

Informal Opinions Approved the 1st Quarter of Fiscal Year 2025

October 1 - December 31, 2024*

Informal Opinion No.	Summary
*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	The Ethics Act does not prohibit a public official from accepting employment with a private entity provided they did not regulate, audit or investigate the private entity and provided they do not represent the interests of their new private employer before their former public employer for a period of two years.
2	The FCPA does not prohibit a public official from using campaign funds for purchases under certain circumstances, provided they are not converted to personal use.
3	The Ethics Act permits public officials to attend events that have been pre-certified by the Director of the Ethics Commission.
4	The Ethics Act does not prohibit a public employee from campaigning for a position as a public official or serving as a public official under certain circumstances.
5	The FCPA permits excess campaign funds to be used in certain circumstances provided they are not converted to personal use.
6	The Ethics Act does not prohibit public employees from soliciting non-lobbyists for participation in a fundraising event.
7	The Ethics Act does not prohibit a public employee from secondary employment provided they do not use public resources in the furtherance of their secondary employment and provided they not represent their secondary employer before their current public employer.
8	The Ethics Act does not prohibit an individual from serving as a municipal official when the individual's family member is employed by the municipality.
9	The Ethics Act does not prohibit a public employee from secondary employment provided they do not use public resources in the furtherance of their secondary employment and provided they not represent their secondary employer before their current public employer.

10	The Ethics Act does not prohibit a public official from bidding on a job offered by a public entity provided the official does not use their position to secure the bid, they do not use confidential information in furtherance of their bid, and provided they do not participate in the determination of the award.
11	The "Revolving Door" provisions of the Ethics Act prohibit a former public employee from engaging in certain activities until two years after they leave their public position.
12	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.
13	The Ethics Act does not prohibit a public employee from secondary employment provided they do not use public resources in the furtherance of their secondary employment and provided they not represent their secondary employer before their current public employer.
14	The Ethics Act does not prohibit a public official from engaging in certain business activities provided they do not solicit any lobbyists, subordinates of lobbyists, or principals to utilize their business.
15	The Ethics Act allows a principal to provide travel and lodging to a public employee under the exceptions to the definition of "thing of value."
16	The Ethics Act does not prohibit a public employee from engaging in outside, part time employment provided they do not use public resources in the furtherance of their secondary employment and provided they not represent their secondary employer before their current public employer.
17	The Ethics Act does not prohibit a public official from engaging in private business activities provided they do not use public resources in the furtherance of their secondary employment and provided they not represent their secondary employer before their current public employer.
18	The Ethics Act prohibits a public official from voting or participating in discussions regarding a matter in which they have a financial interest. The Ethics Act does not restrict a public official's spouse from their ability to engage in certain private business activities.
19	The Ethics Act does not prohibit a public official from being reimbursed by their public entity for travel expenses related to conducting the duties of their public office.
20	The Ethics Act does not prohibit a public official from voting or participating in discussions regarding a matter when their personal interests are commonly shared by a large class and are not unique to them.
21	The Ethics Act prohibits a public employee from representing their outside private employer before their public employer and vice-versa.

22	The Ethics Act does not prohibit an individual from continuing to conduct their private business activities if they were to be elected to public office, but they must be aware of potential conflicts of interest.
23	The Ethics Act does not prohibit a public official from voting or participating in a matter discussions regarding a matter when their personal interests are commonly shared by a large class and are not unique to them.
24	The Ethics Act does not prohibit a public official from accepting an invitation to a box at an event when the official has already purchased tickets to the event.
25	The Ethics Act does not prohibit public officials from receiving a "Thing of Value" from a business that is not a principal. Public officials may not purchase tickets to an event for themselves out of campaign funds unless the circumstances show that the expenditure would not have been incurred but for their public service.
26	The "Revolving Door" provisions of the Ethics Act do not prohibit a public official from volunteering to serve in an unpaid position for a public entity.
27	The "Revolving Door" provisions of the Ethics Act do not prohibit public officials (for example, board members) from applying for a position with the public entity with which they serve provided they resign from their current positions before applying under certain circumstances. The "Revolving Door" provisions do not prohibit a public entity from hiring a current employee of the entity for another position with the entity under certain circumstances.
28	The Ethics Act does not prohibit a public employee from returning to their public entity after their retirement provided they did not use their official position to create the opportunity for themselves.
29	The Ethics Act does not prohibit a public employee from engaging in outside employment provided they do not use public resources in the furtherance of their secondary employment and provided they not represent their secondary employer before their current public employer.
30	The Ethics Act does not place a limitation on the amount that a can be paid for a meal for public officials or public employees by someone who is not a lobbyist, subordinate of a lobbyist, or a principal. See AO 2016-34. The Ethics Act does prohibit payments made for the purpose of corruptly influencing official action.
31	The Ethics Act does not prohibit a public employee from promoting their family member's campaign for election to public office outside of their work hours.

	<p>The Ethics Act prohibits a public official from voting or participating in any matter that would uniquely affect their family member.</p> <p>The Ethics Act does not require that a public employee resign as a result of their marriage to a public official.</p>
32	<p>A former public employee is not required to disclose contracts under section 11 of the Ethics Act between their current private employer and their former public entity. The Ethics Act does not prohibit a former public employee from assisting their current private employer with a project under certain circumstances. However, they may not represent their private employer before their former public employer until two years after they leave their public position.</p>
33	<p>The Ethics Act does not prohibit a public official from voting or participating in a matter regarding a matter when their personal interests are commonly shared by a large class and are not unique to them.</p>
34	<p>The Ethics Act does not prohibit a public official from engaging in private business activities provided they do not use public resources in the furtherance of their secondary employment and provided they not represent their secondary employer before their current public employer.</p>
35	<p>The Ethics Act does not prohibit a public employee from working part time for another public entity under certain circumstances.</p> <p>The Ethics Act does not prohibit a public employee from reserving a room at their public entity for purposes related to their outside employment with another public entity when the room is open to the public to reserve.</p> <p>The Ethics Act prohibits a public employee from using time at their public employer to conduct activities related to their employment with another public entity under certain circumstances.</p>
36	<p>The Ethics Act prohibits a public employee from lobbying or otherwise representing a client or private employer before their public employer. The Ethics Act prohibits public officials from lobbying any branch of state government during their term.</p>
37	<p>The Ethics Act does not prohibit an individual who is not a lobbyist or principal from providing gifts to public officials provided it is not offered for the purpose of corruptly influencing an official action.</p>

38	The Ethics Act prohibits a public official from interacting with their public entity on behalf of their private employer. The Ethics Act does not prohibit another employee at the public official's private employer from handling such interactions.
39	The Ethics Act does not place restrictions on a lobbyist's ability to interact with a family member who is a public official beyond the restrictions that apply to the lobbyist's interactions with any other public official.
40	The Ethics Act does not prohibit a public employee from secondary employment under certain circumstances.
41	The Revolving Door provisions of the Ethics Act do not prohibit public employees from returning to their public employer after retirement.
42	Stickers designed in a certain manner are not required to contain the identification information of Ala. Code§ 17-5-12.
43	The Revolving Door provisions of the Ethics Act do not prohibit public employees from returning to their public employer after retirement.
44	The Ethics Act does not prohibit a public official from accepting employment with a private entity provided they do not use public resources in the furtherance of their secondary employment and provided they not represent their secondary employer before their current public employer.
45	The Revolving Door provisions of the Ethics Act do not prohibit public employees from returning to their public employer after retirement.
46	The Ethics Act does not prohibit a public employee from receiving lodging for a meeting related to their outside, private position on a Board when the business is not a principal.
47	The Ethics Act does not prohibit a public official's business from renting a building to a public entity under certain circumstances.
48	The Ethics Act does not prohibit a public employee from secondary employment provided they do not use public resources in the furtherance of their secondary employment and provided they not represent their secondary employer before their current public employer.
49	The Ethics Act does not prohibit a public employee from renting a building to a business that is a vendor under certain circumstances.
50	Neither the FCPA nor the Ethics Act prohibit a candidate or public official from engaging in grassroots lobbying activities.
51	The Ethics Act does not prohibit a public employee from running for public office.
52	The Ethics Act does not prohibit a public official from volunteering to help a business with a charity event.

53	The Ethics Act does not prohibit members of a town council from nominating or voting for their family member to be appointed to the council to fill a vacancy because it is otherwise permitted by law in Ala. Code § 11-43-45.
54	The Ethics Act does not prohibit a public employee from running for public office or serving as a public official should they be elected, under certain circumstances.
55	The Revolving Door provisions of the Ethics Act do not prohibit public employees from returning to their public employer after retirement.
56	The Revolving Door provisions of the Ethics Act do not prohibit a former public official from returning to their public entity part time under certain circumstances.
57	The Ethics Act does not prohibit a PTO from purchasing gifts for teachers or support staff provided the gifts are made in accordance with any applicable school policy.
58	The Ethics Act does not require a public employee to resign if their family member is appointed as a public official.
59	The Ethics Act does not prohibit a public employee from running for public office.
60	The FCPA does not place time restrictions on a candidate's ability to make campaign expenditures.
61	The Ethics Act does not prohibit a public entity from contracting with a business that an employee of the public entity used to be employed with.
62	The Ethics Act does not prohibit a public official from voting or participating in a matter under certain circumstances
63	The Ethics Act does not prohibit a public employee from secondary employment under certain circumstances.
64	The Ethics Act does not prohibit a public official from purchasing lunch with their own money for those attending a meeting of the public entity.