

**INSTRUCTIONS FOR DISCLOSURE BY PUBLIC EMPLOYEE
AS REQUIRED BY 930 CMR 5.08(4)(c)**

**ACCEPTANCE OF AN HONORARIUM
RELATED TO A LEGITIMATE SPEAKING ENGAGEMENT**

WHEN TO USE THIS DISCLOSURE FORM

You are a **state, municipal or county employee** and you have been invited to participate in a **legitimate speaking engagement** in whole or in part because of your official position or actions. You will accept an honorarium. You did not solicit it; rather, it was offered voluntarily. You must file a disclosure under 930 CMR 5.08(4)(c) demonstrating that you meet the requirements for accepting the honorarium.

LEGITIMATE SPEAKING ENGAGEMENT

“**Legitimate speaking engagement**” means giving a speech or serving on a panel where the **speech or panel**:

- **Is formally scheduled on the agenda of a meeting, conference or event;**
- **Is scheduled in advance** of your arrival at the meeting, conference or event;
- **Is before an organization that normally would have outside speakers or panelists** address its members at such meeting, conference or event; and
- **Significantly contributes to the meeting, conference or event**, taking into account such factors as the length of the speech or presentation, the expected size of the audience, and the extent to which the speaker is providing substantive or unique information or commentary.

HONORARIUM RELATED TO A LEGITIMATE SPEAKING ENGAGEMENT

An **honorarium** is a voluntary, unsolicited payment. A payment will not be an honorarium if you ask to receive it.

You **may accept an honorarium** for a legitimate speaking engagement **only if**:

- 1) Delivering the speech or serving on the panel is **not part of your official duties** as a public employee;
- 2) **Public resources are not used in the preparation** of the speech;
- 3) **Public time is not taken for the preparation or delivery** of the speech; and
- 4) **Neither the sponsor of the address nor the source of the honorarium is a person or entity with whom you have dealings, had dealings, or reasonably expect to have dealings in your official duties** as a public employee.

If you are giving the speech as part of your public duties, you may **NOT** accept an honorarium because you already are receiving your usual compensation for your public job and you may not accept additional compensation from a non-public entity to do your public work. In this situation, if you receive an offer of an honorarium, you may decline the honorarium or you may ask the donor to give it to charity, but you may not identify any particular charity. You will be responsible for any possible tax consequences of directing the amount to a charity.

COMPLETING THE DISCLOSURE

1. Provide information about your state, county or municipal position at the top of the form.
2. Confirm that the speaking engagement is a legitimate speaking engagement by writing an X beside each of the listed requirements.

3. Provide facts about the legitimate speaking engagement as the disclosure instructs.
4. Provide facts about the honorarium as the disclosure instructs.
5. Certify that you meet the listed requirements for accepting an honorarium related to a legitimate speaking engagement by writing an X next to each one.

FILING THE DISCLOSURE REGARDING AN HONORARIUM

Before you receive the honorarium, file the disclosure as indicated on 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 April 2015