

PENNSYLVANIA STATE ETHICS COMMISSION

THE ETHICS ACT

A Short Guide On How To Stay
Out of the Newspapers (and jail)



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DO YOU TRUST YOUR GOVERNMENT?

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CORE MISSION

The Pennsylvania State Ethics Commission's core mission and guiding principle is that public office is a public trust and that any effort to realize personal financial gain through one's public office is a violation of that trust.

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STATE ETHICS COMMISSION JURISDICTION

➤ PUBLIC OFFICIALS

Any person elected by the public or elected or appointed by a governmental body or an appointed official in the executive, legislative or judicial branch of this Commonwealth or any political subdivision thereof.

➤ PUBLIC EMPLOYEES

Any individual employed by the Commonwealth or a political subdivision who is responsible for taking or recommending official action of a nonministerial nature with regard to:

- contracting or procurement;
- administering or monitoring grants or subsidies;
- planning or zoning
- inspecting, licensing, regulating or auditing any person; or
- any other activity where the official action has an economic impact of greater than a de minimis nature on the interests of any person.

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THREE PRIMARY FUNCTIONS



INVESTIGATIONS



ADVICES AND OPINIONS



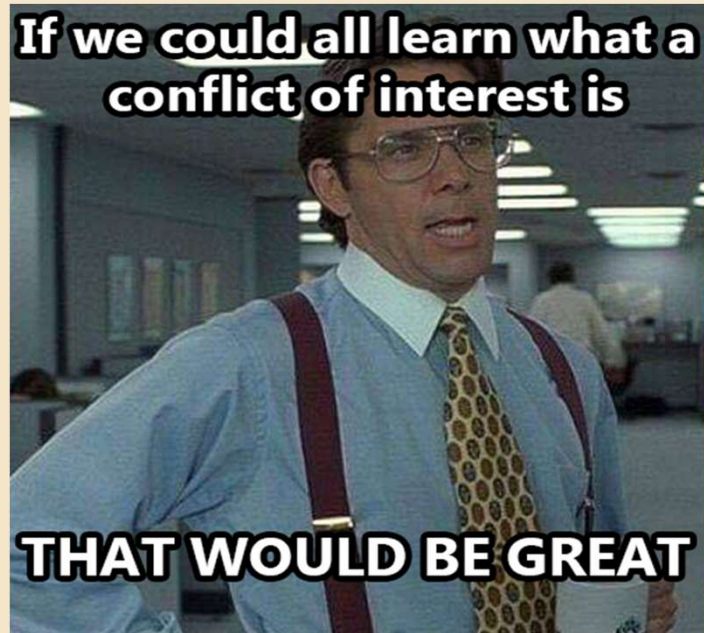
STATEMENTS OF
FINANCIAL INTERESTS

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Restricted Activities



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Conflict of Interest: 1103(a)

No public official or public employee shall engage in conduct that constitutes a conflict of interest.

Use of
Authority of
Office or
Confidential
Information

For the
private
pecuniary
benefit of

Themselves,
a member of
their
immediate
family, or a
business
with which
they are
associated.

Profit?



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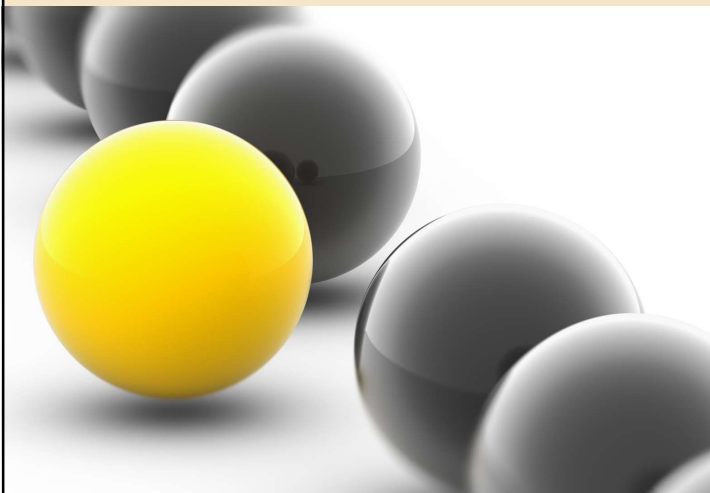
PLCB BOURBON LOTTERY

PLCB Member and Employees used confidential information to purchase highly sought-after bottles of bourbon left over from a public lottery.

No private pecuniary benefit, so no Ethics Act violation.

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Exceptions



Actions having a de minimis economic impact

Affects to the same degree a class consisting of the general public

Subclass consisting of an industry, occupation, or other group

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Nepotism

When can a family member work at the same governmental entity?



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USE OF
GOVERNMENT
ASSETS



GIFTS, TRAVEL,
LODGING,
HOSPITALITY

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Honorarium - 1103(d)

ARE PROHIBITED

Payment made in
recognition of public
works/appearances

Not intended as
compensation

Nonpublic
Occupational or
Professional in
Nature

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Revolving Door: 1103(g)

No former public official or public employee shall

Represent a
"person"

For promised or
actual
compensation

Before their
former
governmental
body

For one
year after
leaving.

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Advices and Opinions



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WHAT IS AN ADVICE?



The Commission provides advice and guidance regarding the duties of those who are subject to the Ethics Act

Such advice and guidance is in the form of Advices of Counsel and Opinions of the Commission

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PROSPECTIVE

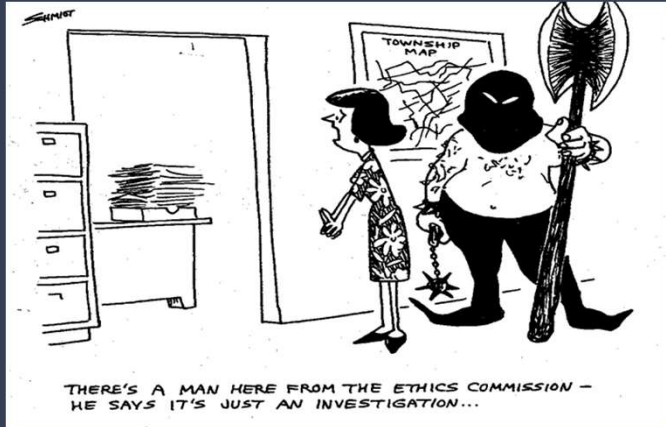


NOT PROSPECTIVE



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Investigations



Proceedings and records relating to an investigation are confidential

Identity of a complainant is confidential

Final Order is a public record

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PENALTIES

➤ ADMINISTRATIVE

Public Order
Restitution
Treble penalties

➤ CRIMINAL

Misdemeanor/Felony
Up to \$10K fine
Up to 5 years prison

➤ SFI

Up to \$250 per form

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\$250.00 Civil Penalty

\$371.06 Court Costs

Found in Contempt of Court

Warrant for Arrest

SFI Shown to Whole State

PRICELESS

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Questions?

Pennsylvania State Ethics Commission
www.ethics.pa.gov
 717-783-1610

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