



Georgia Department of Human Services
Office of General Counsel

Ethics in Government Service Update

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stronger families

FOR A STRONGER GEORGIA



Roadmap

01

Statutory
Requirements

02

2021 Executive
Orders





O.C.G.A. § 45-10-3

Each member of all boards, commissions, and authorities created by general statute shall:

01

Uphold the Constitution, laws, and regulations of the United State, the State of Georgia, and all governments therein and never be a party to their evasion

02

Never discriminate by the dispensing of special favors or privileges to anyone, whether or not for remuneration

03

Not engage in any business with the government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties

04

Never use any information coming to him confidentially in the performance of government duties as a means for making private profit



Each member of all boards, commissions, and authorities created by general statute shall:

05

Expose corruption wherever discovered

06

Never solicit, accept or agree to accept gifts, loans, gratuities, discounts, favors, hospitality or services from any person, association, or corporation under circumstances from which it could reasonably be inferred that a major purpose of the donor is to influence the performance of the member's official duties

07

Never accept any economic opportunity under circumstances where he knows or should know that there is a substantial possibility that the opportunity is being afforded him with intent to influence his conduct in the performance of his official duties



**O.C.G.A.
§
45-10-3**



O.C.G.A. § 45-10-3

Each member of all boards, commissions, and authorities created by general statute shall:

08

Never engage in other conduct which is unbecoming to a member, or which constitutes a breach of public trust

09

Never take any official action with regard to any matter under circumstances in which he knows or should know that he has a direct or indirect monetary interest in the subject matter of such matter or in the outcome of such official action



Executive Order



Applies to all State of Georgia executive branch employees that report to the Governor

Updated by Gov. Kemp on April 1, 2021

Describes procedures for state agencies to follow to address conflicts of interests and ethics questions



Executive Order

Ethics Officer

- Enforcement of the Executive Order
- Reports to Governor's Executive Counsel on all matters related to the Code of Ethics
- May issue opinions related to the application of the Code of Ethics to specific actions taken by agencies and employees
- Can grant exceptions to, or waivers from, the Code of Ethics, subject to review of Executive Counsel
- Disseminate information about recusals of an employee





Executive Order

Employees

- Recuse where a conflict or interest exists
- Recuse where impartiality might reasonably be questioned
 - Personal relationship or financial interest with a participant in an agency action
 - Relative has a financial interest in a matter pending before the agency
- Disclose relationships to the Ethics Officer
 - Relatives that are vendors or lobbyists
- Coordinate all legislative activities with the Governor's Office
- File a report of travel expenses exceeding \$75 that are paid by an outside provider



Executive Order

Employees

- **MAY NOT** be an officer or director of a business or non-profit UNLESS the State agency approves and the entity does not seek funding from and the State
- **MAY** be an officer or director of a business or non-profit that seeks funding from the state IF:
 - It is directly related to the employee's employment
 - AND-
 - The employee has been requested to do so by the Governor, by the state agency, or the employee is required to serve in that capacity by statute, rule, executive order or applicable law.



Questions?

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