



State of Nevada Ethics Manual

Improper Benefits

Key Take Away

This section of the Nevada Ethics Manual explains what conduct violates the Ethics in Government Laws.

Key Terms

Gifts: Anything given to you for free, including money, services, discounts, or job opportunities.

Non-Public Information: Information you learn through your job that the general public doesn't have access to, which could be used for personal gain.

Honorarium: Money or fees paid to you for giving a speech or presentation.

Most of these items of prohibited conduct may be found in [NRS 281A.400](#), while several others appear throughout the statutes.

1. Influence from Gifts: Public officers or employees cannot accept gifts, services, favors, employment, or economic opportunities for themselves or people or businesses to whom they owe a "commitment in a private capacity" that might improperly influence a reasonable person's decision-making.
2. Unwarranted Advantages: Using one's position to secure unwarranted privileges, preferences, exemptions, or advantages for oneself or associated entities is prohibited.
3. Self-Dealing in Contracts: Public officers or employees cannot participate in negotiating or executing contracts that benefit businesses they have a significant financial interest in. See the "Contracting" section of the manual.
4. Extra Compensation: Receiving additional compensation for public duties from any private source is not allowed.
5. Use of Non-Public Information: Information acquired through public duties cannot be used for personal gain.

Exception: A public officer or employee is allowed to use data or information obtained from a government agency for personal use if it was legally acquired and is accessible to the general public.

6. Suppressing Public Information: Concealing government documents to protect or benefit personal interests is prohibited.

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7. Personal Use of Government Resources: Using government resources for personal benefit is not allowed, except under specific limited conditions, and reimbursement may be required.

Exceptions:

Limited Use Exception (Property, Equipment, Facility) NRS 281A.400(7)(a)

Properly authorized by policy allowing the use or if use is result of an emergency

Use does not interfere with performance of public officer/employee's public duties

Cost of value related to the use is nominal

Does not create the appearance of impropriety

All 4 conditions must be met together

Additionally, public officers or employees can use phones or other communication methods if there's no extra charge. But if there is a cost, such as for long-distance calls or faxes, or if the agency would typically charge anyone else for the use (like making copies), the officer or employee needs to pay the cost to the government agency right away.

8. State Legislators' Use of Resources: Legislators must refrain from using state resources for personal purposes, except in specific circumstances, and requiring legislative employees to perform personal services while on duty is prohibited.

Exception: Rare cases when the employee's assistance is needed to help the State Legislator or legislative employee carry out official duties, or when such assistance is part of legislative policy.

9. Attempting to Influence Subordinates: Public officers or employees cannot use their position to benefit themselves through the influence of subordinates.
10. Seeking Employment Through Official Position: Using one's official position to seek outside employment is not allowed.



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11. Honorarium Acceptance: Public officers or employees cannot accept honorarium (payment for a service, such as making a speech in their official capacity).

Exceptions:

- *Reimbursement for necessary travel expenses like transportation, lodging, and meals incurred while away from home.*
- *Compensation that the officer or employee would have earned anyway in their regular government job.*
- *Payment for a speech related to the public officer's or employee's profession or occupation outside of their government role, under conditions including:*
 - *Others in the same profession are typically paid for such speeches.*
 - *The fee is similar to what a private sector professional with similar qualifications would receive for a similar speech.*
- *Payment for a speech delivered to an organization of legislators or other elected officials.*
- *Not restricted by this section of the Ethics Law:*
 - *Getting paid for work done outside of regular government duties if it follows the employer's rules about extra jobs.*
 - *The spouse of a public officer or employee to receive an honorarium if it's linked to their own job or profession.*

12. Contracts with Personal Interest: Public officers or employees cannot bid on or enter into contracts with the state involving businesses they have a significant financial interest in, unless certain conditions are met, and exceptions exist for specific situations, such as membership on governing bodies.



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Compliance Tips

1. When someone offers you a gift or benefit, ask yourself if a reasonable person would be influenced by the gift or benefit.
2. Consult your agency attorney to help you decide how to respond when a gift or benefit is offered to you.
3. Request an advisory opinion with the Commission **prior to** accepting the gift.

Sample Opinions

- [*In re City of Reno*, Comm'n Op. No. 96-78 \(1997\)](#)
(Improper gift)
- [*In re Lopez*, Comm'n Op. No. 15-73C \(2016\)](#)
(Improper gift)
- [*In re Public Employee*, Comm'n Op. No. 13-78A \(2014\)](#)
(Contracting with a government agency)

Video Resources

- [Gifts 7-min Training Video](#)
- [Improper Benefits 20-min Training Video](#)

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