Can I Take It?

Texas Ethics Commission
P. O. Box 12070
Austin, Texas 78711-2070
(512) 463-5800
Fax (512) 463-5777


If you receive an unsolicited benefit that you are prohibited from accepting, you may donate the benefit to a recognized tax-exempt charitable organization formed for educational, religious, or scientific purposes.

A Guide for Officers and Employees in the Executive Branch of State Government.

Revised October 25, 2016

In compliance with the Americans With Disabilities Act, the publications of the Texas Ethics Commission are available by request in alternative formats. To request an accessible format, please contact our ADA Compliance Officer by telephone at 512-463-5800 or through RELAY Texas at 800-735-2989; or by mail in care of the Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711.

The Texas Ethics Commission is an Equal Opportunity Employer and does not discriminate in providing services or employment.

Copies of this publication have been distributed in accordance with the State Depository Law and are available for public use through the Texas State Publications Depository Program at the Texas State Library and other state depository libraries.

Note: Employees of the Governor or Lieutenant Governor should refer to the “Can I Take It?” brochure specifically applicable to those offices.
A. IF THE PERSON MAKING THE OFFER IS A REGISTERED LOBBYIST:

1. You may not accept:
   - Loans, cash, or negotiable instruments other than political contributions.
   - Travel or lodging for a pleasure trip. (Incidental transportation such as a short ride in a car or taxi is permissible.)

2. You may accept:
   - Political contributions as a candidate or officeholder.
   - Food and beverages if the lobbyist is with you. There is no annual limit on the value of food and beverages you may accept from a lobbyist.
   - Entertainment worth up to $500 in a calendar year. (Entertainment includes, for example, sports events and concerts.) The lobbyist providing the entertainment must be present for the event.
   - Gifts, other than awards and mementos, that together do not exceed $500 in value during a calendar year.
   - Awards and mementos worth not more than $500. This is not an annual cap, but a cap on the value of each individual award or memento.

B. IF THE PERSON MAKING THE OFFER IS NOT A REGISTERED LOBBYIST:

You are subject to a general prohibition on taking any benefit from anybody. (A “benefit” is anything reasonably regarded as pecuniary gain or advantage.) There are, however, many exceptions to this general rule. You may accept a gift, payment, or contribution as long as the gift, payment, or contribution fits into any one of the following categories.

- **Items Worth Less Than $50:** You may accept an item with a value of less than $50. This exception does not apply to cash, checks, or negotiable instruments.

- **Independent Relationship:** There is an exception from the general prohibition on the acceptance of benefits for a gift based on
  - kinship
  - a personal relationship independent of your official status
  - a professional relationship independent of your official status
  - a business relationship independent of your official status

Note: You can find out if someone is a registered lobbyist by calling the disclosure filings section of the Texas Ethics Commission at 512-463-5800 or 800-325-8506 or by going to www.ethics.state.tx.us/dfs/search_LOBBY.html on the Internet.