



Ohio Administrative Code

Rule 102-3-08 Travel expenses paid or reimbursed by non-agency sources for travel to conferences, seminars, or similar events.

Effective: October 31, 2013

(A) The purpose of the rule is to set standards and conditions for the furnishing and acceptance of travel, meals, and lodging expenses or reimbursements, to public officials or employees, from sources other than the agency that the official or employee serves, for travel to conferences, seminars, and similar events, as defined in this rule and in appendix 1 to this rule.

(B) This rule applies to any public official or employee who is subject to the jurisdiction of the Ohio ethics commission as provided in division (F) of section 102.01 of the Revised Code. This includes officials or employees of any state department, board, commission, or university, any county, city, village, township, public library, port authority, regional transit authority, or other public agency. It does not include judicial officers and employees, or members or employees of the general assembly, and employees of the legislative service commission.

(C) As used in this rule:

(1) "Travel expenses" are transportation, meal, and lodging expenses paid for or reimbursed to a public official or employee. Travel expenses include, but are not limited to, payments or reimbursements for lodging, meals, food, or beverages, air, train, or cab fare, car rentals, and parking.

(2) "Conference" is a prearranged gathering with a formal agenda, for consultation or exchange of information or discussion that benefits the state or a political subdivision of the state including a meeting of a national, state, or regional organization.

(3) "Seminar" is a meeting on a particular subject or related subjects, usually with one or more instructors or experts, for education, discussion, study, or exchange of information.

(4) "Person" is an individual, corporation, tax-exempt or non-profit organization, business trust, estate, trust, partnership, association, or governmental agency or instrumentality.



(5) A person is "interested in matters before" a public agency if the person has a definite and direct financial interest in a matter that is before the agency.

(D) A public official or employee may accept travel expenses or reimbursements if the travel is connected with a conference, seminar, or similar event that is related to the public official's or employee's official duties and is not of such a character as to manifest a substantial and improper influence on the traveler with respect to that person's duties.

(E) Travel expenses or reimbursements provided under paragraph (D) of this rule are not of such a character as to manifest a substantial and improper influence on a public official or employee if both of these factors are met:

(1) Before the official or employee agrees to travel to the conference, seminar, or similar event, the agency that the official serves or employee works for determines that:

(a) The travel is related to the official's or employee's official duties; and

(b) The travel expenses are ordinary, customary, and necessary. Travel expenses are ordinary, customary, and necessary if they do not exceed the lesser of: (i) the amount of travel expenses that the official's or employee's agency allows to be reimbursed for travel to the destination; or (ii) the per diem rate set by the United States general services administration for travel to the destination that is in effect at the time of the travel.

(2) The source of the payment for or reimbursement of the public official's or employee's travel expenses is one of the following:

(a) A person that is not doing or seeking to do business with, regulated by, or interested in matters before the public agency that the official or employee serves; or

(b) Any governmental agency; or

(c) A statewide, multi-state, or regional consortium or collaborative, of which the public agency is a



member, that was created for the purpose of fulfilling or advancing the agency's statutory mandate and that does not receive more than twenty-five per cent of its financial support from any persons that are doing or seeking to do business with, regulated by, or interested in matters before the public agency that the official or employee serves; or

(d) A person using funds that were provided to him or her by grant, contract, or gift, from a person described in paragraph (E)(2)(c) of this rule if the grant or contract agreement states, or gift terms stipulate, that the funds will be used for travel expenses of public officials and employees.

(F) A public official or employee who receives travel expenses or reimbursements under this rule must disclose their source and amount either:

(1) On the annual financial disclosure statement he or she is required to file by section 102.02 of the Revised Code or as a condition of employment if he or she is required to disclose sources and amounts of travel expenses; or

(2) To the public agency he or she serves.

(G) A public official or employee who accepts travel expenses or reimbursements in compliance with division (I) of section 102.03 of the Revised Code and this rule does not violate divisions (D) or (E) of section 102.03 and division (A) of section 2921.43 of the Revised Code.

(H) Any person who provides travel expenses to a public official or employee in compliance with division (I) of section 102.03 of the Revised Code and this rule does not violate division (F) of section 102.03 and division (A) of section 2921.43 of the Revised Code.