

CONNECTICUT STATE ETHICS COMMISSION
30 TRINITY STREET
HARTFORD, CONNECTICUT 06115



Marilyn P. Seichter, *Chairwoman*
George S. Writer, Jr., *Vice-Chairman*
James F. English
John M. Lupton
Rev. Thomas J. Lynch
Robert W. MacGregor
Gerard M. Peterson

ADVISORY OPINION NUMBER 78-3

Gifts

A registrant under Public Act Number 77-605 has asked whether athletic event tickets which the registrant gives to a public official, a candidate for public office, or a member of the official's or candidate's staff or immediate family should always be included within the definition of "gift", or are they instead reportable expenditures. The registrant also asked whether it would be considered a gift if the official or candidate were a guest of a registrant at an athletic event, the ticket not actually being given to the guest.

A "gift" is "a payment, subscription, advance, forbearance, rendering of services, deposit of money unless consideration of equal or greater value is received." Section 1(g), Public Act Number 77-605.

An "expenditure" is "any advance, conveyance, deposit, distribution, transfer of funds, loan, payment, payments for mailing, postage, printing and other clerical services and materials, pledge or subscription of money or anything of value, ... and any contract, agreement, promise or other obligation...." Section 1(f), Public Act Number 77-605.

Assuming that the registrant pays for the ticket and the official, candidate, staff member, or member of his immediate family does not give consideration of equal or greater value for the ticket, the ticket would be a gift. It would make no difference whether the ticket were given to the official, etc., or he were the guest of the registrant. In each case what is paid for and given by the registrant is admission to the athletic event, not the cardboard ticket.

In either case, the gift of admission to the event is also an expenditure in furtherance of lobbying, to be included in the registrant's financial report concerning his lobbying activities, as required by Section 7, Public Act Number 77-605. If the occasion costs more than \$25, the report should contain the information required by the last sentence of Section 7, above. (Section 8(a), Public Act Number 77-605, would not be violated unless the gift to a single

official, candidate, staff member, or member of his immediate family was worth more than \$25). If the occasion costs less than \$25, the gift should be reported in the appropriate portion of the financial report form (for example, as a reimbursed expense) and a record of the gift should be maintained to avoid violating section 8(a), above, over the course of the calendar year.

Because of such provisions as Sections 6(f) and 6(g), Public Act Number 77-600, it should be appreciated that the gift under Public Act Number 77-605 would also be a gift under the definition of "gift" in Section 1(d) of the former Act, the code of conduct for public officials.

By order of the State Ethics Commission:



Marilyn P. A. Seichter
Chairwoman, State Ethics Commission

Dated March 1, 1978