



# STATE OF ALABAMA ETHICS COMMISSION



MAILING ADDRESS  
P.O. BOX 4840  
MONTGOMERY, AL  
36103-4840

STREET ADDRESS  
RSA UNION  
100 NORTH UNION STREET  
SUITE 104  
MONTGOMERY, AL 36104

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Thomas B. Albritton  
Director

## MEMORANDUM

TELEPHONE (334) 242-2997

FAX (334) 242-0248

WEB SITE: [www.ethics.alabama.gov](http://www.ethics.alabama.gov)

**TO: ALL LOBBYISTS**

**FROM: Thomas B. Albritton  
Executive Director**

**RE: Precertifications**

**DATE: January 7, 2016**

In anticipation of events which you might plan during the upcoming General Session, I thought it might be helpful to give you a review, some guidance and a summary of how we have handled precertifications since March of last year.

First, please remember the 10-day rule. If you want an event precertified, you must request precertification at least 10 days ahead of the event. Also, as I stated last year, just because it was previously precertified by our office does not mean that it is precertified for all time. Therefore, even if we precertified it last year, if you want it to be considered "precertified" again you need to ask.

Second, we will not precertify purely social events. This applies to dinners, meals, receptions, etc. during the Session. We will not precertify something as a widely attended event unless there is an educational component to it. We will not precertify an event as a work session unless the event falls within the definition of a "work session" as expressed in our formal opinions. Dinner at the end of the day, even if all members of the Legislature are invited, does not in and of itself qualify as a work session; meals during breaks may fall within that exception but they don't automatically. On that issue, the provider of any meals, beverages, etc. should request precertification, not the recipient. Finally, we want to remind you that in the limited circumstances in which meals may be provided, no lobbyist may be solicited to provide those meals.

Third, for educational or widely attended events such as conventions, stand-alone golf/fishing or other recreational activities will not be precertified. These events must be an integral part of the overall event, and we have taken that to mean that for precertification to protect the individual(s) covered by the Act, at a minimum the participating individual must be registered for and attending the event. We will not precertify this form of hospitality for speakers who are not otherwise in full attendance at the event. The same rationale applies to dinners off-site.

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These are general guidelines only as you plan your events and you cannot rely on anything in this memo to justify an event for which you have not sought formal precertification from our office. Clearly, facts could change that would make an event subject to precertification or not. Finally, as we discussed last year, and as a reminder, our denial of precertification does not automatically mean that we have determined that the event violates the Act. If you have any questions regarding precertification, please follow up with our office.

/td