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FOR IMMEDIATE RELEASE:

**OHIO ETHICS COMMISSION ISSUES FORMAL ADVISORY OPINION ON RESTRICTIONS
ON PUBLIC OFFICIALS EMPLOYED BY ENTITIES RECEIVING PUBLIC FUNDING**

At its June 10, 2016 meeting, the Ethics Commission issued Advisory Opinion No. 2016-01. This Opinion is a researched restatement of guidance from questions previously answered by the Commission in 2010, and from a series of reviews in public sessions of the prior three Commission meetings.

At its June 10, 2016 meeting, the full Commission reviewed all staff work and adopted applicable guidance for public officials who may take employment with nonprofit entities receiving public funding from the public entity which the official serves.

The guidance uses the example in the Opinion that considers whether a council member of a city that provides financial support to a nonprofit corporation may be employed as that entity's director. The Opinion states that the Ethics Law prohibits a public official from also being employed by a nonprofit or for-profit entity if the establishment or operation of this entity is dependent upon receipt of the public agency's financial assistance, or the public official would otherwise profit from the award of the contract.

The Opinion sets forth several factors to determine whether an entity is dependent upon receipt of the public agency's financial assistance or when a public official would otherwise profit from the award of the contract. By statute, the Ethics Commission provides guidance (and immunities if followed) to public officials who may have questions in regard to actions by them in conducting public business.

Chairman Merom Brachman noted that, "This Opinion results from constructive comment from the Commission's full bipartisan membership that unanimously adopted it. There are rational restrictions to assure the public that officials taking employment at related nonprofit entities will not run afoul of work questions or be in an unacceptable position of personal profit in a particular situation."

Executive Director Paul M. Nick added, "This Opinion responds to questions that have come from various levels of government throughout the State. With the wider involvement of nonprofit entities in governmental affairs, the Commission felt a duty to identify situations where there is a risk of conflicts of interest because private considerations may detract from serving the public interests."

A copy of the opinion is available [here](http://ethics.ohio.gov/advice/opinions/2016-01.pdf) [http://ethics.ohio.gov/advice/opinions/2016-01.pdf].

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