

# THE VOICE OF ETHICS

A Publication of the Ohio Ethics Commission

2021 Quarter 3

## Ohio Ethics Commission's Advisory Opinion 2009-06: Ohio Ethics Law and Stimulus Funds





## Stimulus Funds and the Ohio Ethics Law

On March 11, 2021, the American Rescue Plan Act of 2021 was signed into law and is intended to combat the COVID-19 pandemic, including public health and economic impacts. Subsequently, at its June meeting, the Ohio Ethics Commission reminded public officials of the Ohio's Ethics Law governance over such federal stimulus funds.

In fact, the Commission encouraged public employees and officials in Ohio to review the previously issued [Advisory Opinion 2009-06](#). The opinion concluded that stimulus expenditures constitute public contracts and are therefore governed by the Ethics Law which assures Ohioans that government decisions and public expenditures, whether at the state or local level, are objective and serve the public's interest. As result, the opinion continues to serve as clear guidance that public officials remain subject to the Ethics Law when making any determinations regarding federal stimulus funds.

Advisory Opinion 2009-06 reminds public officials that they cannot profit from federally funded contracts or participate when family members or business associates might benefit from them. It outlines prohibitions against public officials misusing their public positions to secure stimulus funds or participating in any actions involving the funds, where family members or business associates of the public official may otherwise lawfully have some direct benefit from the contract.

Questions on Advisory Opinion 2009-06 or the Ohio Ethics Law?  
Check out our website at [www.ethics.ohio.gov](http://www.ethics.ohio.gov).



# The Ohio Ethics Commission: Assisting You... with a Little Help from Our Friends!

Several decades ago, the Beatles musically wondered if singing out of tune would cause a friend to walk out on them. But they also noted that the best way to “get by” is with a little help from friends! So, in this article, we want to acknowledge some of the other public agencies to which we often refer callers whom we cannot legally assist.

Ethics Commission staff members are pleased to work with the public in understanding and complying with the Ohio Ethics Law. We provide advice, information, education, and training tools regarding conflicts of interest in public service, gift prohibitions, public contract restrictions, nepotism, and much more. The Commission also conducts investigations regarding alleged violations of the Ethics Law and related statutes.

This work in upholding the law promotes honesty in government and supports the public confidence in public service. As a result, the Commission welcomes questions regarding the Ethics Law; in fact, you can contact our office directly or review our website for information regarding the law and the work of the Ethics Commission.

However, we also receive numerous questions throughout the year regarding issues outside the Ethics Commission’s jurisdiction. Because we want to be helpful to all our callers, we compiled a fact sheet available on our website entitled “[The Authority of the Ohio Ethics Commission](#).”

In this document, we outline the areas of the law over which the Ethics Commission has jurisdiction and can offer information and assistance. You will also find a list of common issues outside our jurisdiction and the appropriate authority to instead contact. Examples of the issues outside the Ethics Commission’s authority include:

- Sunshine Law (Open Meetings/Public Records)
- Lobbying or General Assembly Regulations
- Campaign Finance or Elections
- Codes of Professional Conduct
- Sexual harassment or Discrimination
- Substandard Government Customer Service
- Theft in Office or Bribery

Please feel free to review this helpful document for a more complete list to determine the best public office to call for your question. If your question falls under the Ethics Commission’s authority, please feel free to contact us (but don’t be surprised if - unlike John or Paul - we actually do sing out of tune!).



## Are you a Public Practice Attorney? Need CLE? Look No Further!

Each year, the Ohio Ethics Commission and the Ohio Board of Professional Conduct provide free Continuing Legal Education (CLE) courses each year for public practice attorneys. These free classes are approved by the Supreme Court of Ohio Commission on Continuing Legal Education for 2.50 total CLE hours of attorney professional conduct instruction.

Our first class took place in May and was a live webinar and was well received by nearly 500 public practice attorneys from throughout Ohio. We are offering two additional opportunities this year, one online and one in-person:

- **October 21, 2021** will be a webinar “re-run” of the May recorded CLE webinar and
- We have optimistically scheduled an “in-person” CLE at the BWC Auditorium on **December 3, 2021**. (We will notify registrants should we be required to convert it into an online class).

Looking forward to seeing you!

Questions? E-mail [susan.willeke@ethics.ohio.gov](mailto:susan.willeke@ethics.ohio.gov) or call (614) 466-7093.

Visit [our CLE web page](#) to register for a CLE class and subscribe to the Ohio Ethics Commission’s CLE e-mail notification list.





## Ethics Education - Regional Sessions

The Ohio Ethics Commission has optimistically scheduled its annual Regional Trainings for this fall! These sessions are designed for public employees and officials who prefer a “live” classroom setting and are open to all public officials and employees who would like to know more about the Ohio Ethics Law. All state, county, city, township, and village officials and employees are welcome to attend!

For state officials and employees, these classes fulfill your Ethics Law training requirement under the Governor’s Executive Order. As an added bonus for public practice attorneys, these classes are approved by the Ohio Supreme Court for 1.5 general CLE hours.

Dates and locations of the Regional Sessions are listed below; visit our [Regional Sessions webpage](#) for details and registration information.

Cincinnati	October 1	10 AM
Perrysburg	October 14	10 AM
Akron	October 15	9 AM
Akron	October 15	11 AM
Webinar	October 29	10 AM
Columbus	November 4	10 AM
Columbus	December 2	10 AM



Questions? Contact Susan Willeke at (614) 466-7093  
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