

ADVISORY OPINION

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NEXT REVIEW: January 2031

REFERENCES: RCW 42.52.150

SUMMARY OF CHANGES: No changes.

Accepting Food and Beverages at Government-Sponsored Events

QUESTION

May a state official or employee who participates in regulatory matters accept food and beverage as part of an official trade mission to another country, if some of the cost is paid by a person regulated by the official or employee's agency?

ANSWER

Yes, RCW 42.52.150(6)(f) provides that an official or employee of a regulatory agency who participates in regulatory matters may accept food and beverages at events sponsored by governmental organizations. An official trade mission to another country is an event sponsored by government, even if some costs are paid by non-governmental persons.

ANALYSIS

The trade mission with the Governor would include meetings with officials of national and local government. As part of the mission, the delegates would also visit businesses in the area. Food and beverages might be provided at all events. Some members of the Governor's party are state officials or employees of regulatory agencies and the regulated persons may provide food and beverages at an event. However, officials and employees of regulatory agencies who participate in regulatory matters are subject to limitations imposed on acceptance of gifts by RCW 42.52.150(6).

The applicable exception in this instance is set out in RCW 42.52.150(6)(f), which permits the official or employee to accept:

Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization.

It is the Board's view that the entire trade mission, organized by the Governor, is a government-sponsored trip and therefore all events that are part of the trip may be construed as "events

sponsored by or in conjunction with...a governmental... organization", including any event where some costs may be paid by non-governmental persons who may be regulated by the official or employee's agency. Therefore, the Section 6 official or employee may participate in the trade mission events on the same basis as all non-regulatory participants.