

**DISCLOSURE BY *APPOINTED PUBLIC EMPLOYEE*  
OF FREE OR DISCOUNTED TRAVEL OR ADMISSION  
AS REQUIRED BY G.L. c. 268A, § 23(b)(3) and 930 C.M.R. § 5.05**

You are an **appointed state, municipal or county employee** and you have been offered:

- Free or discounted travel and lodging expenses, including meals, that serve legitimate public purposes and have a value of \$50 or more;

OR

- Travel expenses, including transportation, lodging, meals and conference fees to participate in a legitimate speaking engagement whose purpose is to provide education to conference participants;
  - o These expenses may cover only the day or days on which you have participation or presentation responsibilities and the days on which you must travel to the conference and return to the Commonwealth;
  - o “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 or conference;
    - Is scheduled in advance of your arrival at the meeting or conference;
    - Is before an organization which normally would have outside speakers or panelists address its members at such an event;
    - Significantly contributes to the 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 viewpoints.

OR

- Free or discounted admission with a value of \$50 or more.

**WHAT ARE YOUR OBLIGATIONS AS AN APPOINTED PUBLIC EMPLOYEE?**

**Before you travel or attend an event for which free or discounted admission is offered, you must:**

- Disclose the facts relating to the offer, including an itemization and explanation of the travel expenses or free or discounted admission;
- Provide any relevant itinerary or agenda;
- Submit the disclosure and itinerary or agenda to your appointing authority.

## **WHAT WILL YOUR APPOINTING AUTHORITY DO WITH YOUR DISCLOSURE?**

Your appointing authority will make an advance determination about whether your proposed travel or attendance at an event serves a legitimate public purpose and whether the benefit to the government of your participation in the travel or event outweighs any non-work related benefit to you or the private sponsor, taking into account the extent to which such free or discounted travel or admission may convey an appearance of special benefit for any employee.

- "Legitimate public purpose" means the promotion of tourism, economic development and other activities to promote the interests of the Commonwealth, a county or a municipality; attendance at training and educational events designed to improve the efficiencies and effectiveness of public services or to enhance the knowledge and skills of public employees relative to their official duties; business travel necessary to make informed purchasing decisions, selections and inspections; and similar public purposes.

Your appointing authority should maintain your disclosure, along with the itinerary or agenda, as a public record and should provide you with a copy of any signed determination.

## **WHAT IF YOUR ACTUAL TRAVEL EXPENSES DIFFER FROM THE ORIGINAL PROPOSAL?**

If you are offered travel expenses and your actual travel expenses differ from the original proposal by \$50 or more, then within two weeks of your return, you must submit a statement of reconciliation. See the form for Reconciliation Statement as Required by G.L. c. 268A, § 23(b)(3) and 930 C.M.R. § 5.05(1)(d).

**If you need advice about completing the disclosure, please call the Attorney of the Day at (617) 371-9500.**

**Please scroll down to the form below.**

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|   |  |
|---|--|
| Name of employee:   |  |
| Title/ Position   |  |
| Agency:   |  |
| Agency address:   |  |
| Office phone:   |  |
| What was offered?<br>(Check appropriate response.)              | <p>_____ Free or discounted travel and lodging expenses, including meals, that serve legitimate public purposes and have a value of \$50 or more;</p> <p>_____ Travel expenses related to a legitimate speaking engagement, covering only the day(s) on which I had participation or presentation responsibilities or the day(s) I had to travel to the location of the speech and return to the Commonwealth; or</p> <p>_____ Free or discounted admission, having a value of \$50 or more.</p> |
| Identify the person or organization that made the offer.        |  |
| Address of person or organization.                              |  |
| Location of travel or event.                                    |  |
| Description and purpose of event in which you will participate: |  |

|  |   |
|--|---|
| Provide information in as much detail as possible: | <b><i>Itemization and explanation of amounts offered:</i></b>   |
| Transportation:                                    |   |
| Lodging:   |   |
| Meals:   |   |
| Admission:   |   |
| Other (please list):                               |   |
| Total:   |   |
| Please acknowledge with a check mark:              | <input type="checkbox"/> <b>I have attached the relevant itinerary.</b><br><input type="checkbox"/> <b>I have attached the relevant agenda.</b> |
| Employee signature:                                |   |
| Date:  |   |

**An appointed public employee should submit the completed form to his or her appointing authority for approval, as provided below.**

## STATEMENT BY APPOINTING AUTHORITY

|   |   |
|---|---|
| Name of Appointing Authority:   |   |
| Title/Position:   |   |
| Agency:   |   |
| Agency address:   |   |
| Office phone:   |   |
| For approval to be given, <u>both statements</u> must be checked:                       | <p>Upon consideration of the facts disclosed by the employee above, I find _____ that the travel expenses or attendance at the event serve a legitimate public purpose; AND</p> <p>_____ that the benefit to the government of the employee's participation outweighs any non-work related benefit to the employee or the private sponsor, taking into account the extent to which the free or discounted travel or admission may convey an appearance of special benefit for any employee.</p> |
| Reason that the employee's travel or attendance will serve a legitimate public purpose: |   |
| Appointing Authority signature:   |   |
| Date:   |   |

"Legitimate public purpose" means the promotion of tourism, economic development and other activities to promote the interests of the Commonwealth, a county or a municipality; attendance at training and educational events designed to improve the efficiencies and effectiveness of public services or to enhance the knowledge and skills of public employees relative to their official duties; business travel necessary to make informed purchasing decisions, selections and inspections; and similar public purposes.

**The appointing authority should maintain the disclosure as a public record and give a copy of any signed determination to the employee.**

**Attach additional pages if necessary.**