000 from any business or combination of businesses, the individual has a substantial interest in that business or combination of businesses.</p> <p>(c) If an individual or an individual's spouse, either individually or collectively, has received directly or indirectly in the preceding 12 months, gifts or honoraria having an aggregate value of \$ 500 or more from any person, the individual has a substantial interest in that person. If a gift is received for which the value is unknown, the individual shall be deemed to have a substantial interest in the donor. A substantial interest does not exist under this subsection by reason of: (1) A gift or bequest received as the result of the death of the donor; (2) a gift from a spouse, parent, grandparent, sibling, aunt or uncle; or (3) acting as a trustee of a trust for the benefit of another.</p> <p>(d) If an individual or an individual's spouse holds the position of officer, director, associate, partner or proprietor of any business, the individual has a substantial interest in that business, irrespective of the amount of compensation received by the individual or individual's spouse.</p> <p>(e) If an individual or an individual's spouse receives compensation which is a portion or percentage of each separate fee or commission paid to a business or combination of businesses, the individual has a substantial interest in any client or customer who pays fees or commissions to the business or combination of businesses from which fees or commissions the individual or the individual's spouse, either individually or collectively, received an aggregate of \$ 2,000 or more in the preceding calendar year.</p> <p>As used in this subsection, "client or customer" means a business or combination of businesses.</p>	<p>Kan. Stat. Ann. § 46-229 (2006).</p>
Kentucky	<p>A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly, shall disclose the fact to the House of which he is a member, and shall not vote thereon upon pain of expulsion.</p>	<p>Kentucky Constitution, Section 57</p>
	<p>TITLE II Legislative Branch CHAPTER 6 The General Assembly Conduct of Legislators 6.761. Conflict of interest provisions -- Penalty.</p> <p>(1) A legislator shall not intentionally participate in the discussion of a question in</p>	<p>Ky. Rev. Stat. Ann. § 6.761 (2008).</p>

	<p>committee or on the floor of the General Assembly, vote, or make a decision in his official capacity on any matter:</p> <p>(a) In which he, or any member of his family, or the legislator's business associate will derive a direct monetary gain or suffer a direct monetary loss as a result of his vote or decision; or</p> <p>(b) Which relates specifically to a business in which he owns or controls an interest of ten thousand dollars (\$10,000) or more, or an interest of more than five percent (5%).</p> <p>Violation of this provision is a Class D felony. The provisions of this subsection notwithstanding, a legislator may vote on legislation affecting his salary, expenses, benefits, and allowances, as provided by law. The provisions of this subsection notwithstanding, a legislator may participate in the discussion of the question in committee and on the floor of the General Assembly, vote, or make a decision on a matter if any benefit or detriment which accrues to the member of the General Assembly, as a member of a business, profession, occupation, or other group, or to a member of his family or a business interest specified in subsection (1)(b) of this section is of no greater extent than the benefit or detriment which accrues generally to other members of the business, profession, occupation, or other group;</p> <p>(2) A legislator who has a personal or private interest in a bill proposed or pending before the General Assembly shall be subject to the limitations of Section 57 of the Constitution of Kentucky, which provides that the legislator shall disclose his interest to the house of which he is a member and refrain from voting upon pain of expulsion. A member shall disclose his interest by filing a disclosure statement with the clerk or by a verbal announcement to the body.</p> <p>(3) The right of legislators to represent their constituencies, however, is of such major importance that legislators should be barred from voting on matters of direct personal interest only in clear cases and if the matter is particularly personal.</p>	
<p>Louisiana</p>	<p>LOUISIANA REVISED STATUTES TITLE 42. PUBLIC OFFICERS AND EMPLOYEES CHAPTER 15. CODE OF GOVERNMENTAL ETHICS PART 2. ETHICAL STANDARDS FOR PUBLIC SERVANTS § 42:1120. Recusal from voting</p> <p>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. An elected official who recuses himself from voting pursuant to this Section shall not be prohibited from participating in discussion and debate concerning the matter, provided that he verbally discloses the nature of the conflict or potential conflict during his participation in the discussion or debate and prior to any vote taken on the matter.</p>	<p>La. Rev. Stat. Ann. § 42:1120 (2008).</p>
	<p>LOUISIANA REVISED STATUTES TITLE 42. PUBLIC OFFICERS AND EMPLOYEES CHAPTER 15. CODE OF GOVERNMENTAL ETHICS PART 2. ETHICAL STANDARDS FOR PUBLIC SERVANTS § 42:1112. Participation in certain transactions involving the governmental entity</p> <p>A. No public servant, except as provided in R.S. 42:1120, shall participate in a</p>	<p>La. Rev. Stat. Ann. § 42:1112 (2008).</p>

	<p>transaction in which he has a personal substantial economic interest of which he may be reasonably expected to know involving the governmental entity.</p> <p>B. No public servant, except as provided in R.S. 42:1120, 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:</p> <ul style="list-style-type: none"> (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. <p>C. Every public employee, excluding an appointed member of any board or commission, shall disqualify himself from participating in a transaction involving the governmental entity when a violation of this Part would result. The procedures for such disqualification shall be established by regulations issued pursuant to R.S. 42:1134(1).</p> <p>D. No appointed member of any board or commission, except as otherwise provided in R.S. 42:1120.1, 1120.2, or 1120.3, shall participate or be interested in any transaction involving the agency when a violation of this Part would result.</p>	
Maine	<p>TITLE 1. GENERAL PROVISIONS CHAPTER 25. GOVERNMENTAL ETHICS SUBCHAPTER 2. LEGISLATIVE ETHICS § 1015. Actions precluded; reports</p> <p>1. ACTIONS PRECLUDED. When a member of the Legislature has a conflict of interest, that member has an affirmative duty not to vote on any question in connection with the conflict in committee or in either branch of the Legislature, and shall not attempt to influence the outcome of that question.</p> <p>...</p>	Me. Rev. Stat. Ann. tit. 1, §§ 1015 (2008).
	<p>TITLE 1. GENERAL PROVISIONS CHAPTER 25. GOVERNMENTAL ETHICS SUBCHAPTER 2. LEGISLATIVE ETHICS § 1014. Conflict of interest</p> <p>1. SITUATIONS INVOLVING CONFLICT OF INTEREST. A conflict of interest shall include the following:</p> <p>A. Where a Legislator or a member of his immediate family has or acquires a direct substantial personal financial interest, distinct from that of the general public, in an enterprise which would be financially benefited by proposed legislation, or derives a direct substantial personal financial benefit from close economic association with a person known by the Legislator to have a direct financial interest</p>	Me. Rev. Stat. Ann. tit. 1, §§ 1014 (2008).

	<p>in an enterprise affected by proposed legislation.</p> <p>B. Where a Legislator or a member of his immediate family accepts gifts, other than campaign contributions duly recorded as required by law, from persons affected by legislation or who have an interest in a business affected by proposed legislation, where it is known or reasonably should be known that the purpose of the donor in making the gift is to influence the Legislator in the performance of his official duties or vote, or is intended as a reward for action on his part.</p> <p>C. Receiving compensation or reimbursement not authorized by law for services, advice or assistance as a Legislator.</p> <p>D. Appearing for, representing or assisting another in respect to a claim before the Legislature, unless without compensation and for the benefit of a citizen.</p> <p>E. Where a Legislator or a member of his immediate family accepts or engages in employment which could impair the Legislator's judgment, or where the Legislator knows that there is a substantial possibility that an opportunity for employment is being afforded him or a member of his immediate family with intent to influence his conduct in the performance of his official duties, or where the Legislator or a member of his immediate family stands to derive a personal private gain or loss from employment, because of legislative action, distinct from the gain or losses of other employees or the general community.</p> <p>F. Where a Legislator or a member of his immediate family has an interest in legislation relating to a profession, trade, business or employment in which the Legislator or a member of his immediate family is engaged, where the benefit derived by the Legislator or a member of his immediate family is unique and distinct from that of the general public or persons engaged in similar professions, trades, businesses or employment.</p> <p>2. UNDUE INFLUENCE. It is presumed that a conflict of interest exists where there are circumstances which involve a substantial risk of undue influence by a Legislator, including but not limited to the following cases.</p> <p>A. Appearing for, representing or assisting another in a matter before a state agency or authority, unless without compensation and for the benefit of a constituent, except for attorneys or other professional persons engaged in the conduct of their professions.</p> <p>1) Even in the excepted cases, an attorney or other professional person must refrain from references to his legislative capacity, from communications on legislative stationery and from threats or implications relating to legislative action.</p> <p>B. Representing or assisting another in the sale of goods or services to the State, a state agency or authority, unless the transaction occurs after public notice and competitive bidding.</p> <p>3. ABUSE OF OFFICE OR POSITION. It is presumed that a conflict of interest exists where a Legislator abuses his office or position, including but not limited to the following cases.</p> <p>A. Where a Legislator or a member of his immediate family has a direct financial interest or an interest through a close economic association in a contract for goods or services with the State, a state agency or authority in a transaction not covered by public notice and competitive bidding or by uniform rates established by the State, a state agency, authority or other governmental entity or by a professional</p>	
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	<p>association or organization.</p> <p>B. Granting or obtaining special privilege, exemption or preferential treatment to or for oneself or another, which privilege, exemption or treatment is not readily available to members of the general community or class to which the beneficiary belongs.</p> <p>C. Use or disclosure of confidential information obtained because of office or position for the benefit of self or another.</p>	
Maryland	<p>STATE GOVERNMENT TITLE 15. PUBLIC ETHICS SUBTITLE 5. CONFLICTS OF INTEREST PART II. SPECIAL LEGISLATIVE PROVISIONS § 15-511. Disqualification -- Presumption of conflict</p> <p>§ 15-511. Disqualification -- Presumption of conflict</p> <p>(a) "Close economic association" defined. --</p> <p>(1) In this section, "close economic association" means:</p> <p>(i) a legislator's:</p> <ol style="list-style-type: none"> 1. employer; 2. employee; or 3. partner in a business or professional enterprise; <p>(ii) a partnership, limited liability partnership, or limited liability company in which a legislator has invested capital or owns an interest;</p> <p>(iii) a corporation in which a legislator owns the lesser of:</p> <ol style="list-style-type: none"> 1. 10% or more of the outstanding capital stock; or 2. capital stock with a cumulative value of \$ 25,000 or more; and <p>(iv) a corporation in which the legislator is an officer, director, or agent.</p> <p>(2) "Close economic association" does not mean stock owned directly through a mutual fund, retirement plan, or other similar commingled investment vehicle the individual investments of which the legislator does not control or manage.</p> <p>(b) Disqualification. --</p> <p>(1) An interest of a member of the General Assembly conflicts with the public interest if the legislator's interest tends to impair the legislator's independence of judgment.</p> <p>(2) The conflict disqualifies the legislator from participating in any legislative action, or otherwise attempting to influence any legislation, to which the conflict relates.</p> <p>(c) Presumption of conflict. -- It is presumed that an interest disqualifies a legislator from participating in legislative action in any of the following circumstances:</p>	<p>Md. Code Ann. State Gov't § 15-511 (2008).</p>

	<p>(1) having or acquiring a direct interest in an enterprise which would be affected by the legislator's vote on proposed legislation, unless the interest is common to all members of:</p> <p>(i) a profession or occupation of which the legislator is a member; or</p> <p>(ii) the general public or a large class of the general public;</p> <p>(2) benefiting financially from a close economic association with a person whom the legislator knows has a direct interest in an enterprise or interest which would be affected by the legislator's participation in legislative action, differently from other like enterprises or interests;</p> <p>(3) benefiting financially from a close economic association with a person who is lobbying for the purpose of influencing legislative action; or</p> <p>(4) soliciting, accepting, or agreeing to accept a loan, other than a loan from a commercial lender in the normal course of business, from a person who would be affected by or has an interest in an enterprise which would be affected by the legislator's participation in legislative action.</p>	
Massachusetts	<p>PART IV CRIMES, PUNISHMENTS AND PROCEEDINGS IN CRIMINAL CASES TITLE I CRIMES AND PUNISHMENTS Chapter 268A Conduct of Public Officials and Employees § 6A. Notifying State Ethics Commission of Conflict of Interest.</p> <p>Any public official, as defined by section one of chapter two hundred and sixty-eight B, who in the discharge of his official duties would be required knowingly to take an action which would substantially affect such official's financial interests, unless the effect on such an official is no greater than the effect on the general public, shall file a written description of the required action and the potential conflict of interest with the state ethics commission.</p>	Mass. Gen. Laws ch. 268A, § 6A (2008).
Michigan	<p>CHAPTER 15 PUBLIC OFFICERS AND EMPLOYEES CONFLICTS OF INTEREST OF LEGISLATORS AND STATE OFFICERS § 15.302. Prohibition of substantial conflict of interest.</p> <p>Sec. 2. No member of the legislature, herein referred to as a "legislator", nor any state officer shall be interested directly or indirectly in any contract with the state or any political subdivision thereof which shall cause a substantial conflict of interest.</p>	Mich. Comp. Laws § 15.302 (2008).
Minnesota	<p>GOVERNMENT MISCELLANY CHAPTER 10A CAMPAIGN FINANCE AND PUBLIC DISCLOSURE PUBLIC WEB SITES AND PUBLICATIONS 10A.07 CONFLICTS OF INTEREST</p> <p>A public official or a local official elected to or appointed by a metropolitan governmental unit who in the discharge of official duties would be required to take an action or make a decision that would substantially affect the official's financial interests or those of an associated business, unless the effect on the official is no greater than on other members of the official's business classification, profession, or occupation, must take the following actions:</p> <p>(1) prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict of interest;</p> <p>(2) deliver copies of the statement to the official's immediate superior, if any; and</p>	Minn. Stat. § 10A.07 (2007).

	<p>(3) if a member of the legislature or of the governing body of a metropolitan governmental unit, deliver a copy of the statement to the presiding officer of the body of service.</p> <p>If a potential conflict of interest presents itself and there is insufficient time to comply with clauses (1) to (3), the public or local official must orally inform the superior or the official body of service or committee of the body of the potential conflict.</p> <p>Subd. 2. Required actions.</p> <p>If the official is not a member of the legislature or of the governing body of a metropolitan governmental unit, the superior must assign the matter, if possible, to another employee who does not have a potential conflict of interest. If there is no immediate superior, the official must abstain, if possible, in a manner prescribed by the board from influence over the action or decision in question. If the official is a member of the legislature, the house of service may, at the member's request, excuse the member from taking part in the action or decision in question. If the official is not permitted or is otherwise unable to abstain from action in connection with the matter, the official must file a statement describing the potential conflict and the action taken. A public official must file the statement with the board and a local official must file the statement with the governing body of the official's political subdivision. The statement must be filed within a week of the action taken.</p> <p>Subd. 3. Interest in contract; local officials.</p> <p>This section does not apply to a local official with respect to a matter governed by sections 471.87 and 471.88.</p>	
	<p>MUNICIPALITIES CHAPTER 471 MUNICIPAL RIGHTS, POWERS, DUTIES 471.87 PUBLIC OFFICERS, INTEREST IN CONTRACT; PENALTY</p> <p>Except as authorized in section 471.88, a public officer who is authorized to take part in any manner in making any sale, lease, or contract in official capacity shall not voluntarily have a personal financial interest in that sale, lease, or contract or personally benefit financially therefrom. Every public officer who violates this provision is guilty of a gross misdemeanor.</p>	<p>Minn. Stat. § 471.87 (2007).</p>
<p>Mississippi</p>	<p>TITLE 25. PUBLIC OFFICERS AND EMPLOYEES; PUBLIC RECORDS CHAPTER 4. ETHICS IN GOVERNMENT ARTICLE 3. CONFLICT OF INTEREST; IMPROPER USE OF OFFICE § 25-4-105. Certain actions, activities and business relationships prohibited or authorized; contracts in violation of section voidable; penalties</p> <p>(1) No public servant shall use his official position to obtain or attempt to obtain pecuniary benefit for himself other than that compensation provided for by law, or to obtain or attempt to obtain pecuniary benefit for any relative or any business with which he is associated.</p> <p>(2) No public servant shall be interested, directly or indirectly, during the term for which he shall have been chosen, or within one (1) year after the expiration of such term, in any contract with the state, or any district, county, city or town thereof, authorized by any law passed or order made by any board of which he may be or may have been a member.</p> <p>(3) No public servant shall:</p>	<p>Miss. Code Ann. § 25-4-105 (2008).</p>

	<p>(a) Be a contractor, subcontractor or vendor with the governmental entity of which he is a member, officer, employee or agent, other than in his contract of employment, or have a material financial interest in any business which is a contractor, subcontractor or vendor with the governmental entity of which he is a member, officer, employee or agent.</p> <p>(b) Be a purchaser, direct or indirect, at any sale made by him in his official capacity or by the governmental entity of which he is an officer or employee, except in respect of the sale of goods or services when provided as public utilities or offered to the general public on a uniform price schedule.</p> <p>(c) Be a purchaser, direct or indirect, of any claim, certificate, warrant or other security issued by or to be paid out of the treasury of the governmental entity of which he is an officer or employee.</p> <p>(d) Perform any service for any compensation during his term of office or employment by which he attempts to influence a decision of the authority of the governmental entity of which he is a member.</p> <p>(e) Perform any service for any compensation for any person or business after termination of his office or employment in relation to any case, decision, proceeding or application with respect to which he was directly concerned or in which he personally participated during the period of his service or employment.</p> <p>(4) Notwithstanding the provisions of subsection (3) of this section, a public servant or his relative:</p> <p>(a) May be an officer or stockholder of banks or savings and loan associations or other such financial institutions bidding for bonds, notes or other evidences of debt or for the privilege of keeping as depositories the public funds of a governmental entity thereof or the editor or employee of any newspaper in which legal notices are required to be published in respect to the publication of said legal notices.</p> <p>(b) May be a contractor or vendor with any authority of the governmental entity other than the authority of the governmental entity of which he is a member, officer, employee or agent or have a material financial interest in a business which is a contractor or vendor with any authority of the governmental entity other than the authority of the governmental entity of which he is a member, officer, employee or agent where such contract is let to the lowest and best bidder after competitive bidding and three (3) or more legitimate bids are received or where the goods, services or property involved are reasonably available from two (2) or fewer commercial sources, provided such transactions comply with the public purchases laws.</p> <p>(c) May be a subcontractor with any authority of the governmental entity other than the authority of the governmental entity of which he is a member, officer, employee or agent or have a material financial interest in a business which is a subcontractor with any authority of the governmental entity other than the authority of the governmental entity of which he is a member, officer, employee or agent where the primary contract is let to the lowest and best bidder after competitive bidding or where such goods or services involved are reasonably available from two (2) or fewer commercial sources, provided such transactions comply with the public purchases laws.</p> <p>(d) May be a contractor, subcontractor or vendor with any authority of the</p>	
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	<p>governmental entity of which he is a member, officer, employee or agent or have a material financial interest in a business which is a contractor, subcontractor or vendor with any authority of the governmental entity of which he is a member, officer, employee or agent: (i) where such goods or services involved are reasonably available from two (2) or fewer commercial sources, provided such transactions comply with the public purchases laws; or (ii) where the contractual relationship involves the further research, development, testing, promotion or merchandising of an intellectual property created by the public servant.</p> <p>(e) May purchase securities issued by the governmental entity of which he is an officer or employee if such securities are offered to the general public and are purchased at the same price as such securities are offered to the general public.</p> <p>(f) May have an interest less than a material financial interest in a business which is a contractor, subcontractor or vendor with any governmental entity.</p> <p>(g) May contract with the Mississippi Veteran's Home Purchase Board, Mississippi Housing Finance Corporation, or any other state loan program, for the purpose of securing a loan; however, public servants shall not receive favored treatment.</p> <p>(h) May be employed by or receive compensation from an authority of the governmental entity other than the authority of the governmental entity of which the public servant is an officer or employee.</p> <p>(i) If a member of the Legislature or other public servant employed on less than a full-time basis, may represent a person or organization for compensation before an authority of the governmental entity other than an authority of the governmental entity of which he is an officer or employee.</p> <p>(j) If a constable, may be employed and receive compensation as a deputy sheriff or other employee of the county for which he serves as constable.</p> <p>(5) No person may intentionally use or disclose information gained in the course of or by reason of his official position or employment as a public servant in any way that could result in pecuniary benefit for himself, any relative, or any other person, if the information has not been communicated to the public or is not public information.</p> <p>(6) Any contract made in violation of this section may be declared void by the governing body of the contracting or selling authority of the governmental subdivision or a court of competent jurisdiction and the contractor or subcontractor shall retain or receive only the reasonable value, with no increment for profit or commission, of the property or the services furnished prior to the date of receiving notice that the contract has been voided.</p> <p>(7) Any person violating the provisions of this section shall be punished as provided for in Sections 25-4-109 and 25-4-111.</p>	
Missouri	<p>TITLE 8. PUBLIC OFFICERS AND EMPLOYEES, BONDS AND RECORDS (Chs. 103-110) CHAPTER 105. PUBLIC OFFICERS AND EMPLOYEES-- MISCELLANEOUS PROVISIONS REGULATION OF CONFLICT OF INTEREST AND LOBBYING § 105.452. Prohibited acts by elected and appointed public officials and employees</p> <p>No elected or appointed official or employee of the state or any political subdivision thereof shall:</p>	Mo. Rev. Stat. § 105.452 (2008).

	<p>(1) Act or refrain from acting in any capacity in which he is lawfully empowered to act as such an official or employee by reason of any payment, offer to pay, promise to pay, or receipt of anything of actual pecuniary value paid or payable, or received or receivable, to himself or any third person, including any gift or campaign contribution, made or received in relationship to or as a condition of the performance of an official act, other than compensation to be paid by the state or political subdivision; or</p> <p>(2) Use confidential information obtained in the course of or by reason of his employment or official capacity in any manner with intent to result in financial gain for himself, his spouse, his dependent child in his custody, or any business with which he is associated;</p> <p>(3) Disclose confidential information obtained in the course of or by reason of his employment or official capacity in any manner with intent to result in financial gain for himself or any other person;</p> <p>(4) Favorably act on any matter that is so specifically designed so as to provide a special monetary benefit to such official or his spouse or dependent children, including but not limited to increases in retirement benefits, whether received from the state of Missouri or any third party by reason of such act. For the purposes of this subdivision, "special monetary benefit" means being materially affected in a substantially different manner or degree than the manner or degree in which the public in general will be affected or, if the matter affects only a special class of persons, then affected in a substantially different manner or degree than the manner or degree in which such class will be affected. In all such matters such officials must recuse themselves from acting and shall not be relieved by reason of the provisions of section 105.460, except that such official may act on increases in compensation subject to the restrictions of section 13 of article VII of the Missouri Constitution; or</p> <p>(5) Use his decision-making authority for the purpose of obtaining a financial gain which materially enriches himself, his spouse or dependent children by acting or refraining from acting for the purpose of coercing or extorting from another anything of actual pecuniary value.</p>	
<p>Montana</p>	<p>TITLE 2 GOVERNMENT STRUCTURE AND ADMINISTRATION CHAPTER 2 STANDARDS OF CONDUCT PART 1 CODE OF ETHICS 2-2-112 Ethical requirements for legislators.</p> <p>(1) The requirements in this section are intended as rules for legislator conduct, and violations constitute a breach of the public trust of legislative office.</p> <p>(2) A legislator has a responsibility to the legislator's constituents to participate in all matters as required in the rules of the legislature. A legislator concerned with the possibility of a conflict may briefly present the facts to the committee of that house that is assigned the determination of ethical issues. The committee shall advise the legislator as to whether the legislator should disclose the interest prior to voting on the issue pursuant to the provisions of subsection (5). The legislator may, subject to legislative rule, vote on an issue on which the legislator has a conflict, after disclosing the interest.</p> <p>(3) When a legislator is required to take official action on a legislative matter as to which the legislator has a conflict created by a personal or private interest that would directly give rise to an appearance of impropriety as to the legislator's influence, benefit, or detriment in regard to the legislative matter, the legislator</p>	<p>Mont. Code Ann. § 2-2-112 (2007).</p>

	<p>shall disclose the interest creating the conflict prior to participating in the official action, as provided in subsections (2) and (5) and the rules of the legislature. In making a decision, the legislator shall consider:</p> <p>(a) whether the conflict impedes the legislator's independence of judgment;</p> <p>(b) the effect of the legislator's participation on public confidence in the integrity of the legislature;</p> <p>(c) whether the legislator's participation is likely to have any significant effect on the disposition of the matter; and</p> <p>(d) whether a pecuniary interest is involved or whether a potential occupational, personal, or family benefit could arise from the legislator's participation.</p> <p>(4) A conflict situation does not arise from legislation or legislative duties affecting the membership of a profession, occupation, or class.</p> <p>(5) A legislator shall disclose an interest creating a conflict, as provided in the rules of the legislature. A legislator who is a member of a profession, occupation, or class affected by legislation is not required to disclose an interest unless the class contained in the legislation is so narrow that the vote will have a direct and distinctive personal impact on the legislator. A legislator may seek a determination from the appropriate committee provided for in 2-2-135.</p>	
Nebraska	<p>CHAPTER 49. LAW ARTICLE 14. NEBRASKA POLITICAL ACCOUNTABILITY AND DISCLOSURE ACT (d) CONFLICTS OF INTEREST § 49-1499. Legislature; discharge of official duties; potential conflict; actions required</p> <p>(1) A member of the Legislature who would be required to take any action or make any decision in the discharge of his or her official duties that may cause financial benefit or detriment to him or her, a member of his or her immediate family, or a business with which he or she is associated, which is distinguishable from the effects of such action on the public generally or a broad segment of the public, shall take the following actions as soon as he or she is aware of such potential conflict or should reasonably be aware of such potential conflict, whichever is sooner:</p> <p>(a) Prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict, and if he or she will not abstain from voting, deliberating, or taking other action on the matter, the statement shall state why, despite the potential conflict, he or she intends to vote or otherwise participate; and</p> <p>(b) Deliver a copy of the statement to the commission and to the Speaker of the Legislature who shall cause the statement to be filed with the Clerk of the Legislature to be held as a matter of public record.</p> <p>(2) Nothing in this section shall prohibit any member of the Legislature from voting, deliberating, or taking other action on any matter that comes before the Legislature.</p> <p>(3) The member of the Legislature may abstain from voting, deliberating, or taking other action on the matter on which the potential conflict exists. He or she may have the reasons for the abstention recorded in the Legislative Journal.</p>	R.R.S. Neb. § 49-1499 (2008).

<p>Nevada</p>	<p>TITLE 23. Public Officers And Employees. CHAPTER 281. General Provisions. Miscellaneous Provisions and Prohibitions 281.221. Contracts in which state officer has interest prohibited; exceptions; penalties.</p> <p>1. Except as otherwise provided in this section, it is unlawful for any state officer who is not a member of the Legislature to:</p> <p>(a) Become a contractor under any contract or order for supplies or other kind of contract authorized by or for the State or any of its departments, or the Legislature or either of its houses, or to be interested, directly or indirectly, as principal, in any kind of contract so authorized.</p> <p>(b) Be interested in any contract made by him or to be a purchaser or interested in any purchase under a sale made by him in the discharge of his official duties.</p> <p>2. Any member of any board, commission or similar body who is engaged in the profession, occupation or business regulated by the board, commission or body may supply or contract to supply, in the ordinary course of his business, goods, materials or services to any state or local agency, except the board or commission of which he is a member, if he has not taken part in developing the contract plans or specifications and he will not be personally involved in opening, considering or accepting offers.</p> <p>3. A full- or part-time faculty member of the Nevada System of Higher Education may bid on or enter into a contract with a governmental agency, or may benefit financially or otherwise from a contract between a governmental agency and a private entity, if the contract complies with the policies established by the Board of Regents of the University of Nevada pursuant to NRS 396.255.</p> <p>4. A state officer, other than an officer described in subsection 2 or 3, may bid on or enter into a contract with a governmental agency if the contracting process is controlled by rules of open competitive bidding, the sources of supply are limited, he has not taken part in developing the contract plans or specifications and he will not be personally involved in opening, considering or accepting offers.</p> <p>5. Any contract made in violation of this section may be declared void at the instance of the State or of any other person interested in the contract except an officer prohibited from making or being interested in the contract.</p> <p>6. Any person violating this section is guilty of a gross misdemeanor and shall forfeit his office.</p>	<p>Nev. Rev. Stat. Ann. § 281.221 (2007).</p>
<p>New Hampshire</p>	<p>"Conflict Of Interest" is the condition in which a legislator has a financial interest in any official activity.</p>	<p>Legislative Ethics Committee: Ethics Guidelines - § 2, pt. 2.</p>
<p>New Jersey</p>	<p>TITLE 52. STATE GOVERNMENT, DEPARTMENTS AND OFFICERS SUBTITLE 2. STATE LEGISLATURE CHAPTER 13D. CONFLICT OF INTEREST § 52:13D-13. Definitions</p> <p>...</p> <p>(g) "Interest" means (1) the ownership or control of more than 10% of the profits or assets of a firm, association, or partnership, or more than 10% of the stock in a</p>	<p>N.J. Stat. § 52:13D-13 (2008).</p>

	<p>corporation for profit other than a professional service corporation organized under the "Professional Service Corporation Act," P.L. 1969, c. 232 (C. 14A:17-1 et seq.); or (2) the ownership or control of more than 1% of the profits of a firm, association, or partnership, or more than 1% of the stock in any corporation, which is the holder of, or an applicant for, a casino license or in any holding or intermediary company with respect thereto, as defined by the "Casino Control Act," P.L. 1977, c. 110 (C. 5:12-1 et seq.). The provisions of this act governing the conduct of individuals are applicable to shareholders, associates or professional employees of a professional service corporation regardless of the extent or amount of their shareholder interest in such a corporation.</p>	
	<p>TITLE 52. STATE GOVERNMENT, DEPARTMENTS AND OFFICERS SUBTITLE 2. STATE LEGISLATURE CHAPTER 13D. CONFLICT OF INTEREST § 52:13D-23. Codes of ethics</p> <p>(a) (1) The head of each State agency, or the principal officer in charge of a division, board, bureau, commission or other instrumentality within a department of State Government designated by the head of such department for the purposes hereinafter set forth, shall within six months from the date of enactment, promulgate a code of ethics to govern and guide the conduct of the members of the Legislature...</p> <p>...</p> <p>(e) A code of ethics for officers and employees of a State agency shall conform to the following general standards:</p> <p>(1) No State officer or employee or special State officer or employee should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest.</p> <p>(2) No State officer or employee or special State officer or employee should engage in any particular business, profession, trade or occupation which is subject to licensing or regulation by a specific agency of State Government without promptly filing notice of such activity with the State Ethics Commission, if he is an officer or employee in the Executive Branch, or with the Joint Legislative Committee on Ethical Standards, if he is an officer or employee in the Legislative Branch.</p> <p>(3) No State officer or employee or special State officer or employee should use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others.</p> <p>(4) No State officer or employee or special State officer or employee should act in his official capacity in any matter wherein he has a direct or indirect personal financial interest that might reasonably be expected to impair his objectivity or independence of judgment.</p> <p>(5) No State officer or employee or special State officer or employee should undertake any employment or service, whether compensated or not, which might reasonably be expected to impair his objectivity and independence of judgment in the exercise of his official duties.</p> <p>(6) No State officer or employee or special State officer or employee should accept any gift, favor, service or other thing of value under circumstances from which it might be reasonably inferred that such gift, service or other thing of value was given or offered for the purpose of influencing him in the discharge of his official duties.</p>	<p>N.J. Stat. § 52:13D-23 (2008).</p>

	<p>(7) No State officer or employee or special State officer or employee should knowingly act in any way that might reasonably be expected to create an impression or suspicion among the public having knowledge of his acts that he may be engaged in conduct violative of his trust as a State officer or employee or special State officer or employee.</p> <p>(8) Rules of conduct adopted pursuant to these principles should recognize that under our democratic form of government public officials and employees should be drawn from all of our society, that citizens who serve in government cannot and should not be expected to be without any personal interest in the decisions and policies of government; that citizens who are government officials and employees have a right to private interests of a personal, financial and economic nature; that standards of conduct should separate those conflicts of interest which are unavoidable in a free society from those conflicts of interest which are substantial and material, or which bring government into disrepute.</p> <p>(f) The code of ethics for members of the Legislature shall conform to subsection (e) hereof as nearly as may be possible.</p>	
New Mexico	<p>CHAPTER 10. PUBLIC OFFICERS AND EMPLOYEES ARTICLE 16. GOVERNMENTAL CONDUCT § 10-16-2. Definitions</p> <p>...</p> <p>E. "financial interest" means an interest held by an individual or the individual's family that is:</p> <p style="padding-left: 40px;">(1) an ownership interest in business; or</p> <p style="padding-left: 40px;">(2) any employment or prospective employment for which negotiations have already begun;</p> <p>...</p> <p>J. "substantial interest" means an ownership interest that is greater than twenty percent.</p>	N.M. Stat. Ann. § 10-16-2 (2008).
	<p>CHAPTER 10. PUBLIC OFFICERS AND EMPLOYEES ARTICLE 16. GOVERNMENTAL CONDUCT § 10-16-3. Ethical principles of public service; certain official acts prohibited; penalty</p> <p>A. A legislator, public officer or employee shall treat the legislator's, public officer's or employee's government position as a public trust. The legislator, public officer or employee shall use the powers and resources of public office only to advance the public interest and not to obtain personal benefits or pursue private interests incompatible with the public interest.</p> <p>B. Legislators, public officers and employees shall conduct themselves in a manner that justifies the confidence placed in them by the people, at all times maintaining the integrity and discharging ethically the high responsibilities of public service.</p> <p>C. Full disclosure of real or potential conflicts of interest shall be a guiding principle for determining appropriate conduct. At all times, reasonable efforts shall be made to avoid undue influence and abuse of office in public service.</p> <p>D. No legislator, public officer or employee may request or receive, and no person may offer a legislator, public officer or employee, any money, thing of value or promise thereof that is conditioned upon or given in exchange for promised</p>	N.M. Stat. Ann. § 10-16-3 (2008).

	performance of an official act. Any person who knowingly and willfully violates the provisions of this subsection is guilty of a fourth degree felony and shall be sentenced pursuant to the provisions of Section 31-18-15 NMSA 1978.	
New York	<p>PUBLIC OFFICERS LAW ARTICLE 4. POWERS AND DUTIES OF PUBLIC OFFICERS § 74. Code of ethics</p> <p>Rule with respect to conflicts of interest. No officer or employee of a state agency, member of the legislature or legislative employee should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest.</p>	NY CLS Pub O § 74 (2008).
North Carolina	<p>CHAPTER 138A. STATE GOVERNMENT ETHICS ACT ARTICLE 4. ETHICAL STANDARDS FOR COVERED PERSONS. § 138A-35. Other rules of conduct</p> <p>(a) A public servant shall make a due and diligent effort before taking any action, including voting or participating in discussions with other public servants on a board on which the public servant also serves, to determine whether the public servant has a conflict of interest. If the public servant is unable to determine whether or not a conflict of interest may exist, the public servant has a duty to inquire of the Commission as to that conflict.</p> <p>(b) A public servant shall continually monitor, evaluate, and manage the public servant's personal, financial, and professional affairs to ensure the absence of conflicts of interest.</p> <p>(c) A public servant shall obey all other civil laws, administrative requirements, and criminal statutes governing conduct of State government applicable to appointees and employees.</p>	N.C. Gen. Stat. § 138A-35 (2008).
North Dakota	<p>TITLE 44 Offices and Officers CHAPTER 44-04 Duties, Records, and Meetings 44-04-22. Conflict of interest law.</p> <p>A person acting in a legislative or quasi-legislative or judicial or quasi-judicial capacity for a political subdivision of the state who has a direct and substantial personal or pecuniary interest in a matter before that board, council, commission, or other body, must disclose the fact to the body of which that person is a member, and may not participate in or vote on that particular matter without the consent of a majority of the rest of the body.</p>	N.D. Cent. Code, § 44-04-22 (2007).
Ohio	<p>TITLE 1. STATE GOVERNMENT CHAPTER 102. PUBLIC OFFICERS -- ETHICS § 102.02. Duty to file disclosure statement with ethics commission</p> <p>...</p> <p>(10)(B) The Ohio ethics commission shall examine each disclosure statement required to be kept confidential to determine whether a potential conflict of interest exists for the person who filed the disclosure statement. A potential conflict of interest exists if the private interests of the person, as indicated by the person's disclosure statement, might interfere with the public interests the person is required to serve in the exercise of the person's authority and duties in the person's office or position of employment. If the commission determines that a potential conflict of interest exists, it shall notify the person who filed the disclosure statement and shall make the portions of the disclosure statement that indicate a potential conflict of interest subject to public inspection in the same manner as is provided for other disclosure statements. Any portion of the disclosure statement that the commission determines does not indicate a potential</p>	ORC Ann. 102.02 (2008).

	<p>conflict of interest shall be kept confidential by the commission and shall not be made subject to public inspection, except as is necessary for the enforcement of Chapters 102. and 2921. of the Revised Code and except as otherwise provided in this division.</p>	
Oklahoma	<p>TITLE 74. STATE GOVERNMENT CHAPTER 62. APPENDIX. TITLE 257. ETHICS COMMISSION CHAPTER 20. ETHICS AND CONFLICTS OF INTEREST 257:20-1-7. Votes, deliberations, and discussions by legislators or statewide elective officers</p> <p>(a) A legislator or statewide elective officer shall not introduce or cause to have introduced, request the introduction of, promote, or vote on any legislation if the statewide elective officer or legislator or a child adopted child, step-child or spouse of the officer or legislator or a business or entity with which the legislator or officer or a member of the immediate family of the legislator or officer is associated has:</p> <p>(1) a pecuniary interest in; or</p> <p>(2) a reasonably foreseeable benefit from;</p> <p>the legislation. A reasonably foreseeable benefit includes detriment to a business competitor to the legislator or statewide elective officer, to a business competitor of a member of the immediate family of the legislator or officer, or to a business competitor of a business or entity with which the legislator or officer or child, adopted child, step-child or spouse of the legislator or officer is associated.</p> <p>(b) A legislator or statewide elective officer may introduce or cause to have introduced, request the introduction of, promote, or vote on legislation if the only pecuniary interest or reasonably foreseeable benefit that may accrue to the legislator or officer, child, adopted child, step-child or spouse of the legislator or officer, or business or entity with which a legislator or officer or a child, adopted child, step-child or spouse of a legislator or officer is associated is incidental to the legislator's or officer's, child's, adopted child's, step-child's, or spouse's or business or entity's position, or which accrues to the legislator or officer, child, adopted child, step-child or spouse of the legislator or officer, or business or entity as a member of a profession, occupation, or large class, whichever is applicable, to no significantly greater extent than the pecuniary interest or potential benefit could reasonably be foreseen to accrue to all other members of the profession, occupation, or large class.</p> <p>(c) Nothing in this subsection shall allow a legislator or a member of the immediate family of a legislator, a statewide elective officer, or a business or entity with which the legislator or statewide elective officer is associated to contract with a governmental entity except as provided in Subsection (b) of Section 10 of this chapter.</p>	<p>74 Okl. St. Chap. 62, Appx., 257:20-1-7 (2008).</p>
Oregon	<p>TITLE 22. PUBLIC OFFICERS AND EMPLOYEES CHAPTER 244. GOVERNMENT ETHICS GENERAL PROVISIONS 244.020. Definitions.</p> <p>(1) "Actual conflict of interest" means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit or detriment of the person or the person's relative or any business with which the person or a relative of the person is associated unless the pecuniary benefit or detriment arises out of circumstances described in subsection (11) of this section.</p>	<p>ORS § 244.020 (2007).</p>

	<p>...</p> <p>(11) "Potential conflict of interest" means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which could be to the private pecuniary benefit or detriment of the person or the person's relative, or a business with which the person or the person's relative is associated, unless the pecuniary benefit or detriment arises out of the following:</p> <p>(a) An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position.</p> <p>(b) Any action in the person's official capacity which would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person's relative or business with which the person or the person's relative is associated, is a member or is engaged.</p> <p>(c) Membership in or membership on the board of directors of a nonprofit corporation that is tax-exempt under section 501(c) of the Internal Revenue Code.</p>	
Pennsylvania	<p>PENNSYLVANIA CONSOLIDATED STATUTES TITLE 65. PUBLIC OFFICERS PART II. ACCOUNTABILITY CHAPTER 11. ETHICS STANDARDS AND FINANCIAL DISCLOSURE § 1102. Definitions</p> <p>...</p> <p>"Conflict" or "conflict of interest." Use by a public official or public employee of the authority of his office or employment or any confidential information received through his holding public office or employment for the private pecuniary benefit of himself, a member of his immediate family or a business with which he or a member of his immediate family is associated. The term does not include an action having a de minimis economic impact or which affects to the same degree a class consisting of the general public or a subclass consisting of an industry, occupation or other group which includes the public official or public employee, a member of his immediate family or a business with which he or a member of his immediate family is associated.</p>	65 Pa.C.S. § 1102 (2007).
Rhode Island	<p>TITLE 36. PUBLIC OFFICERS AND EMPLOYEES CHAPTER 14. CODE OF ETHICS § 36-14-7. Interest in conflict with discharge of duties</p> <p>(a) A person subject to this code of ethics has an interest which is in substantial conflict with the proper discharge of his or her duties or employment in the public interest and of his or her responsibilities as prescribed in the laws of this state, if he or she has reason to believe or expect that he or she or any person within his or her family or any business associate, or any business by which the person is employed or which the person represents will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his or her official activity.</p> <p>(b) A person subject to this code of ethics does not have an interest which is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state, if any benefit or detriment accrues to him or her or any person within his or her family or any business associate, or any business by which the person is employed or which the person represents, as a member of a business, profession, occupation, or group, or of any significant and definable class of persons within the business,</p>	R.I. Gen. Laws § 36-14-7 (2008).

	profession, occupation, or group, to no greater extent than any other similarly situated member of the business, profession, occupation, or group, or of the significant and definable class of persons within the business, profession, occupation or group.	
	<p>TITLE 36. PUBLIC OFFICERS AND EMPLOYEES CHAPTER 14. CODE OF ETHICS § 36-14-6. Statement of conflict of interest</p> <p>Any person subject to this code of ethics who, in the discharge of his or her official duties, is or may be required to take an action, make a decision, or refrain therefrom that will or can reasonably be expected to directly result in an economic benefit to the person, or spouse (if not estranged), or any dependent child of the person, or business associate or any business by which the person is employed or which the person represents, shall, before taking any such action or refraining therefrom:</p> <p>(1) Prepare a written statement sworn to under the penalties for perjury describing the matter requiring action and the nature of the potential conflict; if he or she is a member of a legislative body and he or she does not request that he or she be excused from voting, deliberating, or taking action on the matter, the statement shall state why, despite the potential conflict, he or she is able to vote and otherwise participate fairly, objectively, and in the public interest; and</p> <p>(2) Deliver a copy of the statement to the commission, and:</p> <p>(i) If he or she is a member of the general assembly or of any city or town legislative body, he or she shall deliver a copy of the statement to the presiding officer of the body, who shall cause the statement to be recorded in the journal of the body and, upon request of the member, may excuse the member from votes, deliberations, or any other action on the matter on which a potential conflict exists; or</p> <p>(ii) If the person is not a legislator, his or her superior, if any, shall, if reasonably possible, assign the matter to another person who does not have a conflict of interest. If he or she has no immediate superior, he or she shall take such steps as the commission shall prescribe through rules or regulations to remove him or herself from influence over any action on the matter on which the conflict of interest exists.</p>	R.I. Gen. Laws § 36-14-6 (2008).
South Carolina	<p>TITLE 8. PUBLIC OFFICERS AND EMPLOYEES CHAPTER 13. ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ARTICLE 7. RULES OF CONDUCT § 8-13-700. Use of official position or office for financial gain; disclosure of potential conflict of interest.</p> <p>(A) No public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated. This prohibition does not extend to the incidental use of public materials, personnel, or equipment, subject to or available for a public official's, public member's, or public employee's use which does not result in additional public expense.</p> <p>(B) No public official, public member, or public employee may make, participate in making, or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated</p>	S.C. Code Ann. § 8-13-700 (2007).

	<p>has an economic interest. A public official, public member, or public employee who, in the discharge of his official responsibilities, is required to take an action or make a decision which affects an economic interest of himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated shall:</p> <p>(1) prepare a written statement describing the matter requiring action or decisions and the nature of his potential conflict of interest with respect to the action or decision;</p> <p>(2) if the public official is a member of the General Assembly, he shall deliver a copy of the statement to the presiding officer of the appropriate house. The presiding officer shall have the statement printed in the appropriate journal and require that the member of the General Assembly be excused from votes, deliberations, and other action on the matter on which a potential conflict exists;</p> <p>(3) if he is a public employee, he shall furnish a copy of the statement to his superior, if any, who shall assign the matter to another employee who does not have a potential conflict of interest. If he has no immediate superior, he shall take the action prescribed by the State Ethics Commission;</p> <p>(4) if he is a public official, other than a member of the General Assembly, he shall furnish a copy of the statement to the presiding officer of the governing body of any agency, commission, board, or of any county, municipality, or a political subdivision thereof, on which he serves, who shall cause the statement to be printed in the minutes and require that the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists and shall cause the disqualification and the reasons for it to be noted in the minutes;</p> <p>(5) if he is a public member, he shall furnish a copy to the presiding officer of any agency, commission, board, or of any county, municipality, or a political subdivision thereof, on which he serves, who shall cause the statement to be printed in the minutes and shall require that the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists and shall cause such disqualification and the reasons for it to be noted in the minutes.</p> <p>(C) Where a public official, public member, or public employee or a member of his immediate family holds an economic interest in a blind trust, he is not considered to have a conflict of interest with regard to matters pertaining to that economic interest, if the existence of the blind trust has been disclosed to the appropriate supervisory office.</p> <p>(D) The provisions of this section do not apply to any court in the unified judicial system.</p> <p>(E) When a member of the General Assembly is required by law to appear because of his business interest as an owner or officer of the business or in his official capacity as a member of the General Assembly, this section does not apply.</p>	
<p>South Dakota</p>	<p>CONSTITUTION OF SOUTH DAKOTA ARTICLE III. LEGISLATIVE DEPARTMENT ... [N]or shall any member of the Legislature during the term for which he shall have been elected, or within one year thereafter, be interested, directly or indirectly, in any contract with the state or any county thereof, authorized by any law passed during the term for which he shall have been elected.</p>	<p>S.D. Const. Art. III, § 12.</p>

<p>Tennessee</p>	<p>Title 8 Public Officers And Employees Chapter 50 Miscellaneous Provisions Part 5 --Disclosure Statements of Conflict of Interests 8-50-502. Disclosure statements -- Contents.</p> <p>Legislators must file a Conflict of Interest Disclosure statement that meets the following requirements:</p> <p>Disclosure shall be made of:</p> <p>(1) The major source or sources of private income of more than one thousand dollars (\$1,000), including, but not limited to, offices, directorships, and salaried employments of the person making disclosure, the spouse, or minor children residing with such person, but no dollar amounts need be stated. This subdivision (1) shall not be construed to require the disclosure of any client list or customer list;</p> <p>(2) Any investment which the person making disclosure, that person's spouse, or minor children residing with that person has in any corporation or other business organization in excess of ten thousand dollars (\$10,000) or five percent (5%) of the total capital; however, it shall not be necessary to state specific dollar amounts or percentages of such investments;</p> <p>(3) Any person, firm, or organization for whom compensated lobbying is done by any associate of the person making disclosure, that person's spouse, or minor children residing with the person making disclosure, or any firm in which the person making disclosure or they hold any interest, complete to include the terms of any such employment and the measure or measures to be supported or opposed;</p> <p>(4) In general terms by areas of the client's interest, the entities to which professional services, such as those of an attorney, accountant, or architect, are furnished by the person making disclosure or that person's spouse;</p> <p>(5) By any member of the general assembly, the amount and source, by name, or any contributions from private sources for use in defraying the expenses necessarily related to the adequate performance of that member's legislative duties. The expenditure of campaign funds by an officeholder for the furtherance of the office of the officeholder shall be considered as an expenditure under title 2, chapter 10, and such expenditures need not be reported under the provisions of this chapter;</p> <p>(6) Any retainer fee which the person making the disclosure receives from any person, firm, or organization who is in the practice of promoting or opposing, influencing or attempting to influence, directly or indirectly, the passage or defeat of any legislation before the general assembly, the legislative committees, or the members to such entities;</p> <p>(7) Any adjudication of bankruptcy or discharge received in any United States district court within five (5) years of the date of the disclosure;</p> <p>(8) Any loan or combination of loans of more than one thousand dollars (\$1,000) from the same source made in the previous calendar year to the person making disclosure or to the spouse or minor children unless:</p> <p>(A) The loan is from an immediate family member;</p> <p>(B) The loan is from a financial institution whose deposits are insured by an entity of the federal government, or such loan is made in accordance with existing</p>	<p>Tenn. Code Ann. 8-50-502 (2008).</p>
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	<p>law and is made in the ordinary course of business. A loan is made in the ordinary course of business if the lender is in the business of making loans, and the loan bears the usual and customary interest rate of the lender for the category of loan involved, is made on a basis which assures repayment, is evidenced by a written instrument, and is subject to a due date or amortization schedule;</p> <p>(C) The loan is secured by a recorded security interest in collateral, bears the usual and customary interest rate of the lender for the category of loan involved, is made on a basis which assures repayment, is evidenced by a written instrument, and is subject to a due date or amortization schedule;</p> <p>(D) The loan is from a partnership in which the legislator has at least ten percent (10%) partnership interest; or</p> <p>(E) The loan is from a corporation in which more than fifty percent (50%) of the outstanding voting shares are owned by the person making disclosure or by a member of such person's immediate family.</p> <p>As used in this subdivision (8), "immediate family member" means a spouse, parent, sibling or child; and</p> <p>(9) Such additional information as the person making disclosure might desire.</p>	
Texas	<p>GOVERNMENT CODE TITLE 5. OPEN GOVERNMENT; ETHICS SUBTITLE B. ETHICS CHAPTER 572. PERSONAL FINANCIAL DISCLOSURE, STANDARDS OF CONDUCT, AND CONFLICT OF INTEREST SUBCHAPTER A. GENERAL PROVISIONS § 572.005. Determination of Substantial Interest</p> <p>An individual has a substantial interest in a business entity if the individual:</p> <p>(1) has a controlling interest in the business entity;</p> <p>(2) owns more than 10 percent of the voting interest in the business entity;</p> <p>(3) owns more than \$25,000 of the fair market value of the business entity;</p> <p>(4) has a direct or indirect participating interest by shares, stock, or otherwise, regardless of whether voting rights are included, in more than 10 percent of the profits, proceeds, or capital gains of the business entity;</p> <p>(5) is a member of the board of directors or other governing board of the business entity;</p> <p>(6) serves as an elected officer of the business entity; or</p> <p>(7) is an employee of the business entity.</p>	Tex. Gov't Code § 572.005 (2007).
Utah	<p>TITLE 76. UTAH CRIMINAL CODE CHAPTER 8. OFFENSES AGAINST THE ADMINISTRATION OF GOVERNMENT PART 1. CORRUPT PRACTICES § 76-8-109. Failure of member of Legislature to disclose interest in measure or bill</p> <p>(b) "Conflict of interest" means legislation or action by a legislator that the legislator reasonably believes may cause direct financial benefit or detriment to</p>	Utah Code Ann. § 76-8-109 (2008).

	him, a member of the legislator's immediate family, or a business in which the legislator is associated, and that benefit or detriment is distinguishable from the effects of that action on the public or on the legislator's profession, occupation, or association generally.	
Vermont	No senator shall be permitted to vote upon any question in which he or she is directly or immediately interested.	Senate Rule 71.
	Members shall not be permitted to vote upon any question in which they are immediately or directly interested.	House Rule 75.
Virginia	Every Senator present in the Chamber, when any question is put or vote taken, shall vote or be counted as voting on one side or the other, except in the case of pairs, as hereinafter provided. A Senator who has a personal interest in the transaction, as defined in § 30-101 of the Code of Virginia, shall neither vote nor be counted upon it, and he shall withdraw, or invoke this rule not to be counted, prior to the division and the fact shall be recorded on the voting machine. If a Senator invokes this rule, the Senator shall not participate, directly or indirectly, in the matter wherein the rule is invoked.	Senate Rule 36 (2008).
	Upon a division of the House on any question, a member who is present and fails to vote shall on the demand of any member be counted on the negative of the question and when the yeas and nays are taken shall, in addition, be entered on the Journal as present and not voting. However, no member who has an immediate and personal interest in the result of the question shall either vote or be counted upon it...	House Rule 69 (2008).
	TITLE 30. GENERAL ASSEMBLY CHAPTER 13. GENERAL ASSEMBLY CONFLICTS OF INTERESTS ACT ARTICLE 1. GENERAL PROVISIONS § 30-101. Definitions ... "Personal interest" means a financial benefit or liability accruing to a legislator or to a member of his immediate family. Such interest shall exist by reason of (i) ownership in a business if the ownership interest exceeds three percent of the total equity of the business; (ii) annual income that exceeds, or may reasonably be anticipated to exceed, \$ 10,000 from ownership in real or personal property or a business; (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination thereof, paid or provided by a business that exceeds, or may reasonably be anticipated to exceed, \$ 10,000 annually; (iv) ownership of real or personal property if the interest exceeds \$ 10,000 in value and excluding ownership in a business, income, or salary, other compensation, fringe benefits or benefits from the use of property; or (v) personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business.	Va. Code Ann. § 30-101 (2008).
Washington	TITLE 42. PUBLIC OFFICERS AND AGENCIES CHAPTER 42.52. ETHICS IN PUBLIC SERVICE § 42.52.020. Activities incompatible with public duties No state officer or state employee may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties.	Rev. Code Wash. (ARCW) § 42.52.020 (2008).
West Virginia	2.2. For the purpose of this section a matter will be considered "personal" to a public official or public employee when he or she has any pecuniary interest either directly or indirectly in the matter or is affected in a manner which may influence his or her vote or would clearly give the appearance of impropriety. An interest is not "personal" if the interest of the public official or public employee in the matter is affected as a member of, and to no greater extent than any other member of, a profession, occupation or class.	Title 158 Legislative Rules West Virginia Ethics Commission Series 9 Voting

Wisconsin	<p>GENERAL ORGANIZATION OF THE STATE, EXCEPT THE JUDICIARY CHAPTER 19. GENERAL DUTIES OF PUBLIC OFFICIALS CODE OF ETHICS FOR PUBLIC OFFICIALS AND EMPLOYEES 19.45. Standards of conduct; state public officials.</p> <p>...</p> <p>(2) No state public official may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated. This subsection does not prohibit a state public official from using the title or prestige of his or her office to obtain contributions permitted and reported as required by ch. 11.</p>	Wis. Stat. § 19.45 (2007).
	<p>GENERAL ORGANIZATION OF THE STATE, EXCEPT THE JUDICIARY CHAPTER 19. GENERAL DUTIES OF PUBLIC OFFICIALS CODE OF ETHICS FOR PUBLIC OFFICIALS AND EMPLOYEES 19.46. Conflict of interest prohibited; exception.</p> <p>(1) Except in accordance with the boards advice under s. 5.05 (6a) and except as otherwise provided in sub. (3), no state public official may:</p> <p>(a) Take any official action substantially affecting a matter in which the official, a member of his or her immediate family, or an organization with which the official is associated has a substantial financial interest.</p> <p>(b) Use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official, one or more members of the officials immediate family either separately or together, or an organization with which the official is associated.</p>	Wis. Stat. § 19.46 (2007).
Wyoming	<p>Title 6 Crimes and Offenses Chapter 5 Offenses Against Public Administration Article 1. Offenses by Public Officials § 6-5-106. Conflict of interest; penalties; disclosure of interest and withdrawal from participation.</p> <p>(a) Except as provided by subsection (b) of this section, a public servant commits an offense if he requests or receives any pecuniary benefit, other than lawful compensation, on any contract, or for the letting of any contract, or making any appointment where the government employing or subject to the discretion or decisions of the public servant is concerned.</p> <p>(b) If any public servant discloses the nature and extent of his pecuniary interest to all parties concerned therewith and does not participate during the considerations and vote thereon and does not attempt to influence any of the parties and does not act for the governing body with respect to the contracts or appointments, then the acts are not unlawful under subsection (a) of this section. Subsection (a) of this section does not apply to the operation, administration, inspection or performance of banking and deposit contracts or relationships after the selection of a depository.</p> <p>(c) Violation of subsection (a) of this section is a misdemeanor punishable by a fine of not more than five thousand dollars (\$5,000.00).</p>	Wyo. Stat. § 6-5-106 (2007).
District of Columbia	<p>TITLE 1. GOVERNMENT ORGANIZATION CHAPTER 11. ELECTION CAMPAIGNS; LOBBYING; CONFLICT OF INTEREST SUBCHAPTER I. GENERAL PROVISIONS PART F. CONFLICT OF INTEREST AND DISCLOSURE § 1-1106.01. Conflict of interest [Formerly § 1-1461]</p>	DC Official Code §§ 1-1106.01 (2008).

	<p>(a) The Congress declares that elective and public office is a public trust, and any effort to realize personal gain through official conduct is a violation of that trust.</p> <p>(b) No public official shall use his or her official position or office to obtain financial gain for himself or herself, any member of his or her household, or any business with which he or she or a member of his or her household is associated, other than that compensation provided by law for said public official. This subsection shall not affect a vote by a public official: (1) On any matter which affects a class of persons (such a class shall include no less than 50 persons) of which such public official is a member if the financial gain to be realized is de minimis; (2) on any matter relating to such public official's compensation as authorized by law; or (3) regarding any elections law. If an action is taken by any department, agency, board, or commission of the District of Columbia, except by the Council of the District of Columbia, in violation of this section, such action may be set aside and declared void and of no effect, upon a proper order of a court of competent jurisdiction.</p> <p>(c) No person shall offer or give to a public official or a member of a public official's household, and no public official shall solicit or receive anything of value, including a gift, favor, service, loan gratuity, discount, hospitality, political contribution, or promise of future employment, based on any understanding that such public official's official actions or judgment or vote would be influenced thereby, or where it could reasonably be inferred that the thing of value would influence the public official in the discharge of his or her duties, or as a reward, except for political contributions publicly reported pursuant to § 1-1102.06 and transactions made in the ordinary course of business of the person offering or giving the thing of value.</p> <p>(d) No person shall offer or pay to a public official, and no public official shall solicit or receive any money, in addition to that lawfully received by the public official in his or her official capacity, for advice or assistance given in the course of the public official's employment or relating to his or her employment.</p> <p>(e) No public official shall use or disclose confidential information given in the course of or by reason of his or her official position or activities in any way that could result in financial gain for himself or herself or for any other person.</p> <p>(f) No member or employee of the Council of the District of Columbia or Board of Education of the District of Columbia shall accept assignment to serve on a committee the jurisdiction of which consists of matters (other than of a de minimis nature) in which he or she or a member of his or her family or a business with which he or she is associated, has financial interest.</p> <p>(g) Any public official who, in the discharge of his or her official duties, would be required to take an action or make a decision that would affect directly or indirectly his or her financial interests or those of a member of his or her household, or a business with which he or she is associated, or must take an official action on a matter as to which he or she has a conflict situation created by a personal, family, or client interest, shall:</p> <p>(1) Prepare a written statement describing the matter requiring action or decision, and the nature of his or her potential conflict of interest with respect to such action or decision;</p> <p>(2) Cause copies of such statement to be delivered to the District of Columbia Board of Elections and Ethics (referred to in this subchapter as the "Board"), and to his or her immediate superior, if any;</p>	
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(3) If he or she is a member of the Council of the District of Columbia or member of the Board of Education of the District of Columbia, or employee of either, deliver a copy of such statement to the Chairman thereof, who shall cause such statement to be printed in the record of proceedings, and, upon request of said member or employee, shall excuse the member from votes, deliberations, and other action on the matter on which a potential conflict exists;

(4) If he or she is not the Mayor or a member of the Council of the District of Columbia, his or her superior, if any, shall assign the matter to another employee who does not have a potential conflict of interest, or, if he or she has no immediate superior, except the Mayor, he or she shall take such steps as the Board prescribes through rules and regulations to remove himself or herself from influence over actions and decisions on the matter on which potential conflict exists; and

(5) During a period when a charge of conflict of interest is under investigation by the Board, if he or she is not the Mayor or a member of the Council of the District of Columbia or a member of the Board of Education, his or her superior, except the Mayor, if any, shall have the arbitrary power to assign the matter to another employee who does not have a potential conflict of interest, or if he or she has no immediate superior, he or she shall take such steps as the Board shall prescribe through rules and regulations to remove himself or herself from influence over actions and decisions on the matter on which there is a conflict of interest.

(h) Neither the Mayor nor any member of the Council of the District of Columbia may represent another person before any regulatory agency or court of the District of Columbia while serving in such office. The preceding sentence does not apply to an appearance by such an official before any such agency or court in his or her official capacity or to the appearance by a member of the Council (not the Chairman) licensed to practice law in the District of Columbia, before any court or non-District of Columbia regulatory agency in any matter which does not affect his or her official position.

(h-1) (1) No member of a board or commission shall be eligible for appointment by the members of that board or commission to any paid office or position under the supervision of that board or commission.

(2) No former member of a board or commission shall be eligible for appointment to any paid office or position under the supervision of the board or commission on which he or she served, unless:

(A) At least 45 days have passed since the date of termination of his or her service as a member of the board or commission; and

(B) He or she has followed the same employment application requirements required of other applicants for the paid office or position.

(i) As used in this section, the term:

(1) "Public official" means any person required to file a financial statement under § 1-1106.02.

(2) "Business" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock, trust, and any legal entity through which business is conducted for profit.

	<p>(3) "Business with which he or she is associated" means any business of which the person or member of his or her household is a director, officer, owner, employee, or holder of stock worth \$ 1,000 or more at fair market value, and any business which is a client of that person.</p> <p>(4) "Household" means the public official and his or her immediate family.</p> <p>(5) "Immediate family" means the public official's spouse and any parent, brother, or sister, or child of the public official, and the spouse of any such parent, brother, sister, or child.</p>	
Guam	<p>TITLE 4. PUBLIC OFFICERS AND EMPLOYEES CHAPTER 15. STANDARD OF CONDUCT FOR ELECTED OFFICERS, APPOINTED OFFICERS, AND PUBLIC EMPLOYEES OF THE GOVERNMENT OF GUAM ARTICLE 2. SPECIFIED STANDARDS § 15205. Conflicts of Interest.</p> <p>(a) No employee shall take any official action directly affecting:</p> <p>(1) business or other undertaking in which the employee has a financial interest; or</p> <p>(2) private undertaking in which the employee is engaged as legal counsel, advisor, consultant, representative, or other agency capacity.</p> <p>A department head who is unable to be disqualified on any matter described in item (1) or (2) of this Subsection may be in violation of this Subsection even if the individual has complied with the disclosure requirements of § 15208; and a person whose position on a board, commission or committee is mandated by statute, resolution or executive order to have particular qualifications shall only be prohibited from taking official action that directly and specifically affects a business or undertaking in which such person has a financial interest; provided that the financial interest is related to the member's particular qualifications.</p> <p>(b) No employee shall acquire financial interests in any business or other undertaking which the employee has reason to believe may be directly involved in official action to be taken by the employee.</p> <p>(c) No employee shall assist any person or business or act in a representative capacity before any territorial agency for any compensation in any transaction involving the Territory.</p> <p>(d) No employee shall assist any person or business or act in a representative capacity for a fee or other compensation to secure passage of a bill or to obtain a contract, claim, or other transaction or proposal in which the employee has participated or will participate as an employee, nor shall the employee assist any person, or business, or act in a representative capacity for a fee or other compensation on such bill, contract, claim, or other transaction or proposal before the Legislature or territorial agency of which the individual is an employee.</p> <p>(e) No employee shall assist any person or business or act in a representative capacity before a territorial agency for a fee or other compensation, on any bill, contract, claim, or other transaction or proposal involving official action by the agency if the employee has official authority over that agency unless such employee has complied with the disclosure requirements of § 15208.</p> <p>(f) Nothing herein shall preclude an employee from having outside business interests or employment so long as such interests or employment do not interfere</p>	4 Guam Code Ann. § 15205 (2007).

	with performance of official duties and is not otherwise in direct conflict with this Chapter.	
Puerto Rico	<p>TITLE 3. EXECUTIVE CHAPTER 65. ETHICS IN GOVERNMENT ACT SUBCHAPTER III. CODE OF ETHICS FOR THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES; RESTRICTIONS ON FORMER PUBLIC SERVANTS § 1822. Prohibitions--Generally</p> <p>(a) No public official or employee, whether personally or acting as a public servant, shall disregard the laws in effect, or the summons or orders of the Courts of Justice, the Legislative Branch or the agencies of the Executive Branch thus empowered.</p> <p>(b) No public official or employee shall delay the rendering of services that the executive agencies of the Government of the Commonwealth of Puerto Rico are obligated to render, or hinder the efficient operation of the Executive Branch.</p> <p>(c) No public official or employee shall use the duties and powers of his office, or public property or funds directly or indirectly, to obtain advantages, benefits or privileges not permitted by law, for himself, any member of his family unit, or for any other person, business or entity.</p> <p>(d) No public official or employee shall request or accept any asset whatsoever of monetary value as payment for carrying out the duties and responsibilities of his employment other than the salary, wage or compensation to which he is entitled because of his public duties or employment.</p> <p>(e) No public official or employee shall accept or solicit from any person whatsoever, directly or indirectly, either for himself, for any member of his family unit or for any other person, business or entity, any asset whatsoever of monetary value, including gifts, loans, promises, favors or services, in exchange for the actions of said public official or employee being of influence in behalf of that person or any other.</p> <p>(f) No public official or employee who is a regular employee of the Government shall receive additional pay or special compensation of any nature from the Government of Puerto Rico or from any municipality, board, commission or body which in no way depends on the Government for personal services or official services of any nature, even though they are rendered in addition to the regular functions of the official or employee, unless said special pay or compensation is expressly authorized by § 551 of this title, or any other legal provision.</p> <p>(g) No public official or employee shall reveal or use confidential information acquired as a result of his/her employment, to obtain, directly or indirectly, any economic advantage or benefit for him/her, a member of his/her family unit or for any other person, business or entity.</p> <p>(h) No public official shall intervene, in any way, in any matter in which he/she or any member of his/her family unit has a conflict of interest.</p> <p>(i) No public official or employee may appoint or promote to a position as a public official or employee or to contract, whether per se or through another natural or juridical person, business or entity with an interest in the executive agency in which the latter works or has the power to decide or influence, to any person who is a relative of said public official or employee within the fourth degree of consanguinity or the second degree of affinity. When the public official or</p>	3 L.P.R.A. § 1822 (2005).

	<p>employee with power to decide or influence believes that it is utterly necessary for the good of public service and the sound operation of the agency, to contract, appoint or promote a relative of his/her[s] within the degree of kinship mentioned above, in a position as public official or employee, [he/she] shall be bound to request a written authorization from the Executive Director of the Government Ethics Office in which he or she states the specific reasons that justify such a contract, appointment or promotion in that specific case, before carrying out such an action, pursuant to the regulations adopted by the Government Ethics Office.</p> <p>The Government Ethics Office shall, within the directive term of thirty (30) days from the date of having filed the request for dispensation, authorize or deny the same. The Government Ethics Office shall notify the person making the request of the approval or denial of the dispensation. In the event the request for dispensation is denied, it shall show the grounds for such a decision by presenting a written report.</p> <p>The prohibition established herein shall not apply in cases in which a public official or employee that appoints or promotes in a career position in the agency in which he/she works or over which he/she exerts jurisdiction, a public official or employee that is his/her relative within the abovementioned degrees, when the appointed or promoted public employee has had the opportunity of competing on an equal footing with other candidates through a selection process based on education and experience tests or evaluations, and it has been objectively determined that he or she is a suitable or the best qualified candidate in the register of eligibles for the position in question and the relative with power has not intervened in the process. Likewise, the prohibitions described above, with the exception of that on appointments, shall apply to those public employees or officials that acquire such a relationship of kinship degree provided for in this act after their appointment or designation.</p> <p>(j) No public official or employee of the Executive Branch may use any representative motifs, emblems, logos, buttons, transfers, stickers, signs, or insignias of any political party or candidate, or identify or promote, directly or indirectly, the electoral interests of any political party or candidate while in the performance of their duties, regardless of the location in which same are rendering their services.</p>	
	<p>TITLE 3. EXECUTIVE CHAPTER 65. ETHICS IN GOVERNMENT ACT SUBCHAPTER III. CODE OF ETHICS FOR THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES; RESTRICTIONS ON FORMER PUBLIC SERVANTS § 1823. Prohibitions--Relative to other employment, contracts or business</p> <p>(a) No public official or employee shall accept an employment or maintain contractual or business relationships or responsibilities in addition to those of his public office or employment, whether it is in the Government or in the private sector, which, although legally permitted, has the effect of undermining his freedom of judgment in the performance of his official functions.</p> <p>(b) No public official or employee shall accept employment or maintain contractual business relationships, with a person, business or entity which is regulated by, or does business with the government agency for which he/she works, when the public official or employee participates in institutional decisions of the agency or is empowered to decide or influence the official actions of the agency related to said person, business or entity.</p> <p>(c) No public official or employee who is authorized to contract in the name of</p>	<p>3 L.P.R.A. § 1823 (2005).</p>

	<p>the executive agency for which he/she works, shall execute a contract between his agency and an entity or business in which he/she, or any member of his/her family unit, has, or has had, during the last four (4) years before taking office, a direct or indirect pecuniary interest.</p> <p>(d) No executive agency may execute a contract in which any of its officials or employees, or any member of their family units, has or has had, during the last (4) years before taking office, a direct or indirect pecuniary interest, unless the Governor authorizes it, subject to the recommendations of the Secretary of the Treasury and the Secretary of Justice.</p> <p>(e) No public official or employee shall be a part of, or have any interest in, the profits or benefits resulting from a contract with any other executive agency or government dependency, unless the Governor expressly authorizes it, subject to the prior recommendation of the Secretary of the Treasury and the Secretary of Justice. The contracting may only be executed in a case foreseen by this paragraph, without requesting and obtaining the authorization of the Governor, in the case of:</p> <p>(1) Contracts whose value is not greater than three thousand (3,000) dollars and [which] occur only once in any fiscal year.</p> <p>(2) Lease, exchange, purchase and sale, loan, mortgage insurance or contracts of any other nature that refer to housing and/or a lot provided or to be financed, or whose financing is secured or guaranteed by a government agency.</p> <p>(3) Service, loan, guarantee and incentive programs sponsored by government agencies.</p> <p>In the cases specified in clauses (2) and (3) of this subsection the contracting agency shall authorize the transactions provided the following requirements concur:</p> <p>(A) The contracts, loans, insurance, guarantees or transactions are accessible to any citizen who qualifies therefor.</p> <p>(B) Eligibility requirements are of general application.</p> <p>(C) The public official or employee meets all the eligibility standards and is not granted treatment which is preferential or different from that of the public in general.</p> <p>(f) No public official or employee who is empowered to approve or authorize contracts, shall evaluate, consider, approve or authorize a contract between an executive agency and entity or business in which he/she or any member of his/her family unit has or has had, during the last four (4) years before taking office, a direct or indirect pecuniary interest.</p> <p>(g) No public official or employee shall execute or authorize a contract with a private person knowing that this person, in turn, is representing personal interests in cases or matters which involve a conflict of interest or public policy between the contracting government agency and the personal interests said private person is representing. To those effects, all government agencies shall require all private persons with whom it executes a contract, to include a contractual clause in which said private person certifies that he/she is not involved in a conflict of interest or public policy pursuant to the provisions of this subsection.</p>	
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	<p>(h) In every case in which a contract has been executed in violation of the provisions of this section, and once said violations have been indicated by the Director of the Ethics in Government Office, [if] steps have not been taken to obtain a dispensation within ten (10) days following the notice, the contract shall be annulable and the Office of Ethics in Government and the Secretary of Justice are authorized to petition the courts of justice, in representation of the Commonwealth, for said contract [to] be declared null. When a contract is granted without obtaining the dispensation referred to in subsections (d) and (e), or when the same is obtained after the contract is granted, the Director of the Ethics in Government Office may impose a fine on the officials responsible for failing to obtain the dispensation, pursuant to the provisions of §§ 2201 et seq. of this title, part of the Commonwealth of Puerto Rico Uniform Administrative Procedures Act. The efforts to obtain the dispensation within the ten (10) days following the notification by the Director of a violation to subsections (d) and (e) shall be considered as extenuating circumstances but shall not exempt the officials subject of the deficiency, from liability.</p> <p>(i) The prohibitions set forth in this section shall not apply to contracts executed by any executive agency for the acquisition of literary or artistic property rights, letters or patent to its officers and public employees.</p>	
	<p>TITLE 3. EXECUTIVE CHAPTER 65. ETHICS IN GOVERNMENT ACT SUBCHAPTER III. CODE OF ETHICS FOR THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES; RESTRICTIONS ON FORMER PUBLIC SERVANTS § 1824. Prohibitions--Related to the representation of private interests in conflict with official functions</p> <p>(a) No public official or employee may represent any private person, whatsoever directly or indirectly, to obtain the approval of an act or ordinance, to obtain a contract, the payment of a claim, a permit, license or authorization, or any other matter, transaction or proposal, if he or any member of his family unit has participated or will participate, or will probably participate in his official capacity in the disposition of the matter. This prohibition shall not apply when dealing with official acts of the public officials or employee within the limits of his authority.</p> <p>(b) No public official or employee shall represent any private person whatsoever, directly or indirectly, before an executive agency, with regard to any claim, permit, license, authorization, matter, transaction or proposal that involves official action on the part of the agency, if he/she, or any member of his/her family unit, possesses executive authority over the agency.</p> <p>(c) No public official or employee shall represent, or otherwise counsel any private person whatsoever, directly or indirectly, before any executive agency, court or other government dependency, in cases and matters related to the Government of Puerto Rico, or in cases or matters that involve conflicts of interest or public policy, between the Government and the interests of said private person.</p> <p>(d) No full-time public official or employee shall, during working hours, represent, counsel or serve as an expert for private entities or persons in litigation, trials, public hearings or in any other matter before the courts of justice, quasi judicial bodies and administrative agencies.</p> <p>(e) For the purposes of this section and § 1827 of this title, the term "matter" means those in which the official or employee has participated personally and substantially, and which occurred through a decision, approval or disapproval,</p>	<p>3 L.P.R.A. § 1824 (2008).</p>

	<p>recommendation or advice, or a special investigation involving specific parties. It does not include the participation or intervention of the official or the employee in the promulgation of standards or regulations of general application, or abstract directives and instructions that do not allude to special situations or specific cases.</p>	
U.S. Virgin Islands	<p>TITLE THREE Executive Chapter 37. Conflicts of Interest § 1103. Substantial conflict of interest</p> <p>A person subject to this chapter has an interest which is in substantial conflict with the proper discharge of his duties in the public interest and of his responsibilities as prescribed in the laws of the Virgin Islands or a personal interest, arising from any situation, within the scope of this chapter, if he will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his official activity. He does not have an interest which is in substantial conflict with the proper discharge of his duties in the public interest and of his responsibilities as prescribed by the laws of the Virgin Islands or a personal interest, arising from any situation, within the scope of this chapter, if any benefit or detriment accrues to him as a member of an industry, profession, occupation, or group to no greater extent than any other member of such business, profession, occupation, or group.</p>	3 V.I.C. § 1103 (2008).
	<p>TITLE THREE Executive Chapter 37. Conflicts of Interest § 1104. Remote interest</p> <p>(a) A territorial officer or employee shall not be deemed to be interested in a contract entered into by a public agency of which he is a member within the meaning of this chapter if he has only a remote interest in the contract and if the fact of such interest is disclosed to the public agency of which he is a member and noted in its official records, and thereafter the public agency authorizes, approves, or ratifies the contract in good faith.</p> <p>(b) As used in this chapter "remote interest" means:</p> <ol style="list-style-type: none"> (1) that of a nonsalaried officer or a nonprofit organization; (2) that of a former employee or agency of a party contracting with the government, if the territorial officer or employee was an employee or agent of said contracting party for at least three (3) years prior to his initially becoming a territorial officer or employee. Time of employment with the contracting party shall be counted in computing the three (3) year period even though such contracting party has been converted from one form of business organization to a different form of business organization within the three (3) years of the initial taking of office by such territorial officer or employee. Time of employment in such case shall be counted only if, after the transfer or change in organization, the real or ultimate ownership of the contracting party is the same or substantially similar to that which existed before such transfer or change in organization. Stock holders, bond holders, partners, or other persons holding an interest in the contracting party are regarded as having the "real or ultimate ownership" of such contracting party. (3) that of a parent in the earnings of his minor child for personal services. (4) that of a landlord or tenant of the party contracting with the government. (5) that of an attorney of the party contracting with the government but not representing the contracting party in negotiating with the government. 	3 V.I.C. § 1104 (2008).

	<p>(6) that of a former supplier of goods or services to a party contracting with the government when such goods or services were supplied to the contracting party by the territorial officer or employee for at least five (5) years prior to his election or appointment to a territorial office or employment.</p> <p>(c) The provisions of this section shall not be applicable to any territorial officer or employee interested in a contract who influences or attempts to influence another member of a public agency of which he is a member to enter into the contract.</p> <p>(d) The willful failure of a territorial officer or employee to disclose the fact of his interest in a contract pursuant to this section shall be punishable as provided in this chapter. Such violation shall not void the contract, however, unless the contracting party had knowledge of the fact of the remote interest of the officer at the time the contract was executed.</p> <p>(e) A territorial officer or employee shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if his sole interest is that of an officer, director, or employee or a bank or financial institution with which a party to the contract has the relationship of borrower or depositor or creditor.</p>	
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