

TITLE 1: GOVERNMENT
DIVISION 8: PUBLIC EMPLOYMENT

§ 8535. Restraints on Votes, Deliberations, and Discussions.

(a) A public official shall not participate in, vote on, influence, or attempt to influence an official decision if the public official or business with which the public official is associated has a pecuniary interest in or a potential benefit from the matter under consideration by the governmental entity of which the public official is a member. A potential benefit includes detriment to a business competitor to the public official or business with which the public official is associated.

(b) Except as permitted in subsection (c) of this section, a public official described by this section, but not exempt, shall abstain from participation in the discussion and vote on the decision. The public official's abstention and the reason for the abstention must be recorded in the governmental entity's minutes.

(c) A public official may participate in, vote on, or influence or attempt to influence an official decision if the only pecuniary interest or potential benefit that may accrue to the public official is incidental to the public official's position, or which accrues to the public official as a member of a profession, occupation, or large class to no greater extent than the pecuniary interest or potential benefit could reasonably be expected to accrue to all other members of the profession, occupation, or large class.

Source: PL 8-11, § 1 (§ 8435), modified.