

# ANNUAL REPORT

## FISCAL YEAR 2020-2023



State of Alabama  
ETHICS COMMISSION

# ANNUAL REPORT

FISCAL YEAR 2020-2023

FOR THE ALABAMA ETHICS COMMISSION

PRESENTED TO THE GOVERNOR AND

THE ALABAMA LEGISLATURE

IN COMPLIANCE WITH SECTION 36-25-3(C), CODE OF ALABAMA, 1975

## ALABAMA ETHICS COMMISSION

RSA Union Building, Suite 104

100 North Union Street

Montgomery, Alabama 36104

(334) 242-2997

(334) 242-0248 Fax

[www.ethics.alabama.gov](http://www.ethics.alabama.gov)



**COMMISSIONERS**

John Plunk, Chair  
Lyn Stuart, Vice-Chair  
Stanton H. McDonald  
Brig Gen (R) Edward F. Crowell (USAF)

STATE OF ALABAMA  
**ETHICS COMMISSION**

MAILING ADDRESS  
P.O. BOX 4840  
MONTGOMERY, AL  
36103-4840

STREET ADDRESS  
RSA UNION  
100 NORTH UNION STREET  
SUITE 104  
MONTGOMERY, AL 36104



**EXECUTIVE DIRECTOR**  
Thomas B. Albritton

TELEPHONE (334) 242-2997  
FAX (334) 242-0248  
WEB SITE: [www.ethics.alabama.gov](http://www.ethics.alabama.gov)

January 24, 2024

The Honorable Kay Ivey, Governor  
State of Alabama  
600 Dexter Avenue  
Montgomery, Alabama 36130

Dear Governor Ivey:

On behalf of the Alabama Ethics Commission and in compliance with Section 36-25-3(c), Code of Alabama, 1975, I respectfully present to you and the Alabama Legislature the Annual Reports for Fiscal Year 2020-2023. Our Commissioners and Staff are very proud of the accomplishments presented in this report, and we continue diligently working to fulfill the responsibilities with which we are charged.

The Commission continues to collect fines and fees more effectively, and administrative efforts have reduced technological support costs and leased office expenses over the past years. Again, this past year, we did more with less. Please let me know if you have any questions and thank you for your service to our State.

The Commission is dedicated to building public confidence in the integrity of government. We greatly appreciate your support of the Alabama Ethics Commission.

Sincerely,

Thomas B. Albritton  
Executive Director

# OVERVIEW

## HISTORY

The State of Alabama Ethics Commission was created by the Alabama Legislature in 1973 by Act No. 1056. The Code of Alabama §36-25-1 through §36-25-30 is also known as the Alabama ethics Law. This portion of the Code of Alabama established the ethics Commission and dictates the scope of work for the Commission. Changes to the Alabama ethics Law have been passed by the State Legislature at various times since the Commission's inception and are always a possibility in the future. Acts 75-130, 79-460, 79-698, 82-429, 86-321, 82-342, 95-194, 96-261, 97-651, 2000-797, 2001-474, 2010-462, 2010-763, 2010-764, 2011-259, 2011-632, 2011-674, 2012-433, 2012-509, 2013-172, 2014-71-, 2014-440, 2015-495, and 2016-128.

## MISSION

The mission of this Commission is to ensure that public officials are independent and impartial; those decisions and policies are made in the proper governmental channels; that public office is not used for private gain; and, most importantly, that there is public confidence in the integrity of government. See §36-25-2.

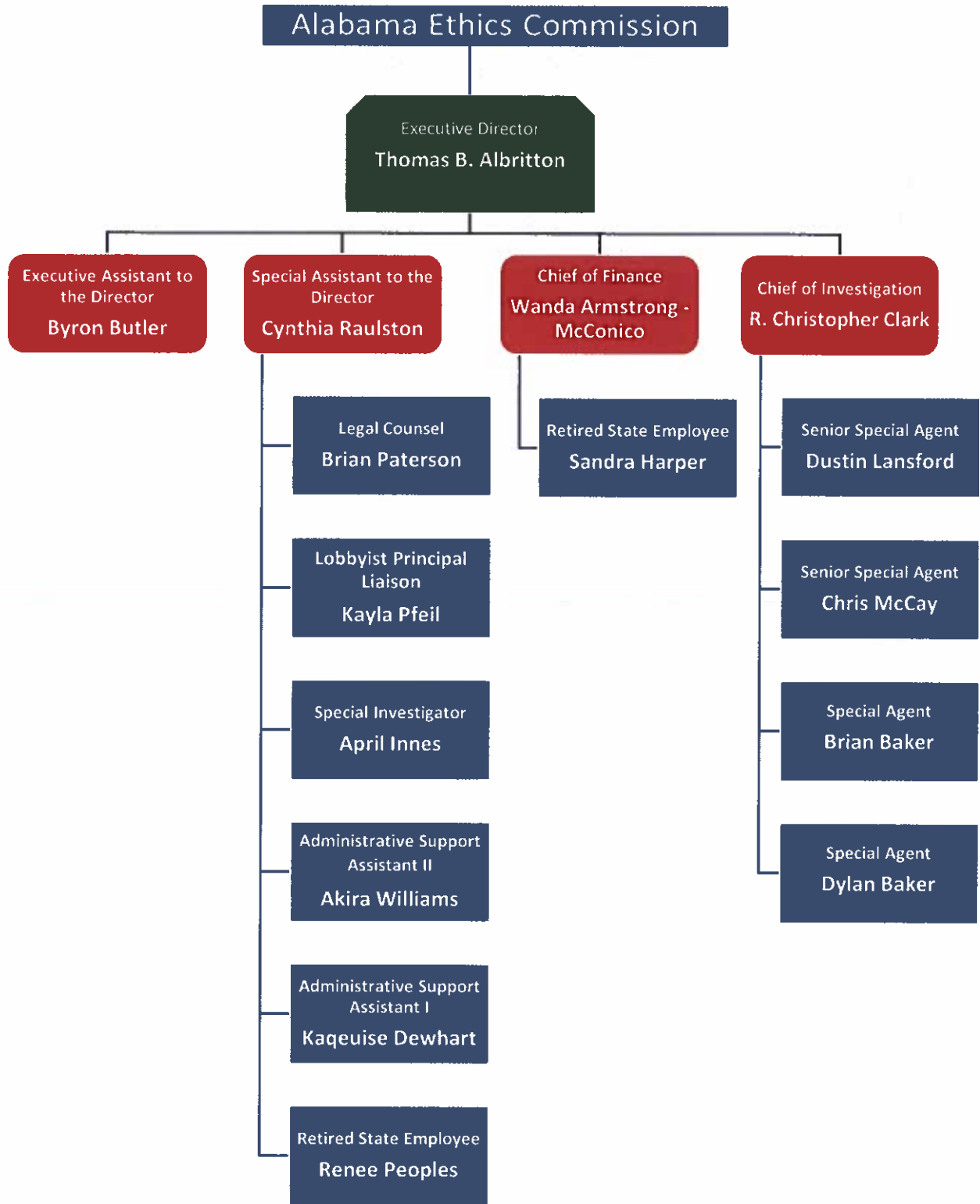
## COMMISSION APPOINTMENTS

Members of the Alabama Ethics Commission are appointed for five-year terms by the Governor, Lieutenant Governor, or Speaker of the Alabama House of representatives on a rotating basis. Any member who vacates his or her position before their term has expired is replaced by the governor.

## DUTIES

The duties of the Ethics Commission include investigating complaints; issuing advisory opinions; pre-certifying the legality of activities; ethics training; collecting Statement of economic interests' forms; enforcing Statement of economic interests form requirements; maintaining lobbyist and principal registration and filings; and maintaining extraordinary filings.

# STAFF



**Alabama Ethics Commission  
Commissioners  
Fiscal Year 2023**



**Chairman  
John Plunk  
Athens  
Term Expires: 8/31/2022**



**Vice-Chairman  
Lyn Stuart  
Bay Minette  
Term Expires: 8/31/2024**



**Stan McDonald  
Huntsville  
Term Expires: 8/31/2024**



**Ed Crowell  
Montgomery  
Term Expires: 8/31/2025**

**Commission Meeting Dates:**

October 7, 2020	October 1, 2021*	June 1, 2022	April 5, 2023
December 2, 2020	October 6, 2021	July 13, 2022*	June 7, 2023
February 3, 2021	December 1, 2021	August 3, 2022	August 2, 2023
April 7, 2021	January 2, 2022	October 05, 2022	October 4, 2023
June 2, 2021	February 5, 2022*	December 09, 2022	December 7, 2023
August 4, 2021	April 5, 2022	February 1, 2023	

Commission meetings (special\*) were held in the Public Service Commission Hearing Room on the 9<sup>th</sup> floor or Purchasing Auditorium on 1<sup>st</sup> floor of the RSA Union Building beginning at 9:30 a.m.



# STATISTICAL COMPARISONS

	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
Commission Meetings	7	7	8	6
Training Presentations	32	35	33	39
Statement of Economic Interests Forms Received	49527	45529	45440	46809
Formal Advisory Opinions	6	10	2	3
Informal Advisory Opinions	680	679	647	704
Registered Lobbyists	444	454	466	619
Principals Represented by Lobbyists	848	855	906	921
Complaints Filed	892	943	505	393
Complaints Closed After Preliminary Inquiry	272	343	273	268
Cases Presented to the Commissioners	137	128	115	60
Cases Handled Administratively	39	49	19	32
Cases Referred for Prosecution	28	19	13	10
Cases Prosecuted by Commission Staff	0	0	0	0
Cases Closed – No Probable Cause	11	13	16	18
Cases Dismissed By Commission	69	57	67	61
Administrative Penalties Assessed	34	40	40	31
Cases Continued	0	1	0	0
Fair Campaign Practices Act--Civil Appeals	46	31	77	26
Fines Collected	36,811.00	124,274.86	18,060.00	5,704.00
Restitution Collected	10,349.58	18,974.93	2,720.92	8,772.01
Lobbyists' Fees Collected	60,800.00	60,100.00	61,500.00	63,200.00
Miscellaneous Fees Collected	0	0	0	0
Other Fines	0	0	0	0
Refunds Against Disbursements	0	0	0	1,893.62
Prior Year Refunds	119.82	0	0	0
Prior Period Adjustment	858.05	0	0	0
Insurance Claims	0	0	0	0
General Fund Deposits	98,588.87	184,374.86	79,560.00	70,797.62
Staff Members on Sept. 30	16	16	15	15

## Expenditures for Fiscal Year 2020 October 1, 2019 - September 30, 2020

EXPENDITURE	13th				TOTAL Expenditures	Percent
	Fiscal Year 2020 Appropriation	Accounting Period	Outstanding Purchase Orders	Rollover to FY 21		
*Personnel Costs	1,148,476.00	0.00	0.00	(69,369.87)	1,079,106.13	54.66%
Employee Benefits	462,584.00	0.00	0.00	(32,467.03)	430,116.97	21.79%
Travel In-State	30,000.00	0.00	0.00	(22,326.73)	7,673.27	0.39%
Travel Out-of-State	22,305.00	0.00	0.00	(17,999.15)	4,305.85	0.22%
Repairs and Maintenance	46,300.00	219.04	287.30	(41,932.70)	4,367.30	0.22%
Rentals and Leases	249,000.00	3,053.89	0.00	(82,166.35)	166,833.65	8.45%
Utilities and Communication	162,600.00	1,651.64	1,446.02	(132,990.95)	29,609.05	1.50%
Professional Services	202,600.00	4,553.07	6,200.00	(72,840.00)	129,760.00	6.57%
Supplies, Materials, and Operating Expenses	256,150.00	248.15	1,152.48	(202,453.74)	53,696.26	2.72%
Transportation Equipment Operations	38,604.00	193.77	2,557.27	(26,150.00)	12,454.00	0.63%
Transportation Equipment Purchases	135,000.00	0.00	0.00	(80,251.00)	54,749.00	2.77%
Other Equipment Purchases	20,500.00	0.00	0.00	(19,023.00)	1,477.00	0.07%
Miscellaneous	300.00	0.00	0.00	(100.00)	200.00	0.01%
	<b>2,774,419.00</b>	<b>9,919.56</b>	<b>11,643.07</b>	<b>(800,070.52)</b>	<b>1,974,348.48</b>	<b>100.00%</b>

\*Pursuant to Section 36-25-3(c), Code of Alabama, this amount includes the Executive Director's salary of \$186,837.60.

Original FY 20 Budget Appropriation	2,064,053.00
Rollover from FY 19	682,305.00
Other/Retiree Bonus	3,715.00
Cola	24,346.00
Total FY 20 Appropriation	<u>2,774,419.00</u>
Total FY 20 Expenditures	<u>(1,974,348.48)</u>
Rollover to FY 21	<b>(800,070.52)</b>
Remaining Balance	<b>0.00</b>



## Expenditures for Fiscal Year 2021 October 1, 2020 - September 30, 2021

EXPENDITURE	13th				TOTAL Expenditures	Percent
	Fiscal Year 2021 Appropriation	Accounting Period	Outstanding Purchase Orders	Rollover to FY 22		
*Personnel Costs	1,177,334.00	0.00	0.00	(32,251.32)	1,145,082.68	53.40%
Employee Benefits	451,103.00	0.00	0.00	(3,959.49)	447,143.51	20.85%
Travel In-State	36,070.00	1,500.00	0.00	(29,290.56)	6,779.44	0.32%
Travel Out-of-State	30,000.00	2,000.00	0.00	(28,000.00)	2,000.00	0.09%
Repairs and Maintenance	46,040.00	3,000.00	750.90	(34,583.34)	11,456.66	0.53%
Rentals and Leases	237,100.00	5,500.00	0.00	(67,499.68)	169,600.32	7.91%
Utilities and Communication	230,300.00	3,300.00	1,454.96	(156,506.24)	73,793.76	3.44%
Professional Services	301,112.00	10,000.00	2,901.65	(105,552.67)	195,559.33	9.12%
Supplies, Materials, and Operating Expenses	221,112.00	3,500.00	3,423.53	(166,811.06)	54,300.94	2.53%
Transportation Equipment Operations	38,100.00	2,200.00	2,812.27	(24,578.23)	13,521.77	0.63%
Transportation Equipment Purchases	80,100.00	0.00	0.00	(80,100.00)	0.00	0.00%
Other Equipment Purchases	40,098.00	0.00	0.00	(14,952.06)	25,145.94	1.17%
Miscellaneous	0.00	0.00	0.00	0.00	0.00	0.00%
	<b>2,888,469.00</b>	<b>31,000.00</b>	<b>11,343.31</b>	<b>(744,084.65)</b>	<b>2,144,384.35</b>	<b>100.00%</b>

\*Pursuant to Section 36-25-3(c), Code of Alabama, this amount includes the Executive Director's salary of \$187,924.00.

Original FY 21 Budget Appropriation	2,088,399.00
Rollover from FY 20	800,070.00
Other	0.00
Total FY 21 Appropriation	<u>2,888,469.00</u>
Total FY 21 Expenditures	<u>(2,144,384.35)</u>
Rollover to FY 22	<u>(744,084.65)</u>
<b>Remaining Balance</b>	<b>0.00</b>

## Expenditures for Fiscal Year 2022 October 1, 2021 - September 30, 2022

EXPENDITURE	13th				TOTAL Expenditures	Percent
	Fiscal Year 2022 Appropriation	Accounting Period	Outstanding Purchase Orders	Rollover to FY 23		
*Personnel Costs	1,170,967.00	0.00	0.00	(10,192.55)	1,160,774.45	57.45%
Employee Benefits	452,648.00	0.00	0.00	(16,200.47)	436,447.53	21.60%
Travel In-State	25,800.00	0.00	0.00	(19,648.76)	6,151.24	0.30%
Travel Out-of-State	22,000.00	0.00	0.00	(22,000.00)	0.00	0.00%
Repairs and Maintenance	40,760.00	0.00	1,449.66	(34,071.83)	6,688.17	0.33%
Rentals and Leases	275,300.00	0.00	271.69	(106,904.18)	168,395.82	8.33%
Utilities and Communication	158,200.00	0.00	1,859.07	(124,087.90)	34,112.10	1.69%
Professional Services	240,631.00	0.00	10,508.63	(114,924.94)	125,706.06	6.22%
Supplies, Materials, and Operating Expenses	189,724.00	0.00	5,367.95	(145,366.69)	44,357.31	2.20%
Transportation Equipment Operations	99,000.00	0.00	3,784.09	(86,354.04)	12,645.96	0.63%
Transportation Equipment Purchases	81,000.00	0.00	0.00	(81,000.00)	0.00	0.00%
Other Equipment Purchases	100,000.00	0.00	18,986.53	(74,833.04)	25,166.96	1.25%
Miscellaneous	0.00	0.00	0.00	0.00	0.00	0.00%
	<b>2,856,030.00</b>	<b>0.00</b>	<b>42,227.62</b>	<b>(835,584.40)</b>	<b>2,020,445.60</b>	<b>100.00%</b>

\*Pursuant to Section 36-25-3(c), Code of Alabama, this amount includes the Executive Director's salary of \$204,440.95.

Original FY 22 Budget Appropriation	2,088,399.00
Rollover from FY 21	744,084.00
Other/Cola	23,547.00
Total FY 22 Appropriation	2,856,030.00
Total FY 22 Expenditures	(2,020,445.60)
Rollover to FY 23	(835,584.40)
<b>Remaining Balance</b>	<b>0.00</b>

## Expenditures for Fiscal Year 2023 October 1, 2022 - September 30, 2023

EXPENDITURE	13th				TOTAL Expenditures	Percent
	Fiscal Year 2023 Appropriation	Accounting Period	Outstanding Purchase Orders	Rollover to FY 24		
*Personnel Costs	1,506,984.00	0.00	0.00	(200,297.76)	1,306,686.24	53.26%
Employee Benefits	565,235.00	0.00	0.00	(108,598.84)	456,636.16	18.61%
Travel In-State	20,000.00	1,000.00	0.00	(5,827.26)	14,172.74	0.58%
Travel Out-of-State	10,000.00	1,000.00	0.00	(4,153.90)	5,846.10	0.24%
Repairs and Maintenance	17,600.00	1,000.00	0.00	(12,833.73)	4,766.27	0.19%
Rentals and Leases	233,527.00	1,000.00	271.62	(60,613.52)	172,913.48	7.05%
Utilities and Communication	74,200.00	4,000.00	815.07	(16,596.63)	57,603.37	2.35%
Professional Services	244,100.00	10,000.00	1,375.00	(57,536.13)	186,563.87	7.60%
Supplies, Materials, and Operating Expenses	140,420.00	12,000.00	17,345.00	(72,235.56)	68,184.44	2.78%
Transportation Equipment Operations	25,500.00	2,500.00	254.91	(12,359.99)	13,140.01	0.54%
Transportation Equipment Purchases	170,975.00	500.00	45.05	(13,824.00)	157,151.00	6.41%
Other Equipment Purchases	45,000.00	500.00	0.00	(35,453.01)	9,546.99	0.39%
Miscellaneous	25.00	0.00	0.00	0.00	25.00	0.00%
	<b>3,053,566.00</b>	<b>33,500.00</b>	<b>20,106.65</b>	<b>(600,330.33)</b>	<b>2,453,235.67</b>	<b>100.00%</b>

\*Pursuant to Section 36-25-3(c), Code of Alabama, this amount includes the Executive Director's salary of \$209,424.00

Original FY 23 Budget Appropriation	2,161,946.00
Rollover from FY 22	835,584.00
Other/Cola	56,036.00
Total FY 23 Appropriation	<u>3,053,566.00</u>
Total FY 23 Expenditures	<u>(2,453,235.67)</u>
Rollover to FY 24	<u>(600,330.33)</u>
<b>Remaining Balance</b>	<b>0.00</b>

## Advisory Opinions Approved in Fiscal Years 2020-2023 October 1, 2019 - September 30, 2023

**Advisory Opinion No.**  
**Based on Calendar Year**

**Topic Summary**

2023-05	Public Employee / Associated Business / Use of Position / Personal Gain
2023-04	Revolving Door / Public Employee / Representing Clients Before Former Public Employer
2023-03	Public Official / Private Employment/ Associated Business / Revolving Door
2023-02	Revolving Door / Public Employee
2023-01	Conflict of Interest / Consulting / Business with which a Public Employee is Associated / Personal Gain
2022-03	Ethics Commission Duties / Investigations / Discovery / Exculpatory Information / Grand Jury Secrecy
2022-02	Fair Campaign Practices Act (FCPA / Principal Campaign Committee (PCC) / Contributions / Transfer of Debt
2022-01	Public Official / Use of Position / Personal Gain / Outside Employment
2021-06	Conflict of Interest / Personal Gain / Thing of Value / Solicitation / Lobbyists and Principals / University Board of Trustees
2021-05	Personal Gain / Confidential Information / Investment Personnel / Retirement Systems of Alabama
2021-04	Personal Gain / Public Official Leasing from Airport Authority
2021-03	Conflict of Interest / County Commissioner / Member of City Council / Associated Business / Thing of Value / Revolving Door
2021-02	Conflict of Interest / Public Officials / Holding Two Public Positions
2021-01	Conflict of Interest/Member of City Council/Voting on Matter in which Member of City Council or Family Member has a Financial Gain or Interest/Associated
2020-07	Revolving Door / Re-Employment with Former Public Agency
2020-06	Conflict of Interest / Mayor and his Business Presenting Materials for Consideration and Vote to the City Planning and Zoning Commission
2020-05	Fair Campaign Practices Act (FCPA / PAC-to-PAC Transfers)
2020-04	Lobbyists / Principals / Registration and Reporting
2020-03	Revolving Door / Confidential Information / Public Employee Providing Consulting Services
2020-02	Revolving Door / Public Official Employment with former Board
2020-01	Conflict of Interest / Member of City Council
2019-12	Public Official / Use Office Personal Gain
2019-11	Revolving Door / Re-Employment with Former Public Agency
2019-10	Conflict of Interest / Sheriff contracting with County and State Law Enforcement to Provide Goods and Services

