

**ADVISORY OPINION NO. 2003-11**

**Issued On September 4, 2003 By The**

**WEST VIRGINIA ETHICS COMMISSION**

**OPINION SOUGHT**

A **Non-profit Corporation** asks whether it is subject to the provisions of the Ethics Act.

**FACTS RELIED UPON BY THE COMMISSION**

The Non-profit Corporation is incorporated under West Virginia laws to promote the beneficial use of forest resources in a certain area. The Corporation receives State funding to conduct its activities.

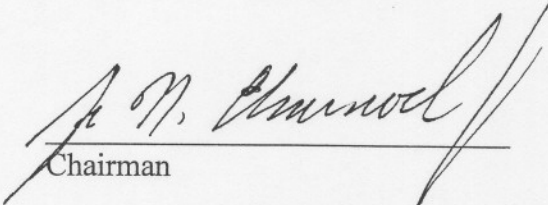
**CODE PROVISIONS RELIED UPON BY THE COMMISSION**

§6B-2-5. Ethical standards for elected and appointed officials and public employees.

(a) *Persons subject to section.* -- The provisions of this section apply to all elected and appointed public officials and public employees, whether full or part time, in state, county, municipal governments and their respective boards, agencies, departments and commissions and in any other regional or local governmental agency, including county school boards.

**ADVISORY OPINION**

Even though the Corporation receives most of its funds from the State, it is still a private organization rather than a governmental agency. Therefore, its personnel and board members are not subject to the provisions of the Ethics Act.

  
Chairman