

**Regulation 36-14-5013 — Prohibited Activities - Restrictions on activities relating to Public boards.**

- (1) No member of the General Assembly, while serving as a member of a Public Board, shall:
  - (a) ask, demand, solicit, accept, receive or agree to receive any gift, loan, reward, promise of future employment, favor or service, forbearance or forgiveness of indebtedness, gratuity or special discount or other thing of economic value from any person, business or other entity having a financial interest, direct or indirect, in a contract or proposed contract in which the member has participated or intends to participate or vote, and in which the Public Board on which he or she serves, is an interested party. The Prohibition in this subsection shall apply during the term of any such Contract and for a period of 12 months thereafter.
  - (b) ask, demand, solicit, accept, receive or agree to receive any gift, loan, reward, promise of future employment, favor or service, forbearance or forgiveness of indebtedness, gratuity or special discount or other thing of economic value from any employee, or applicant for employment of that Public Board; or,
  - (c) while serving as an appointed member of an executive, public or quasi-public board, authority, corporation, commission or agency, and for a period of one (1) year after leaving that office, seek or accept employment, or act as an agent, attorney, professional service provider, professional consultant, or consultant for, any business or other entity which had a financial interest, direct or indirect, in any contract or proposed contract in which the Public Board was an interested party and which was in effect at any time during his or her service on the Public Board; and
  - (d) The prohibitions contained in section 5013(1) shall not apply to or prohibit political contributions.
- (2) No member of the General Assembly, while serving on a Public Board shall:
  - (a) ask, demand, solicit, accept, receive or agree to receive any political contribution from any person, business or other entity (“Vendor”) having a financial interest, direct or indirect, in a contract in which the member of the General Assembly has participated or voted as a member of said Public Board. This prohibition shall apply to any Vendor from which the member of the General Assembly has received any political contribution within 12 months prior to his or her participation or vote, and, in the event said member is otherwise permitted to participate or vote, he or she shall be prohibited from accepting any such political contribution from any Vendor after such participation or vote, during the term of the contract, and for a period of 12 months thereafter.
    - i. The prohibitions of Section 5013(2) shall also apply to political contributions through any Political Action Committee, or similar political funding entity, owned or controlled by such Vendor.
    - ii. A Vendor under Section 5013(2) shall include, but not be limited to, (a):

individuals, (b): partners, (c): managers and officers of a limited liability company, and members owning a five percent or greater interest in said limited liability company, (d): directors and officers of a corporation, and shareholders of a corporation owning a five percent or greater interest in said corporation; or

- (b) directly or indirectly ask, demand, or solicit any political contribution from any employee, or applicant for employment of that Public Board.
- (3) The restrictions and prohibitions of Section 5013 shall not apply to matters representing arms length, bona fide contracts for which due and fair consideration has been paid and received by the parties.
- (4) For purposes of this regulation, “Public Board” means all public bodies within the executive branch of the state government and all state executive, public and quasi-public authorities, corporations, commissions, councils, or agencies, provided, however, that the foregoing definition shall not apply to any such entity which (i) functions solely in an advisory capacity, or (ii) exercises solely legislative functions.
- (5) This regulation shall be effective upon filing.