

PBC Gift Form

YEARLY GIFT DISCLOSURE (GIFTS OVER \$100)

LAST NAME -- FIRST NAME -- MIDDLE NAME		NAME OF MUNICIPALITY	
MAILING ADDRESS	DEPARTMENT	OFFICE OR POSITION HELD	
CITY	ZIP	FOR YEAR	

PART A – STATEMENT OF GIFTS

Please list below each gift, the value of which you believe to exceed \$100, accepted by you during the calendar year (January 1-December 31) for which this statement is being filed. You are required to describe the gift and state the monetary value of the gift, the name and address of the person making the gift, and the date(s) the gift was received. If any of these facts, other than the gift description, are unknown or not applicable, you should so state on the form. As explained more fully in the instructions on page 2 of the form, you are not required to disclose gifts from relatives or certain other gifts. **You are not required to file this statement for any calendar year during which you did not receive a reportable gift.**

DATE RECEIVED	DESCRIPTION OF GIFT	MONETARY VALUE	NAME OF PERSON MAKING THE GIFT	ADDRESS OF PERSON MAKING THE GIFT

CHECK HERE IF CONTINUED ON SEPARATE SHEET

PART B – RECEIPT PROVIDED BY PERSON MAKING THE GIFT

If any receipt for a gift listed above was provided to you by the person making the gift, you are required to attach a copy of that receipt to this form. You may attach an explanation of any differences between the information disclosed on this form and the information on the receipt.

CHECK HERE IF A RECEIPT IS ATTACHED TO THIS FORM

PART C – OATH

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed herein and on any attachments made by me constitutes a true accurate and total listing of all gifts required to be reported by Article XIII, Sec. 2-444 of the Palm Beach County Code of Ethics.

SIGNATURE OF REPORTING OFFICIAL

PART D – FILING INSTRUCTIONS

This form, when duly signed, must be filed with the Commission on Ethics, 300 North Dixie Highway, Suite 450, West Palm Beach, Florida 33401. The form must be filed no later than the first day of February for the previous reporting year.

PART E - INSTRUCTIONS

WHO MUST FILE THIS FORM?

- All public employees and officials subject to the jurisdiction of the Palm Beach County Code of Ethics, except those employees and officials required to report gifts pursuant to state law in the manner provided by Florida Statutes, S. 112.3148. Public employees and officials required to report pursuant to state law shall file a copy of each quarterly state disclosure form with the Palm Beach County Commission on Ethics.

WHAT GIFTS ARE REPORTABLE?

- Any gift (as defined below) you received which you believe to be in excess of one hundred dollars (\$100) in value, EXCEPT:
 - 1) Gifts from relatives or members of one's household. For the purposes of this subsection, "relative" means, spouse, parent, grandparent, child, sibling, uncle, aunt, first cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister. For the purposes of this subsection, "household" includes anyone whose primary residence is in the official or employee's home, including non-relatives who are not rent payers or employees of the head of the household.
 - 2) Personal gifts over \$100 so long as the gift is *NOT from a vendor, lobbyist or principal or employer of a lobbyist* and the circumstances demonstrate that the gift was motivated by a personal or social relationship, not an attempt to influence the performance of your official duties.
 - 3) Gifts which you are prohibited from accepting under sec. 2-444(a), (b) and (c). These include any gift which is given or accepted because of an official public action to be taken, or which could be taken, a legal duty performed or to be performed, or a legal duty violated or to be violated, or which could be violated by you in your capacity as a public employee or official. It also includes a gift worth over one hundred dollars (\$100) if you are a public employee and the gift is from a lobbyist, or any principal or employer of a lobbyist who lobbies your political sub-division (town, municipality, village, county), or, if you are a public official (board, council, commission, etc.) from a lobbyist, or any principal or employer of a lobbyist who lobbies your advisory board, or any government department that is subject in any way to your advisory board's authority.
 - 4) Political contributions specifically authorized by state law.
 - 5) Awards for professional or civic achievement.
 - 6) Materials such as books, reports, periodicals or pamphlets which are solely informational or of an advertising nature.
 - 7) Gifts solicited by you as a government employee on behalf of your governmental subdivision in performance of your official duties for use solely by the governmental subdivision in conducting official business.
 - 8) Gifts solicited by you as an elected official on behalf of your governmental subdivision in performance of your official duties for use solely by the governmental subdivision in conducting its official business.
- A "gift" is defined to mean the transfer of anything of economic value, whether in the form of money, service, loan, travel, entertainment, hospitality, item or promise, or in any other form, without adequate and lawful consideration. Food and beverages consumed at a single sitting or a meal shall be considered a single gift, and the value of the food and beverage provided at that sitting or meal shall be considered the value of the gift.
- The following are NOT reportable as gifts on this form: salary, benefits, services, fees, commissions, gifts or expenses associated primarily with

your employment, business, or service as an officer or director of a corporation or organization.

HOW DO I DETERMINE THE VALUE OF A GIFT?

- The value of a gift provided to you is determined using the actual cost to the donor, and, with respect to personal services provided by the donor, the reasonable and customary charge regularly charged for such service in the community in which the service is provided. Taxes and gratuities are not included in valuing a gift. If additional expenses are required as a condition precedent to the donor's eligibility to purchase or provide a gift and the expenses are primarily for the benefit of the donor or are of a charitable nature, the expenses are not included in determining the value of the gift.
- Compensation provided by you to the donor within 90 days of receiving the gift shall be deducted from the value of the gift in determining the value of the gift.
- If the actual gift value attributable to individual participants at an event cannot be determined, the total costs should be prorated among all invited persons. A gift given to several persons may be attributed among all of them on a pro rata basis. Food, beverages, entertainment, etc., provided at a function for more than ten people should be valued by dividing the total costs by the number of persons invited, unless the items are purchased on a per-person basis, in which case the per-person cost should be used.
- Transportation should be valued on a round-trip basis unless only one-way transportation is provided. Round-trip transportation expenses should be considered a single gift. Transportation provided in a private conveyance should be given the same value as transportation provided in a comparable commercial conveyance.
- Lodging provided on consecutive days should be considered a single gift. Lodging in a private residence should be valued at \$44 per night.
- Food and beverages consumed at a single sitting or event are a single gift valued for that sitting or meal. Other food and beverages provided on a calendar day are considered a single gift, with the total value of all food and beverages provided on that date being the value of the gift.
- Membership dues paid to the same organization during any 12-month period are considered a single gift.
- Entrance fees, admission fees, or tickets are valued on the face value of the ticket or fee, or on a daily or per event basis, whichever is greater. Except as otherwise provided, a gift should be valued on a per occurrence basis.

FOR MORE INFORMATION

The gift disclosures made on this form are required by Article XIII, Sec. 2-444 of the Palm Beach County Code of Ethics. Questions may be addressed to the Commission on Ethics, 300 North Dixie Highway, Suite 450, West Palm Beach, FL 33401 or by calling (561) 355-1915, information is also provided at: www.palmbeachcountyethics.com.