

**Informal Opinions Approved the 4th Quarter of Fiscal Year 2024
July 1 - September 30, 2024***

Informal Opinion No.	Topic Summary
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***Per Administrative Rule 340-X-1-.04, informal opinions are confidential. What follows is a basic summary of the most frequently asked questions and the general answers given. This summary is not to be relied upon or to be a summary of every informal we have given. Many informals we give are on the same issue and many requests involve issues under another agency's jurisdiction to which we refer the requestor.**

- 1 Neither the Ethics Act nor the FCPA prohibit public officials from running PACs in support of legislation. The requestor should contact the AG for guidance outside of the Ethics Act and FCPA.

- 2 The Ethics Act does not prohibit public employees from having secondary employment under certain circumstances (those being that they do not use public resources, including time in the furtherance of it).

- 3 A principal can host an event for public officials and employees under certain circumstances.

- 4 The Ethics Act does not prohibit a public employee from secondary employment under certain circumstances (those being that they do not use public resources, including time in the furtherance of it).

- 5 The Ethics Act does not prohibit a business with which a public official is associated doing business with the city the public official serves under certain circumstance, but the requestor should check with the League of Municipalities about restrictions outside of the Ethics Act that may apply.

- 6 The Ethics Act does not prohibit a public employee from secondary employment under certain circumstances (those being that they do not use public resources, including time in the furtherance of it).

- 7 The Ethics Act does not prohibit public officials from voting to provide benefits to public employees and future public officials.

- 8 A public official may not use their position to obtain personal gain for a business with which they are associated.

- 9 The Ethics Act does not prohibit a public employee from secondary employment under certain circumstances (those being that they do not use public resources, including time in the furtherance of it).

- 10 The Revolving Door provisions of the Ethics Act do not prohibit public employees from returning to their public employer after retirement.

- 11 The Ethics Act does not prohibit a municipality from engaging in business with a public official or employee of the municipality under certain circumstances, but the requestor should check with the League of Municipalities about restrictions outside of the Ethics Act that may apply.

- 12 The Ethics Act does not prohibit public entities from transferring staff members from one division to another.

- 13 The Revolving Door provisions of the Ethics Act do not prohibit public employees from returning to their public employer after retirement.

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| 14 | The Ethics Act does not prohibit a public official from serving on a municipal board under certain circumstances (those being that the public official not engage in activity that would constitute a conflict of interest). |
| 15 | The Ethics Act does not require public officials to file copies of contracts that are not paid in whole or in part with state, county, or municipal funds. |
| 16 | The Ethics Act does not prohibit the family member of a public official from accepting employment with a private entity when there is no conflict of interest for the public official and the official did not use their position to create the opportunity. |
| 17 | The provision of travel costs under certain circumstances does not constitute a "Thing of Value." The Ethics Act may require that the cost of travel be reported by a person or business that is not a principal if the cost exceeds \$250 and the person or business engages in certain activities with the public official or public employee. |
| 18 | The Revolving Door provisions of the Ethics Act do not prohibit public employees from returning to their public employer after retirement. |
| 19 | The Revolving Door provisions of the Ethics Act do not prohibit public employees from returning to their public employer after retirement. |
| 20 | The FCPA does not prohibit a public official from using existing campaign funds to attend a political party's national convention. However, they may not raise additional state campaign funds outside of the contexts permitted by the FCPA. |
| 21 | The Ethics Act prohibits public officials from voting or participating in a matter in which there is a conflict of interest. |
| 22 | The Ethics Act does not prohibit a public official from voting or participating in a matter under certain circumstances in which there is no conflict of interest. |
| 23 | The Ethics Act does not prohibit a public official from accepting employment with a private entity under certain circumstances (those being that they did not audit, regulate or investigate the private entity within two years). |
| 24 | Independent candidates have five days to file a Statement of Economic Interest after they comply with the requirements of Alabama Code § 17-9-3, and the Commission may allow an additional five days to file for good cause shown. |
| 25 | The Ethics Act does not prohibit public employees from receiving a door prize under certain circumstances (that being when the drawing is random). |
| 26 | The Revolving Door provisions of the Ethics Act do not prohibit public employees from returning to their public employer after retirement. |

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| 27 | The Revolving Door provisions of the Ethics Act do not prohibit former public employees from entering into contracts with their former public employer under certain circumstances (that being that they do not represent the interests of a private employer before the public employer for two years). |
| 28 | The Revolving Door provisions of the Ethics Act do not prohibit public employees from returning to their public employer after retirement. |
| 29 | The Ethics Act does not prohibit a public employee from secondary employment under certain circumstances (those being that they do not use public resources, including time in the furtherance of it). |
| 30 | The Ethics Act prohibits a public employee from receiving a referral fee under certain circumstances. |
| 31 | The Ethics Act does not prohibit a municipality from authorizing the use of public facilities and equipment by a private entity under certain circumstances (if the City Council approves it and there is a written agreement between the City and the private entity and it does not result in personal gain to the public official or employee). |
| 32 | The Ethics Act does not prohibit a public employee from secondary employment under certain circumstances (those being that they do not use public resources, including time in the furtherance of it). |
| 33 | The FCPA does not prohibit a candidate from making a loan to their PCC prior to the 12 months before an election under certain circumstances in accordance with AO 2017-05. |
| 34 | A public employee may not interact with a business with which they are associated on behalf of their public employer and vice versa, and they may not use their position to benefit a business with which they are associated. |
| 35 | The "Revolving Door" provisions of the Ethics Act prohibit a former public employee from engaging in certain activities for two years after they retire from their public position. |
| 36 | The Ethics Act does not prohibit a municipality from hiring the family member of a public official provided the public official didn't use their position to create the opportunity and doesn't use their position to benefit their family member. |
| 37 | The Ethics Act does not prohibit a municipality from providing employees with the option to donate funds to other public employees in need under certain circumstances (provided that no official/employee is soliciting funds from a subordinate for themselves, a family member, or a business with which they are associated). |
| 38 | The Ethics Act does not prohibit a public official from accepting employment with a private entity under certain circumstances (those being that they did not audit, regulate or investigate the private entity within two years). |
| 39 | The Ethics Act does not prohibit a private entity from donating property to a public entity. |
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| 40 | The Ethics Act does not prohibit a public official from accepting employment with a private entity under certain circumstances (those being that they did not audit, regulate or investigate the private entity within two years). |
| 41 | The Ethics Act does not prohibit a municipality from paying for the legal fees of a public official under certain circumstances (that being if they found a public purpose). |
| 42 | The Ethics Act does not prohibit a public employee from secondary employment under certain circumstances (those being that they do not use public resources, including time in the furtherance of it). |
| 43 | The Ethics Act does not prohibit a private entity from representing a public employee individually and interacting with the public employee in their public position under certain circumstances (because under the facts presented there is no conflict of interest). |
| 44 | A public official may not interact with a business with which they are associated on behalf of their public employer and vice versa, and they may not use their position to benefit a business with which they are associated. A public official may sign checks to a business with which they are associated when it is merely a ministerial act. |
| 45 | The Ethics Act does not prohibit a public official from creating a scholarship fund under certain circumstances (provided there is no personal gain). |
| 46 | A candidate is not required to re-file a Statement of Economic Interest if they already have a current one on file with the Commission. |
| 47 | The "Revolving Door" provisions of the Ethics Act prohibit a former public employee from accepting employment with a private entity under certain circumstances (that being that they do not represent the interests of a private employer before the public employer for two years). |
| 48 | The "Revolving Door" provisions of the Ethics Act do not prohibit a former public employee from interacting with their previous public employer under certain circumstances (that being that they do not represent the interests of a private employer before the public employer for two years). |
| 49 | The Ethics Act does not prohibit a public employee from serving as a public official under certain circumstances, but the requestor should check with the Alabama Attorney General's office to verify nothing outside of the Ethics Act prohibits it. |
| 50 | The Ethics Act does not prohibit a public employee from secondary employment provided they do not use public resources, including time in the furtherance of it. |
| 51 | The Ethics Act does not require that a public official recuse themselves from a matter when there is no conflict of interest. |
| 52 | The Ethics Act does not prohibit the family member of a public official from accepting employment with a private entity when there is no conflict of interest. |

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| 53 | The FCPA only permits campaign funds to be used for certain purposes that are clearly set out in Alabama Code § 17-5-7. |
| 54 | The Ethics Act does not prohibit a public official from bidding on surplus property provided the official does not use their position to influence bid specifications or selection or otherwise use their position for personal gain. |
| 55 | The Ethics Act does not prohibit a public employee from secondary employment provided they do not use public resources, including time in the furtherance of it. |
| 56 | The Ethics Act does not prohibit a public employee from secondary employment provided they do not use public resources, including time in the furtherance of it. |
| 57 | The Ethics Act does not prohibit a public employee from secondary employment provided they do not use public resources, including time in the furtherance of it. |
| 58 | The Ethics Act does not prohibit a public employee from interacting with their previous public employer on behalf of a new public employer. See Ethics Advisory Opinion No. 2016-26. |
| 59 | The Ethics Act does not prohibit a public employee from simultaneously serving as a public official but the requestor should check with the Alabama Attorney General's office to verify nothing outside of the Ethics Act prohibits it. |
| 60 | The Revolving Door provisions of the Ethics Act do not prohibit public employees from returning to their public employer after retirement. |
| 61 | The Ethics Act does not prohibit a public employee from secondary employment provided they do not use public resources, including time in the furtherance of it. |
| 62 | Public employees who are required to file a Statement of Economic Interest are required to receive training in the Ethics Act. |
| 63 | The Ethics Act prohibits public officials from accepting a "Thing of Value" from a principal. |
| 64 | The Ethics Act does not prohibit a public employee from secondary employment when they do not use public resources, including time in the furtherance of it. |
| 65 | The Revolving Door provisions of the Ethics Act do not prohibit public employees from returning to their public employer after retirement. |

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| 66 | The "Revolving Door" provisions of the Ethics Act prohibit a former public employee from interacting with their former public employer on behalf of a client or private employer until two years after they leave their public positions. |
| 67 | The Ethics Act does not prohibit a public official from receiving a gift from a person who is not a lobbyist or principal provided the gift is not received for the purpose of corruptly influencing an official action. |
| 68 | The "Revolving Door" provisions of the Ethics Act prohibit a former public employee from interacting with their former public employer on behalf of a client or private employer until two years after they leave their public positions. |
| 69 | The Ethics Act does not prohibit lobbyists from donating to a nonprofit under certain circumstances. |
| 70 | The Ethics Act does not prohibit a public employee from campaigning for a position as a public official or serving as a public official but the requestor should contact the Alabama Secretary of State's office regarding general campaign laws. |
| 71 | Candidates are required to file a Statement of Economic Interest within five days of filing their qualifying papers. |
| 72 | The Ethics Act does not prohibit a business with which a public official is associated from purchasing property owned by a public entity provided the public official doesn't use their official position for the benefit of the business. |
| 73 | The Ethics Act does not prohibit a public official from campaigning for another position as a public official or serving as a public official in another position but the requestor should check with the Alabama Attorney General's office to verify nothing outside of the Ethics Act prohibits it and the Alabama Secretary of State's office regarding general campaign laws. |
| 74 | The FCPA does not prohibit PACs from accepting contributions from an out-of-state candidate's campaign account under certain circumstances. |
| 75 | The Ethics Act does not prohibit a public employee from being appointed to a municipal board under certain circumstances. |
| 76 | The Ethics Act does not prohibit a councilmember from voting for themselves to fill a vacancy in the office of the mayor. |