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Department of State

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Wayne Williams
Secretary of State

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Ms. Amy DeVan
Executive Director
Independent Ethics Commission
1300 Broadway
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November 25, 2015

Re: Request for an Advisory Opinion regarding the acceptance of gifts by a state employee elected to Aurora City Council

Ms. DeVan,

In accordance with the Independent Ethics Commission's ("IEC") Rules of Procedure, I am writing to request an advisory opinion from the IEC regarding a Secretary of State employee, Angela Lawson, who was recently elected as a City Councilperson for the City of Aurora. Specifically, I request an opinion as to whether Ms. Lawson may accept gifts, as defined by Amendment 41, in her capacity as a city councilperson despite her status as a state employee. Accordingly, I write to seek the IEC's opinion on one main question:

Section 3 of Amendment 41 states that a public officer may not accept money or any other thing of value over \$58 in a calendar year unless the gift-giver receives lawful consideration of equal or greater value in return from the public officer. Here, Ms. Lawson's duties as an Aurora City Councilperson will involve the receipt of gifts (typically meals and travel-related expenses) in excess of that amount annually. Does her status as a state employee prohibit her from accepting gifts under Amendment 41?

Because the IEC only meets monthly, I request that the IEC consider this request at its next regularly scheduled meeting, as Ms. Lawson will take office in December of this year.

Thank you in advance for your time and consideration. Please do not hesitate to contact me if you have any questions or require any further information.

Suzanne Staiert
Deputy Secretary of State