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# FAQ: Ticket Distribution & Disclosure Policy

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**August 2016**

*In accordance with the state Political Reform Act, the Ethics Commission has adopted and the City Council has approved a City-wide policy governing the distribution and disclosure of tickets and passes acquired by City agencies. Tickets and passes distributed and disclosed by an agency in accordance with the Ticket Distribution and Disclosure Policy (Policy) are not considered gifts to City officials who accept or distribute them.*

*The Policy, found in Los Angeles Administrative Code sections 24.51 through 24.55, supersedes any ticket distribution policy previously adopted by a City agency.*

## **What is the purpose of the Policy?**

The Policy has several purposes:

- It protects City resources by requiring ticket distributions to be made for a specific public purpose.
- It promotes transparency in City government by requiring the disclosure of tickets distributed to City officials, City employees, and outside organizations.
- It allows an agency to distribute tickets to a City official (an individual required to file statements of economic interests [CA Form 700] because of a City position) without the tickets being considered a gift to the official.

## **When does the Policy apply?**

The Policy applies when tickets or passes to sporting, entertainment, and other similar events are distributed by a City agency to further an official public purpose. The tickets or passes may be acquired pursuant to the terms of a contract, obtained because the City controls the event, purchased by the City, received from another agency, or received from an outside source.

## **What is an agency under the Policy?**

An agency is any City department, office, board, commission, or other entity that is required to adopt a conflict of interests code subject to City Council approval. For City Council offices, each office is a separate agency.

## **What is a “ticket” or “pass” under the Policy?**

A “ticket” is anything that provides access, entry, or admission to a facility, show, or performance for an entertainment, amusement, recreational, or similar purpose if similar tickets are sold or provided to the public to view, listen to, or otherwise take advantage of the attraction or activity. A ticket includes any benefits that the ticket provides. A “pass” is a ticket that provides repeated access, entry, or admission to a facility or series of events and for which similar passes are sold or provided to the public. Examples include individual tickets or season passes to baseball games, concerts, amusement parks, and fairs. Tickets and passes do not have to be tangible items; simply adding a City official’s name to an admission list can qualify.

## **Who can distribute tickets or passes on behalf of an agency?**

Tickets and passes must be distributed by the agency’s ticket administrator. The Policy names the department’s general manager, chief administrative officer, or that person’s designee as the

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ticket administrator. For the office of an elected official, the elected official or that person's designee is the ticket administrator.

**How are tickets and passes distributed?**

The ticket administrator must determine who receives the tickets and passes. To comply with the Policy, an outside source cannot earmark tickets or passes for a specific City official or employee. The ticket administrator can create distribution procedures for the agency as long as the procedures are consistent with the Policy.

The ticket administrator must determine which of the following public purposes the distribution accomplishes:

- Promoting industry, employment, tourism, or economic development in the City.
- Furthering the agency's work, mission, or duties.
- Promoting cultural, artistic, educational, recreational, or community activities in the City.
- Encouraging or recognizing significant academic, athletic, or public achievements.
- Attracting or retaining highly qualified City employees, officials, or volunteers.
- Recognizing the meritorious service of current or former City employees, officials, or volunteers.
- Facilitating a City official's familiarity with or ability to carry out City duties related to the management, administration, or care of a City facility or event; and

The ticket administrator must also properly disclose the distribution.

**How is the distribution of tickets and passes disclosed?**

The distribution of tickets or passes must be disclosed on CA Form 802 and must include the following information:

- The agency's name;
- The name and contact information of the ticket administrator;
- The date and a description of the event;
- The face value of each ticket or pass;
- If the tickets or passes were behested, the name of the City official who behested them;
- The names of any elected officials and governing board members of agencies who received tickets or passes and the number each received;
- The name of the City agency or division of an agency that received tickets or passes and the number received;
- The name of any outside entities that received tickets or passes and the number received; and
- The specific public purpose identified in the ticket distribution policy for which the tickets or passes were distributed.

**When and where is Form 802 filed?**

Within 30 days after the distribution, the ticket administrator must file a copy of Form 802 with the Ethics Commission (at [ethics.commission@lacity.org](mailto:ethics.commission@lacity.org)). The original Form 802 must be maintained as a public record by the agency.

**Can a City official request tickets or passes on behalf of her agency?**

Yes, but a City official may not request or accept a ticket or pass in exchange for performing an official City act. In addition, a City official may not request a ticket or pass from a restricted source to that official.

A restricted source is a person about whom one or more of the following is true:

- Is required to register with the Ethics Commission as a lobbyist or lobbying firm and seeks to influence the decisions of the official's agency (for elected officials, this applies to all lobbyists and lobbying firms that are required to register with the City);
- Has entered into, performs under, or seeks a contract with the official's agency (for elected officials, this applies to contracts with any agency);
- In the past year, has attempted to influence the official in a City matter that would have a direct financial effect on the person; or
- In the past year, has had a license, permit, or other entitlement for use pending before the official or a body of which the official is a voting member.

If an elected City official behests a ticket or pass from any source, additional reporting may be required.

**Is there a limit on tickets or passes distributed to a City official?**

Yes. In addition to personally using one ticket or pass, a City official may give one ticket or pass to each member of his immediate family or to one guest, solely for that individual's attendance at the event. City officials and employees may not sell or receive consideration for the value of a ticket or pass.

**Is there a limit on tickets or passes distributed to others?**

No. An agency may distribute an unlimited number of tickets or passes to non-City entities and to individuals who are not City officials, including City employees and volunteers. All tickets and passes that an agency distributes must comply with the Policy and be properly disclosed on Form 802.

**What if an official receives additional benefits at the event?**

Additional benefits that a City official receives from a ticket or pass may be a gift to the official if the benefit is not provided to all members of the public with the same class of ticket or pass. For example, while attending a baseball game, an official receives beverage and snack vouchers from the game sponsors. If the vouchers are not a benefit included in the class of ticket that the official received from her agency, they are a gift to her and may be subject to gift limits and reporting requirements.

**What happens if tickets are not distributed according to the Policy?**

A ticket or pass not distributed and disclosed according to the Policy may be a gift to the ticket administrator and to the City official who accepts the ticket or pass. Gifts are subject to both limits and reporting requirements. Violations of City and state gift restrictions and the failure to timely file Form 802 can result in monetary penalties.

*Please contact the Ethics Commission with any questions!*