

DRCOG intends to follow the principles set out in the Position Statements for the types of gifts covered, unless there is some later change in the law. Therefore, you are encouraged to review the IEC's Position Statements, particularly if you have questions about receipt of any of the above-listed types of gifts. While the Position Statements addresses some of the uncertainties regarding Amendment 41, you should continue to take a conservative approach to receipt of gifts. DRCOG's expectation remains that its employees will strive to avoid not only actual violations of Amendment 41, but the appearance of violations.

As a reminder:

- Holiday gift baskets accepted by a DRCOG employee are to be shared with staff in the High Noon break area or donated to charity. If a basket is received, please contact the Director of Administration and Finance for further instruction.
- Remember to keep a record of free food, free beverages, token items or other gifts that are offered to you so that you have an accounting in the event that any issues should arise concerning your compliance.

The most recent IEC's Position Statements issued in February 2023 are on Cognizance. You may also visit [Current Gift Ban Amount | Independent Ethics Commission \(colorado.gov\)](#) for more information.



State of Colorado



Selina Baschiera, *Chair*
Cole Wist, *Vice-Chair*
Elizabeth Espinosa Krupa, *Commissioner*
Annie Kao, *Commissioner*
Sarah Mercer, *Commissioner*

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Dino Ioannides, *Executive Director*

Position Statement 23-01 (Adjustment of the Gift Ban Dollar Limit)

Summary: The gift ban dollar limit of Article XXIX §3(2) is adjusted to \$75.00.

I. Introduction

The Colorado Constitution authorizes the Independent Ethics Commission (“IEC” or “Commission”) to give advice and guidance on ethics issues arising under Article XXIX of the Colorado Constitution and any other standards of conduct and reporting requirements as provided by law. The IEC may, in its discretion, issue position statements to provide guidance to covered individuals and the general public. Rule 4 of the IEC Rules of Procedure.

The Commission issues this Position Statement to inform public officers, members of the General Assembly, local government officials, government employees, and members of the public that the gift ban dollar limit is adjusted to \$75.00 for the next four years.

II. Discussion

Subject to limited exceptions, public officers, members of the general assembly, local government officials, and government employees are prohibited from soliciting, accepting, or receiving any gift or other thing of value having either a fair market value or aggregate actual cost greater than fifty dollars (\$50) in any calendar year. Colo. Const. Art. XXIX § 3(2). The Commission is periodically required to adjust the gift ban dollar limit, as follows:

The fifty-dollar (\$50) limit set forth in subsection (2) of this section shall be adjusted by an amount based upon the percentage change over a four-year period in the United States bureau of labor statistics consumer price index for Denver-Boulder-Greeley, all items, all consumers, or its successor index, rounded to the nearest lowest dollar. The first adjustment shall be done in the first quarter of 2011 and then every four years thereafter.

Colo. Const. Art. XXIX § 3(6).

As a result of occasional geographic adjustments made by the Bureau of Labor Statistics, the

Denver-Boulder-Greeley consumer price index has been succeeded by the Denver-Aurora-Lakewood consumer price index.¹ From the beginning of 2019, the date of the last adjustment, to the end of 2022, the consumer price index for the Denver-Aurora-Lakewood area, for all items and all consumers, increased by 16.2%. Therefore, the \$65.00 gift ban limit that was established in 2019 must be increased by 16.2% and rounded to the next lowest dollar. As such, the Commission announces the gift ban limit to be \$75.00, until the first quarter of 2027 when the limit shall be readjusted.

The Independent Ethics Commission

Selina Baschiera, *Chair*

Cole Wist, *Vice-Chair*

Elizabeth Espinosa Krupa, *Commissioner* (not participating)

Annie Kao, *Commissioner*

Sarah Mercer, *Commissioner*

Dated: February 22, 2023

¹ See Position Statement 19-01.