STATE GOVERNMENT ETHICS ACT
DECISION TREE FOR GIFTS
(Public Servants, Legislators & Legislative Employees)

Are you a legislator or legislative employee?

YES
Is the person funding the gift (directly or indirectly) a lobbyist, lobbyist principal, or liaison personnel?¹

NO
Are you a public servant?

YES
Are you a public servant?

NO
CAN Accept

NO
CAN Accept

CAN Accept

Is the person giving the gift (directly or indirectly) a lobbyist, lobbyist principal, or “interested person”?²

YES
Is it a “gift”?³

NO
Can Accept

Can Accept

Is it a “gift”?³

YES
Does it fit within a “gift ban exception”?⁴

YES
CAN Accept

NO
QUESTIONs?
Contact the State Ethics Commission at:
(919) 715-2071 or ethics.commission@doa.nc.gov

CAN Accept

STOP!
& Promptly

Decline
Pay Fair Market Value
Donate to charity or the State

NO
Return

¹ A list of lobbyists, lobbyist principals, & liaison personnel is available on the Secretary of State’s website at www.secretary.state.nc.us/lobbyists/directory.aspx.
² An “interested person” is a person who: 1) is doing or seeking to do business with your agency; 2) is regulated or controlled by your agency; or 3) has financial interests that may be substantially affected by your agency. There is no list of interested persons.
³ A “gift” does not include: anything for which fair market value was paid; commercially available loans; contractual or commercial arrangements; scholarships; campaign contributions; certain expressions of condolence; holiday greeting cards.
⁴ Exceptions include: food & beverage at specified gatherings; attendance at certain meetings, & conferences; gifts from extended family; gifts from prohibited givers & not related to your public position; gifts available to the general public or all State employees; certain plaques & nonmonetary mementos. Specific criteria must be met for each exception.

State Ethics Commission: December 2011