

2017 Board Opinions

Advisory Opinion No.	Date Issued	Brief Description	Key Words
			Citations
2017-002 Non-public Advisory Opinion	09/21/17	<p>Advised a City elected official that disclosure is required on the gifts section of the City of Philadelphia Statement of Financial Interests (“City Form”) if the official receives free event tickets valued at \$200 or more from the Mayor’s Office to distribute to constituents. The official would be receiving gifts in the form of event tickets valued in the aggregate at more than \$200 from the Mayor’s Office, which as a subdivision of the City of Philadelphia falls within the definition of person under the Code. The official does not plan to use the tickets personally but would have the ability to decide whether to accept the tickets at all and the ability to direct how and to whom the tickets are dispensed. In contrast to the Code financial disclosure provision, the State Ethics Act contains language exempting from financial disclosure hospitality that a public official receives from a governmental body.</p>	FINANCIAL DISCLOSURE; CITY OF PHILADELPHIA STATEMENT OF FINANCIAL INTERESTS; CITY FORM; CITY ELECTED OFFICIAL; MAYOR’S OFFICE; GIFTS NOT PERSONALLY USED; HOSPITALITY; EVENT TICKETS; CONSTITUENTS; GOVERNMENTAL BODY; PERSON; DISCRETION
			Code §§ 20-305, 20-601, 20-604, 20-610(2)(f); Board Opinion 2013-003; 65 Pa. C.S. §§ 1102, 1104, 1105(b)(7); 65 Pa. C.S. § 13A03; State Ethics Comm’n Opinion 99- 1020-R; State Ethics Comm’n Advice of Counsel 92-577
2017-001 Non-public Advisory Opinion	07/20/17	<p>Provided financial disclosure advice to a City official who files the City of Philadelphia Statement of Financial Interests (“City Form”) and who receives income of \$500 or more from a business that is attributable to specific clients. The Opinion advised that it is sufficient for the filer to disclose the business as a source of income on the City Form. The requirement could also be satisfied through disclosure of the clients as sources of income, but client disclosure is not required. This advice mirrored the Pennsylvania Supreme Court’s interpretation of the corresponding State Ethics Act disclosure provision regarding</p>	FINANCIAL DISCLOSURE; CITY OF PHILADELPHIA STATEMENT OF FINANCIAL INTERESTS; CITY FORM; DIRECT OR INDIRECT SOURCE OF INCOME; CLIENT; INCOME ATTRIBUTABLE TO CLIENT; PERSON; BUSINESS; SOLE PROPRIETORSHIP; SELF- EMPLOYED INDIVIDUAL; CONFLICT OF INTEREST IN MATTERS FINANCIALLY AFFECTING CLIENTS
			Code §§ 20-601(5), (20);

		sources of income. The City Code income disclosure provision at issue is built upon virtually the same language and definitions as the State Ethics Act, and it also appears to have been taken directly from the State Ethics Act income disclosure provision.	20-610(2)(e); Board Opinion 2012- 001; 65 Pa. C.S. § 1105(b)(5); <i>In re Paulmier</i> , 937 A.2d 364 (Pa. 2007), <i>as clarified</i> (Dec. 28, 2007); State Ethics Commission Opinion 92-010
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