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# Ethics for Public Officials

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## Overview

Public officials are held personally responsible for complying with the provisions in the Oregon Government Ethics law. This means that each public official must make a personal judgment in deciding such matters as the use of official position for financial gain, what gifts are appropriate to accept, or when to disclose the nature of conflicts of interest. If a public official fails to comply with the operative statutes, a violation cannot be dismissed by placing the blame on the public official's government employer or the governing body represented by the public official.

## Key Points

### Who is covered

- Public officials
- Volunteers with regular duties
- Relatives, members of the household, and businesses with which you are associated

### Prohibited Uses

- Using or attempting to use an official position to obtain financial gain, or avoidance of financial detriment, which would not otherwise be available, but for the holding of your official position or office.
- Solicitation or promise of future employment based on decisions made or actions taken.
- Use of confidential information for personal gain.
- “Actual” or “potential” conflict of interest.
- Exceptions (partial list)
  - Reimbursement of expenses.
  - “Honorarium” up to \$50.
  - “Gifts” from sources that have an “administrative or legislative interest” up to \$50 per calendar year.
  - “Gifts” from sources with no legislative or administrative interest in an unlimited amount.

### Conflict of Interest

- “Actual conflict of interest” which would result in private pecuniary benefit or detriment:
  - Must announce publically the nature of the conflict and refrain from participation in discussion, debate, or voting on the issue.
- “Potential conflict of interest” which could result in private pecuniary benefit or detriment:
  - Must announce publically the nature of the potential conflict prior to taking any action.

## Resources

SWCD Program Contacts:

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Oregon Government Ethics Commission  
503-378-5105

<http://www.oregon.gov/ogec>

Publication: *Oregon Government Ethics Law, A Guide for Public Officials.*

## Applicable Laws and Rules

Oregon Revised Statutes (ORS)

Chapter 244 can be found at:

[https://www.oregonlegislature.gov/bills\\_laws/lawsstatutes/2013ors244.html](https://www.oregonlegislature.gov/bills_laws/lawsstatutes/2013ors244.html)

Oregon Administrative Rules (OAR)

Chapter 199 can be found at:

[http://arcweb.sos.state.or.us/pages/rules/oars\\_100/oar\\_199/199\\_tofc.html](http://arcweb.sos.state.or.us/pages/rules/oars_100/oar_199/199_tofc.html)

## Definitions

Who is a public official?

- Elected or appointed to an office with the state, county, local government, or special district.
- An employee of the state, county, local government, or special district.
- An unpaid volunteer of the state, county, local government, or special district.

Who is a “relative” of a public official?

(Partial list; this list has been expanded)

- Spouse
- Your children or spouse's children
- Siblings and spouses of siblings
- Your spouse's siblings and their spouses
- Your parents and spouse's parents
- Any person for whom you have a legal support obligation