



Palm Beach County Commission on Ethics

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Alan S. Johnson

RQO 10-001

June 25, 2010

Nancy L. Bolton
Director, Risk Management
Palm Beach County Board of County Commissioners
100 Australian Avenue, Suite 200
West Palm Beach, FL 33406



RE: RQO 10-001

Dear Ms. Bolton;

Your request for advisory opinion to the Palm Beach County Commission on Ethics has been received and reviewed. The opinion rendered is as follows:

YOU ASKED in your e-mail of June 8, 2010, if you, as an officer of Risk and Insurance Management Society, Inc. (RIMS) in which Palm Beach County is a member, may be reimbursed by RIMS for an additional days lodging due to RIMS committee membership duties. Conference registration is paid for by Palm Beach County while lodging is covered by RIMS.

IN SUM, since Palm Beach County is a member of RIMS, the prohibition on accepting travel expenses, including lodging, does not apply. The relevant section of the Palm Beach County Code of Ethics states as follows:

Sec. 2-443(e) *Accepting travel expenses.* No official or employee shall accept, directly or indirectly, any travel expenses including, but not limited to, transportation, lodging, meals, registration fees and incidentals from any county contractor, vendor, service provider, bidder or proposer. The Board of county commissioners may waive the requirements of this subsection by a majority vote of the board. The provisions of this subsection shall not apply to travel expenses paid by other governmental entities ***or by organizations of which the county is a member if the travel is related to that membership.*** (Emphasis added)

Since the county is a member of RIMS, you are excluded from the prohibition provided that your travel is related to that membership.



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You additionally stated in your e-mail that "vendors... do sponsor the conference, but their sponsorships are earmarked to specific events such as breakfasts, lunches, networking raffles, even receptions, and golf tourney..." While the code may not apply to travel expenses as specified, vendor sponsorships may come under prohibition or limitation through other sections of the code. For example, an allowable sponsored event or "incidental" that may not be prohibited under sec. 2-443(e) may be a prohibited or reportable gift under sec. 2-444.

This opinion construes the Palm Beach County Code of Ethics Ordinance, but is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

Please feel free to contact me at (561) 233-0724, should you have any further questions in this matter.

Sincerely,

Alan S. Johnson
Executive Director
Commission on Ethics