

INSTRUCTIONS FOR DISCLOSURE AS REQUIRED BY 930 CMR 5.08(2)(e)

RECEIPT OF IN-STATE EDUCATIONAL PROGRAM EXPENSES

WHEN TO USE THIS DISCLOSURE FORM

You are a **state, county or municipal employee**. You have **accepted reimbursement, waiver or payment by someone other than a lobbyist of expenses worth \$50 or more** related to your attendance or participation, including as a panelist or speaker, at an **in-state educational program involving professional or other continuing education**. Such programs include in-state educational, training and planning sessions required by state or federal law.

At the time you accepted reimbursement, waiver or payment of the expenses, you had a **good faith belief** that your attendance would serve a **legitimate public purpose**, and that the **public purpose outweighed any special non-work related benefit** to you or to the person providing the reimbursement, waiver or payment.

Under **§ 23(b)(3)**, the question is whether a reasonable person, with knowledge of all the relevant circumstances, could conclude that a person could **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 G.L. c. 268A, § 23(b)(3)** if:

- **a particular matter involving the giver of the expense** came before you within the **six months prior** to your acceptance of the expenses.
 - File the disclosure **before you accept the expenses**.
- **a particular matter involving the giver of the expenses** 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.

TRAVEL EXPENSES

If you are disclosing that a person or entity will pay your travel expenses, you are expected to make a reasonable effort to find out what the amount of the expenses will be. For example, you should call or e-mail the donor about the amount of the expenses or do research on the Internet about the cost of airfare or lodging.

If your actual travel expenses exceed the amount you disclosed by \$50 or more, you should file a **Reconciliation Statement** within two weeks after your travel is completed. See the form for Reconciliation Statement as Required by 930 CMR § 5.08(2)(d)3.

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 expenses

OR

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

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.

Form revised August 2015