

**CAUTION:** The following advice may be based on a rule that has been revised since the opinion was first issued. Consequently, the analysis reflected in the opinion may be outdated.

**40 IAC 2-1-6(C)**

Prior to being appointed to the State Board of Tax Commissioners, a university professor was offered a \$600 honorarium to make a presentation at a management institute that would occur after he assumed his state position. SEC determined the professor could accept the honorarium because the content was based on his personal knowledge and expertise.

No. 9 Honoraria

**FACT SITUATION**

An Associate Professor at a University was asked to make a presentation at the AASHTO Management Institute. For making this presentation, the professor was to receive an honorarium of \$600. The Governor had also appointed the professor to a position on the State Board of Tax Commissioners. The professor had made the commitment to make the presentation more than six months prior to accepting the appointment with state government. The professor made the same presentation at last year's Management Institute. The professor will have assumed his state position by the time of making the presentation.

**QUESTION**

Can the professor, now a state employee, receive an honorarium for making a presentation at a management institute.

**OPINION**

The members of the State Ethics Commission agreed that the professor could accept the honorarium because the content was based on the employee's personal knowledge and expertise.

The relevant rule 40 IAC 2-1-6(C), provides, "If an honorarium is offered to an employee as payment for a speech or article whose content is derived from that employee's state job, the honorarium is considered as payment for the performance of state duties and is not to be accepted. If an honorarium is offered to the state employee as payment for a speech or article whose content is based solely upon the employee's personal knowledge or expertise, the employee may accept it."

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