

# The Ohio Ethics Law: What Should I Know?



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A word cloud centered on the word "ETHICS" in a large, bold, white font. The word "ETHICS" is the largest and most prominent. Surrounding it are various other terms in white, bold, sans-serif font, all rotated at different angles. The terms include: "CONFLICTS" (large, on the left), "NEPOTISM" (large, on the right), "HIRING", "INVESTMENTS", "PROPERTY-VALUE", "POST-EMPLOYMENT", "BRIBERY", "GIFTS", "BIAS", "POLITICIANS", "REPRESENTATION", "TICKETS", "FAMILY", "CORRUPTION", "CONFIDENTIALITY", "FRIENDS", "VOLUNTEERING", "SUBJECTIVITY", and "BUSINESS-ASSOCIATES".

**ETHICS**

**CONFLICTS**

**NEPOTISM**

HIRING  
INVESTMENTS  
PROPERTY-VALUE  
POST-EMPLOYMENT  
BRIBERY  
GIFTS  
BIAS  
POLITICIANS  
REPRESENTATION  
TICKETS  
FAMILY  
CORRUPTION  
CONFIDENTIALITY  
FRIENDS  
VOLUNTEERING  
SUBJECTIVITY  
BUSINESS-ASSOCIATES



# Who is Regulated?

- Public officials and employees at every level of government
- Those who:
  - are doing/seeking to do business with public officials and employees
  - are regulated by government
  - have specific interests before agency

# The Ohio Ethics Law



- Conflicts of Interest
- Public Contracts
- Post Employment/Representation

Chuck Norris  
ATTORNEY

"I represent injured people"

336-1999  
or 877-281-1999

LANAR

Conflict of Interest?

# R.C. 102.03(D) and (E) prohibit public servants from:

- Using authority or influence to secure something of value
- Soliciting or accepting something of value

**102.03(D)**

**Use of Authority or Influence**

# Conflict of Interest: Use of Position to Secure



- Voting

# Conflict of Interest: Use of Position to Secure



- Deciding

# Conflict of Interest: Use of Position to Secure



- Discussing

# Conflict of Interest: Use of Position to Secure



- Deliberating

# Conflict of Interest: Use of Position to Secure



- Recommending

# Conflict of Interest: Use of Position to Secure



- Reviewing

# Conflict of Interest: Use of Position to Secure



- Inspecting

# Conflict of Interest: Use of Position to Secure



- Investigating

# Conflict of Interest: Use of Position to Secure



- Any other action

# Conflicts of Interest



Examples?

Inspecting Brother's  
Business

# Conflicts of Interest



Examples?

Investigating private employer  
on behalf of agency.

# Conflicts of Interest



Examples?

Reviewing daughter's  
permit application

# Conflicts of Interest



Examples?

Issuing License to  
Business Associate

# Conflicts of Interest



Examples?

Consulting/Outside  
Employment for Official or  
Family

# Conflicts of Interest



Examples?

Business with an Official's  
Employer

# Conflicts of Interest

Examples?

Job Seeking



**102.03(E)**

**Solicit or Accept**

A hand is holding a blue credit card over a payment terminal. The card has the number 0 5565 4005 and the name Just Card. The background shows several US dollar bills, including a five-dollar bill and a two-dollar bill. The text "R.C. 102.03(F) prohibits Private Sector parties from:" is overlaid on the top half of the image.

# R.C. 102.03(F) prohibits Private Sector parties from:

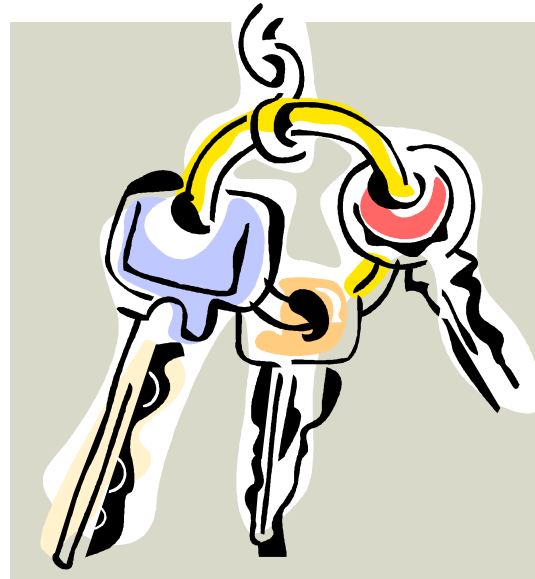
Promising or giving something of value to a public employee

# What is “Thing of Value?”

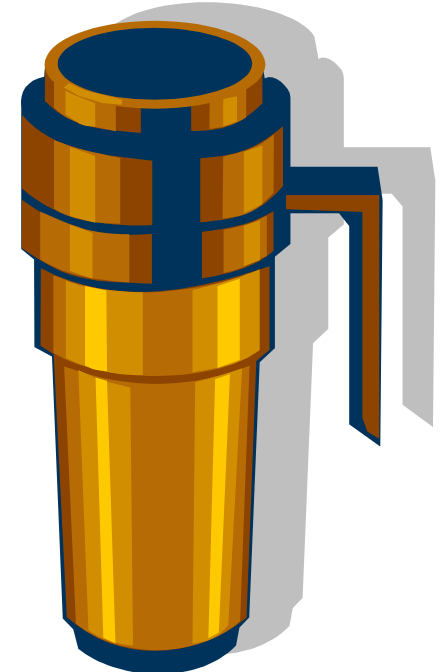
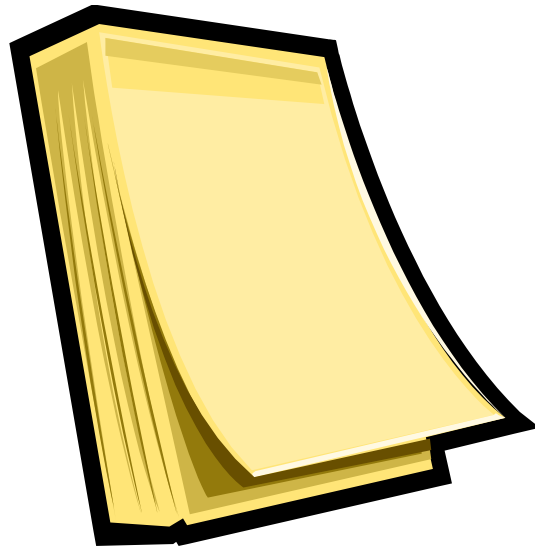


# Substantial and Improper





Substantial?





Substantial?

# Substantial?



Image: Suat Eman / FreeDigitalPhotos.net

A close-up photograph of three wine glasses filled with a dark liquid, likely wine. The glasses are arranged in a row, slightly overlapping. The lighting is dramatic, with a strong blue tint, creating deep shadows and bright highlights on the glass surfaces. The background is a dark, textured blue.

Substantial?

A close-up photograph of three white golf balls resting on a lush green lawn. The ball in the foreground is in sharp focus, showing its dimpled texture and a small reflection. The two balls in the background are blurred, creating a sense of depth. The lighting is bright, casting soft shadows on the grass.

Substantial?

A 3D rendered image of a red football helmet with a silver facemask. The helmet is shown from a three-quarter front view. The word "Substantial?" is written in white text on the upper part of the helmet's shell.

Substantial?



Substantial?



Substantial?

A large, empty theater with rows of red seats receding into the distance. The seats are arranged in a grid pattern, and the perspective is from the front of the theater, looking down the aisles. The lighting is warm, highlighting the texture of the seats.

Substantial?

# Substantial and Improper



# Supplemental Compensation

## R.C. 2129.43



- Public employee: cannot be compensated from anyone other than my employer for doing job duties
- Private sector parties: cannot compensate public employee for doing job duties

**Questions?**

# Public Contracts



# Restrictions: 2921.42(A)(1)



- Authorization or use of authority for official, family member or business associate

# Restrictions: 2921.42(A)(4)



- Having an interest in profits/benefits of public contract with “connected” agency

# Restrictions: 2921.42(A)(3)



- Profiting from approval of contract

# “Authorization” or “Use of Authority to Secure Authorization”



- Signing a contract

# “Authorization” or “Use of Authority to Secure Authorization”



- Recommending a vendor

# “Authorization” or “Use of Authority to Secure Authorization”



- Reviewing applications

# “Authorization” or “Use of Authority to Secure Authorization”



- Writing bid specifications

# “Authorization” or “Use of Authority to Secure Authorization”



- Filling out a purchase order

# “Authorization” or “Use of Authority to Secure Authorization”



- Completing a travel expense report

# “Authorization” or “Use of Authority to Secure Authorization”



- Purchasing directly, use of petty cash

# Public Contract

## Exceptions: R.C. 2921.42(C)&(B)

- Four-Part Exception:
  - Necessary supplies/services
  - Supplies unobtainable elsewhere for the same or lower cost or “continuous course of dealing”
  - Preferential or same treatment as other customers
  - Arm’s length transaction
- Stockholding under 5%

# Nepotism





Post Employment/Revolving Door

# Post Employment R.C. 102.03 (A)

- Ask yourself...
  - Am I within the restricted time period?
  - Is this a matter?
  - Did I personally participate?
  - Is this representation?



Confidentiality: R.C. 102.03 (B)



# Representation: R.C.102.04(A) &(C)

- Compensation from entity other than own public agency
- Prohibition on representation before own agency
- Exemption for representation before other agencies



# Call us before you act!

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