

340-X-1-.05     Procedures for Pre-certification of a Function or Activity

1) ALA.CODE § 36-25-1(34)(b)(15) authorizes the Director of the Ethics Commission to pre-certify a function or activity. Anyone may invite a public official or public employee and their spouse to attend a pre-certified function or activity without violating the Alabama Ethics Act so long as the invitation is not for the purpose of corruptly influencing official action. A public official or public employee and their spouse may attend a pre-certified function or activity without violating the Alabama Ethics Act so long as the attendance at the function or activity would not constitute accepting something to corruptly influence their official action.

2) In order to assist the director in determining whether an event or function should be pre-certified, an application seeking precertification shall

- a.     Be made in writing to the Director at least 10 calendar days before the function or activity is to take place and
- b.     Shall contain a statement of facts sufficient to show that the event or function should be pre-certified. The application should always state when the function or activity is to take place, specific information about who is invited as well as specific information about the purpose of the event and the event itself. If there is a formal agenda, a copy of the agenda should be attached to the application.

3) Applications for pre-certification and their disposition will be posted on the website of the Alabama Ethics Commission.

(4) The website will also contain a chart summarizing the applications and dispositions for the applicable fiscal year.

**Author: John L. Carroll**

**Statutory Authority: 36-25-4(a)(11), Code of Alabama, 1975**

**History: New rule - filed 1/21/15**

**Certified 4/1/15**

**Effective 5/5/15**