



BOARD OF ETHICS
CITY OF CHICAGO

ADVISORY OPINION

CASE NO. 202012.Q, Gifts to the City, Supplies and services related to COVID-19

March 16, 2020

By this formal advisory opinion, we have concluded and make clear to the public and all City officials and employees that, pursuant to §§2-156-142(a) and -(d)(8)¹ of the City's Governmental Ethics Ordinance, and subject to the conditions listed below, any City official, employee, department, or agency may solicit or accept, as a gift to the City of Chicago, any monetary donations, medical supplies, equipment, pharmaceuticals, or related personal or professional services from any person, firm, or business in order to aid the City in its official response to the novel Coronavirus, COVID-19. Our conclusion is consistent with prior Board opinions in Case nos. 90036.A, 91092.Q, 05073.Q, 10063.CNS, and 16041.A.²

Three (3) conditions must be met as to all such donations:

1. There can be no explicit or implicit understanding between any City employee or official and any person, firm, or business that donates such supplies, equipment, pharmaceuticals, or services that any official City actions, decisions, or judgments as to any of the donor's matters involving the City would be influenced thereby; and
2. The accepting City employee or official or their department or Ward office must, as soon as practicable after the donation is made, disclose the acceptance of the donation in writing to the Board of Ethics and Comptroller, by listing the date of the donation, a description of what was donated, and the donor's name; and
3. The receiving City department or office must use the donated items or services for official City business in the normal course.

RELIANCE: The Board's determinations and advice are based solely on the application of the Ordinance to the facts presented. This opinion may be relied upon by any person involved in the specific transaction or activity with respect to which this opinion is rendered.

Steven I Berlin

Steven I. Berlin, Executive Director

¹ These state: "(a)(1) Except as otherwise provided in this chapter, no city official, candidate for city office, or employee ... shall (i) solicit any gift for himself or any covered relative ... (iii) accept any gift of cash, gift card or cash equivalent. (2) Except as otherwise provided ... no city official ... or employee ... shall knowingly accept any gift, unless the total value of all gifts given to the official ... or employee ... by a single source amounts to no more than \$50 in a calendar year... (d) The restriction in subsection (a) shall not apply to the following: ... (8) Any gift that is given to, or is accepted on behalf of the city, provided that any person receiving the gift on the city's behalf shall immediately report to the board and to the comptroller, who shall add such gift to an inventory of the city's property."

Note that the Board makes all such gift disclosures public on its website at this page, by year, under "required disclosures": <https://www.chicago.gov/city/en/depts/ethics/provdrs/reg.html>

² The full text of these opinions can be accessed here: https://www.chicago.gov/city/en/depts/ethics/supp_info/ao-gifts1.html