

A **gift** is anything you receive that gives you a personal benefit for which you do not provide consideration of equal or greater value.

Even a well-intentioned gift can create an actual or apparent conflict of interests. To help preserve the public trust, state and City laws place limits and reporting requirements on gifts to City officials.

A **City official** is an individual who is required by state law to file a Statement of Economic Interests (Form 700) because the individual holds a position that is listed in a City agency's Conflict of Interests (COI) code.

To help you determine whether a gift may or may not be accepted, you must first identify the source and the value of the gift.

However, a gift may never be solicited, given, or accepted—regardless of source or value—if it is reasonably foreseeable that your City decisions could be influenced by the gift.

KNOW THE GIFT SOURCE

It is important to know the source of a gift (the gift giver). This determines whether a gift is prohibited, limited, or exempt. The panels on the right summarize the prohibitions and limitations on gifts from different types of sources. Please see the back of this brochure for exceptions.

KNOW THE GIFT VALUE

A gift's value is generally its fair market value. The simplest way to determine a gift's value is to ask the gift giver. State law also provides methods for determining the value of certain types of gifts. Keeping a record of all gifts accepted can help you stay within gift limits and properly report gifts on Form 700 or Form 60. Please see the back of this brochure for more information.

GIFTS LIMITED BY SOURCE

Lobbyist / Lobbying Firm

\$0

GIFTS FROM CITY LOBBYISTS AND LOBBYING FIRMS ARE PROHIBITED.

A lobbyist is an individual, regardless of title, who attempts to influence City action on behalf of others and meets thresholds regarding time and compensation. A lobbying firm is a business that employs at least one City lobbyist who attempts to influence City action on behalf of others.

For elected City officials, the prohibition applies to lobbyists and lobbying firms that lobby any City agency. For other City officials, it applies to lobbyists and lobbying firms that lobby your City agency.

City officials may not solicit or accept gifts from lobbyists, lobbying firms, or anyone acting as an intermediary for a lobbyist or lobbying firm. To find out whether the source of a gift is a lobbyist or lobbying firm, please visit ethics.lacity.org/-data/lobbying.

Example:

Mark, a council aide, runs into a friend at a coffee shop near City Hall. His friend is a registered lobbyist who has been trying to get a project approved by City Council. His friend offers Mark two tickets to a baseball game. Mark should decline the tickets, because he is prohibited from accepting anything of value from registered lobbyists seeking to influence his agency (the City Council).

Restricted Source

\$100

GIFTS FROM RESTRICTED SOURCES ARE LIMITED TO \$100 PER SOURCE PER YEAR.

A restricted source is an individual or business that has or seeks a contract with your agency (or, if you are an elected official, any agency);

OR

In the past year, has attempted to influence you in a City matter;

OR

In the past year, was a party to an action involving a permit or other entitlement pending before you or a body of which you are a voting member.

Gifts totaling \$50 or more per calendar year from a restricted source must be disclosed. For more information, please see the "Report Gifts" section on the back of this brochure.

Example:

Sally is a City official. A consultant who submitted a response to an RFP issued by Sally's agency gives her a gift basket valued at \$120. Sally has several options: 1) She may decline the gift; 2) Assuming she has not received any other gifts from that consultant in the calendar year, she may accept the gift and pay back \$20 (the difference between the gift limit and the value of the gift) within 30 days; or 3) She may give the gift to a 501(c)(3) organization within 30 days, without taking a tax deduction, as long as neither she nor a member of her immediate family holds a position in the organization.

Reportable Source

\$590

GIFTS FROM REPORTABLE SOURCES ARE LIMITED TO \$590 PER SOURCE PER YEAR.

Reportable sources vary depending on your position's decision-making authority. Your City agency has a unique COI code that identifies the reportable sources for your position.

Gifts totaling \$50 or more per calendar year from a reportable source must be disclosed. For more information, please see the "Report Gifts" section on the back of this brochure.

Example:

Tom is a City official with the Animal Services Department, and he receives a gift valued at \$390 from the owner of a veterinary clinic that is located in the City. The clinic does not do business with the City and is not otherwise a restricted source for Tom. The COI code for Animal Services identifies veterinary clinics as disclosable sources of income, including gifts, for Tom. Assuming Tom has not already received more than \$200 in gifts from the clinic in that calendar year, he may accept the gift.

✔ GIFT EXCEPTIONS

Gift limits do not apply to certain types of gifts. Examples of items that are exempt from the gift laws include the following:

- Gifts from immediate family members.
- Reciprocal exchanges between you and another individual (other than a lobbyist) where no single payment is \$520 or more.
- Informational material, such as books, reports, pamphlets, seminars, or informational conferences, used exclusively for the performance of your City duties.
- Two tickets for admission to a fundraiser for a 501(c)(3) organization when the tickets are provided to you by the 501(c)(3) organization, itself.
- Two tickets for admission to a political fundraiser when the tickets are provided to you by the candidate or committee holding the fundraiser.
- Gifts that are not used and, within 30 days, are:
 1. Returned to or purchased from the source;
 2. Donated to a 501(c)(3) organization in which neither your nor a member of your immediate family holds a position, without being claimed as a charitable contribution for tax purposes; or
 3. Donated to a local, state, or federal government agency without being claimed as a deduction for tax purposes.

Even small variations in the facts surrounding a gift can significantly affect how the gift laws apply. Please contact the Ethics Commission with questions before soliciting or accepting a gift.

📄 REPORT GIFTS

All City officials are required to disclose on the state's Form 700 gifts from a restricted or reportable source that are cumulatively valued at \$50 or more in a calendar year and given to them or (subject to limited exceptions) their immediate family members.

In addition, elected City officials, agency heads, and members of City boards and commissions are required to disclose on the City's Form 60 gifts from a restricted source that are cumulatively valued at \$50 or more and given to them or their immediate family.

Common Reportable Gifts

- Tickets and passes to entertainment or sporting events.
- Tickets and passes to amusement parks.
- Food, beverages, and accommodations provided in direct connection with your attendance at a convention, conference, or meeting.
- Meals.
- Wedding gifts.
- Forgiveness of a loan.
- Transportation and lodging.
- Attendance at an invitation-only event.
- Discounts, rebates, and personal loans not offered to the public.

⚠️ AVOID VIOLATIONS

It is a violation to solicit or accept a gift if it is reasonably foreseeable that the gift could influence your City decision making; to solicit or accept a prohibited gift or a gift that exceeds a gift limit; or to fail to properly disclose a gift.

Be sure to maintain records that show your compliance with the gift laws. A gift journal is available at ethics.lacity.org/publications/#ethics.

This is a brief overview of the gift laws. Please contact us for more information about how the laws apply to you or to report a possible violation.

Web:
ethics.lacity.org

Phone:
(213) 978-1960

Whistleblower Hotline:
(800) 824-4825
ethics.lacity.org/enforcement/#reportaviolation

Address:
200 North Spring Street
City Hall 24th Floor
Los Angeles CA 90012

Gifts

