



TEXAS ETHICS COMMISSION



ETHICS ADVISORY OPINION NO. 51

September 9, 1992

Whether a state employee may attend a technical seminar conducted by a private business at no charge. (AOR-84)

A state agency has asked the Texas Ethics Commission whether the prohibitions set out in section 36.08 of the Penal Code would prevent it from allowing its employees to attend technical seminars conducted by private businesses. The information presented is directly relevant to the employees' job responsibilities. The private businesses would not charge for attendance, and the state agency would pay any expenses incurred by its employees.¹

Section 36.08 of the Penal Code contains several different prohibitions on the acceptance of "benefits" by state employees. A state employee who, at the direction of his employing agency, attends a seminar to acquire information relevant to his job is not obtaining a "benefit" for purposes of chapter 36 of the Penal Code. [Ethics Advisory Opinion No. 31](#) at 3 (1992). Further, the private business does not subject itself to the reporting requirements of the lobby statute, chapter 305 of the Government Code, by providing the seminar in the circumstances described. *Id.*

SUMMARY

A state employee who, at the direction of his employing agency, attends a seminar to acquire information relevant to his job is not obtaining a "benefit" for purposes of chapter 36 of the Penal Code.

¹ We assume, of course, that the agency has authority to pay such expenses. See generally [Ethics Advisory Opinion No. 31](#) (1992).