

**Formal Advisory Opinion  
No. 13 of 2009**

**Joint Legislative Committee on Ethical Standards**

**Resolution**

Question 4 of Ethics Counsel reads as follows:

4. Can a legislator or staffer accept complimentary things of value from outside sources (circus tickets, sporting event tickets, AAA membership, theatre tickets) if they are being offered without charge due to official status and the general public has to pay to obtain them? (The main issue is whether such gifts are related to official duties and therefore prohibited under N.J.S.A. 52:13D-24, or unrelated to official duties and therefore only restricted pursuant to N.J.S.A. 52:13D-24.1 if the donor is a lobbyist or governmental affairs agents. We are assuming no proof of direct intent to influence, although there is always an issue as to why such gifts are offered to officials, especially if the donor seeks assistance from the State.) Does it matter if the donor is a State agency (e.g. tickets are from Rutgers University or the Sports and Exposition Authority to a sporting event), since the statutory restrictions use the language “from a source other than the State”?

**Whereas**, no member of the Legislature shall accept or receive anything of value offered or related to his official duties, except with regard to State agencies.

**BE IT RESOLVED**, that “official duties” means and includes “official status.”

**BE IT RESOLVED**, that the acceptance or receipt of cash or legal tender, in any amount, is not authorized by this resolution.

**BE IT RESOLVED**, that a “thing of value” shall not include things of *de minimus* value as they are not within the contemplation of the statute.