

ETHICS REMINDERS

*Are you fundraising online for a charitable cause?
Be aware that the ethics rules apply!*

Technology has expanded how charitable fundraising can be conducted—shifting fundraising for many causes to crowdfunding website platforms (e.g., GoFundMe) that allow people to donate money online to an individual or an organization.

A State employee may engage in charitable fundraising—whether online or by other means—with a few caveats. Public Officers Law § 74 (the State Code of Ethics), Public Officers Law § 73(5) (gift prohibitions), and Commission regulations regarding gifts restrict an employee's fundraising efforts.

Generally, State employees are prohibited from:

- Using their official title, position, or authority in fundraising efforts; and
- Soliciting contributions from:
 - subordinates
 - those with a matter pending before them
 - those with official matters involving them recently

If you plan on raising money online for yourself or another, do not hesitate to contact your agency's Ethics Officer or JCOPE's Attorney of the Day to determine how these rules may apply to your own fundraising efforts.

Violating Public Officers Law § 74 can result in a maximum fine of \$10,000 and the value of any gift, compensation, or benefit received in connection with such violation, and is punishable as a Class A misdemeanor. Violations of Public Officers Law § 73, including the gift provisions, can result in a maximum fine of \$40,000 and the value of any gift, compensation, or benefit received in connection with such violation, and are punishable as a Class A misdemeanor.



The Joint Commission on Public Ethics periodically releases Ethics Reminders. Each reminder is a synopsis of the laws and rules under the Commission's jurisdiction. Ethics Reminders are issued to assist those who are subject to the Commission's jurisdiction in understanding and complying with their obligations under the law.