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FOR IMMEDIATE RELEASE:

ETHICS COMMISSION ISSUES ADVISORY OPINION

At its meeting on March 12, 2021, the Ohio Ethics Commission issued formal [Advisory Opinion No. 2021-01](#). The Opinion addresses whether city officials can serve as the executive director of an organization if the city pays membership dues to that organization.

“The Ethics Commission recognizes that city officials may also serve their community in local organizations such as chambers of commerce, regional planning commissions, municipal leagues, and other similar entities,” said Executive Director Paul M. Nick. “This Opinion states that such service is permitted when the official can meet exceptions in the law and can recuse themselves from conflicts with their public duties, when required.”

The Advisory Opinion notes that a city paying membership dues to a local organization, such as a local chamber of commerce, constitutes a “public contract” as the city is paying for and getting services from the organization. As a result, the Ohio Ethics Law would prohibit a city official from serving as the organization’s executive director if the official would directly profit from that public contract. However, a city official may serve in that capacity, provided that the official avoids taking any official actions that affect the interest of the local organization, such as voting, discussing, or lobbying.

“While this Opinion provides important guidance to city officials, including city mayors or council members, the conclusions also apply to any similarly situated local officials, including county commissioners and village and township mayors, council members, and trustees,” said Chairman Merom Brachman.

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