

ADVISORY OPINION NO. 98-22

Issued On October 1, 1998 By The

WEST VIRGINIA ETHICS COMMISSION

OPINION SOUGHT

A **State Employee** asks whether it would be a violation of the Ethic Act for a State Agency to be referenced in a private industry brochure.

FACTS RELIED UPON BY THE COMMISSION

The State Agency worked in conjunction with a private company to establish a computer program prototype which will allow the public employees of the Agency to access data and create specific reports. This is a distinctive "job specific" program which could be utilized by similar agencies in other states.

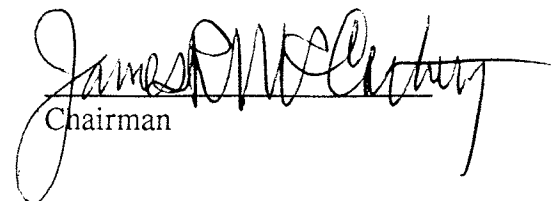
The private company has asked the Director of that State Agency to allow them to reference its work with the Agency in a brochure which will be distributed to potential customers. This brochure does not contain a product endorsement from the State Agency.

PERTINENT STATUTORY PROVISIONS RELIED UPON BY THE COMMISSION

In answering this request for an advisory Opinion the Ethics Commission has considered the Ethics Act's entire code of conduct found at WV Code 6B-2-5.

ADVISORY OPINION

No provision of the Ethics Act would prohibit a public official from granting a private company's request to reference its work with the State Agency in a brochure which does not contain a product endorsement from the Agency or the public official.


Chairman