

INSTRUCTIONS FOR DISCLOSURE AS REQUIRED BY 930 CMR 5.06

RECEIPT OF A GIFT UNRELATED TO OFFICIAL ACTION, POSITION OR DUTIES

WHEN TO USE THIS DISCLOSURE FORM

You are a **state, county or municipal employee**. You received a **gift** of substantial value (**worth \$50 or more**) from a person who is not a lobbyist. The gift is **entirely unrelated to your official action, your official position, or the performance of your official duties**.

Under **G.L. c. 268A, § 23(b)(3)**, the question is whether a reasonable person, with knowledge of all the relevant circumstances, could conclude that a person can **unduly enjoy your favor** or **improperly influence you** in the performance of your official duties, or that you are likely to act or fail to act as a result of kinship or the rank, position or undue influence of some party or person.

You are required to file a **disclosure under § 23(b)(3)** if:

- **a particular matter involving the giver of the gift** came before you within the **six months prior** to your acceptance of the expenses.
 - File the disclosure **as soon as possible after you received the gift**.
- **a particular matter involving the giver of the gift** comes before you within the **six months after** you accept the expenses.
 - File the disclosure **when you receive notice that the matter is coming before you, and before you take any action with regard to the matter**. After you file the disclosure, you do not need authorization from your appointing authority before you perform your official duties.

FILING THE DISCLOSURE

Complete the **disclosure** form below.

Answer all questions about **EITHER**:

A particular matter that came before you **within six months before** you accepted the gift

OR

A particular matter that is coming before you **within six months after** you accepted the gift.

If you are a **non-elected** public employee, file the disclosure with your **appointing authority**.

If you are an **elected** public employee, file the disclosure in a public manner as instructed at the end of the disclosure form.

If you need advice about completing the disclosure, please call the Attorney of the Day at (617) 371-9500 or e-mail the State Ethics Commission at requestadvice@massmail.state.ma.us.