

CONFLICT OF INTEREST

What is a conflict of Interest?

Potential and actual conflicts of interest relate to taking official action that may result in financial benefit or avoiding a negative financial effect on the public official, the official's relative or a business with which the official or the official's relative is associated.

A potential conflict of interest occurs when an action *potentially could affect* the financial interest of the public official or the official's relatives or associated businesses.

An actual conflict occurs when such action *definitely would* have such an effect.

What must an official do when faced with an action that results in a potential or actual conflict of interest?

An elected official or person appointed to a board or commission must publicly declare a potential or actual conflict of interest prior to discussion, recommendation, vote or other official action on an issue. The official must also explain the nature of the conflict. The declaration and the nature of the conflict must be noted in the minutes.

With a potential conflict of interest, an official may participate in the action, once the announcement has been made.

With an actual conflict of interest, an official must declare the actual conflict and announce its issue and refrain from taking any official action on the issue. At each meeting at which the issue is addressed, the official must make the same public declaration. This is done only once at each meeting, even though the issue may involve several votes. If the vote is necessary for the commission to achieve a quorum, the official may vote but may not discuss or debate the issue.