



## Gift Rules for Public Servants

### The Basic Rule

A public servant or candidate for City Office may not accept a gift when it is reasonably foreseeable that the public servant or candidate could be influenced by the gift in the performance of an official act.

### Local Restrictions

A public servant or candidate for City Office who is required to file a statement of economic interests [Form 700] may not accept more than \$250 in reportable gifts from the same source within the same calendar year.

### Reporting Requirements

- Gifts from the same source that have an aggregate value of **\$50 or more** are reportable on your Statement of Economic Interests [Form 700], which must be filed before April 1 of each year.
- The reportable value of a gift is generally equal to its **fair market or face value**. If the fair market value of a gift cannot be readily determined, the official must make a reasonable approximation, taking into account the price of similar items.

### Restricted Source

A public servant may not solicit or accept any gift or loan valued at more than fifty dollars (\$50.00) cumulatively in a calendar year from a person who the public servant knows or has reason to know is a restricted source.

A restricted source is defined as:

- A person doing business with or seeking to do business with the department of the public servant
- A person who during the prior twelve (12) months knowingly attempted to influence the public servant in any legislative or administrative action.

The Lobbyist Registration Act, as recently amended, prohibits registered lobbyists from making direct payments, including gifts, of more than \$50 per year to **elected officials, candidates, and their families**.

Under the California Political Reform Act, there are a variety of items that are not considered gifts. These include, for example, gifts from family members, certain informational material, and personalized plaques and trophies worth less than \$250. Also, items that are returned (unused) to the donor within 30 days of receipt or donated (unused) to a non-profit, tax-exempt organization, are not considered reportable gifts.

**Contact the Public Ethics Commission for advice and assistance in complying with the law.**