STATE OF COLORADO

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Bill Ritter, Jr.
Governor

D 021 09

EXECUTIVE ORDER

Executive Branch Code of Ethics

Pursuant to Article IV, Section 2 of the Colorado Constitution and the authority vested in the Office of the Governor of the State of Colorado, I, Bill Ritter, Jr., Governor of the State of Colorado, hereby issue this Executive Order setting forth a code of ethics for the executive branch.

I. Background and Purpose

Public confidence in the integrity of state government demands that public officials demonstrate the highest ethical standards at all times. Those who serve the people of the State of Colorado as public officials should do so with integrity and honesty and should discharge their duties in an independent and impartial manner. At the same time, qualified individuals should be encouraged to serve in state government and have reasonable opportunities with all citizens to develop private economic and social interests.

When the voters passed Amendment 41, now Article XXIX of the Colorado Constitution, they sent a clear message that they want their public officials and government employees to meet a high ethical standard. The touchstone of Amendment 41 was that public officials and government employees must not violate the public trust for private gain. The purpose of this Executive Order is to provide standards by which the conduct of all who serve in the Executive Department of the State of Colorado can be measured, and to ensure those serving in the Executive Department are meeting, if not exceeding, the ethical standard that the citizens of Colorado expect and deserve.

II. Applicability

This Executive Order shall apply to employees in the Governor's Office and the Executive Directors of the following Departments: Department of Agriculture; Department of Corrections; Department of Higher Education; Department of Health Care Policy and Financing; Department of Human Services; Department of Labor and

Employment; Department of Local Affairs; Department of Military and Veterans Affairs; Department of Natural Resources; Department of Personnel and Administration; Department of Public Health and Environment; Department of Public Safety; Department of Regulatory Agencies; Department of Revenue; and Department of Transportation.

III. Code of Ethics

All employees covered by the scope of this Executive Order shall:

A. Serve the public with respect, concern, courtesy, and responsiveness;

B. Demonstrate the highest standards of personal integrity, truthfulness, and honesty and, through personal conduct, inspire public confidence and trust in government;

C. Not use public office to bestow any preferential benefit on anyone related to him or her nor bestow any preferential benefit on anyone based upon any business or social relationship;

D. Not disclose or use or allow others to use confidential information acquired by virtue of state employment for private gain;

E. Not knowingly accept any gift or thing of value from a professional lobbyist, including the payment of any meal, beverage, or other item to be consumed, whether or not such gift or meal is offered in the course of the lobbyist's business;

F. Not accept any compensation, gift, payment of expenses, or any other thing of value if it would influence him or her to depart from the faithful and impartial discharge of his or her duties;

G. Not accept any compensation, gift, payment of expenses or any other thing of value if it is a reward for official action taken;

H. Not engage in outside employment unless (1) the outside employment is disclosed to and approved by the employee's immediate supervisor, (2) the outside employment does not interfere with the performance of State duties, and (3) the outside employment is not conducted during State time or using State resources;

I. Not use State time, property, equipment, or supplies for private gain;

J. Not knowingly engage in any activity or business that creates a conflict of interest or has an adverse affect of the confidence of the public in the integrity of government;

K. Carry out all duties as a public servant by exposing corruption or impropriety in government whenever discovered;

L. Support equal access and employment opportunities in State government for all citizens of the State of Colorado; and

M. Comply at all times with the standards set forth in article XXIX of the Colorado Constitution and title 24, articles 18 and 18.5 of the Colorado Revised Statutes.

IV. Certification of Review and Compliance

A. All members of the Governor's Office senior staff and department heads subject to this Executive Order shall submit to the Governor's Chief of Staff or his or her designee, by October 25, 2009 or within 30 days of initial employment, a certificate signed under oath in the form attached as Exhibit A verifying that they have read and intend to abide by this Executive Order.

B. All members of the Governor's Office senior staff and department heads subject to this Executive Order shall submit to the Chief of Staff or his or her designee, by October 25, 2009 or within 30 days of initial employment, and on or before June 30 of each calendar year, a Conflicts Disclosure Statement in the form attached as Exhibit B. Additionally, all those required to submit such a disclosure shall amend his or her annual Conflicts Disclosure Statement not more than 30 days after any conflict of interest arises.

V. Past Orders Superseded and Replaced

All previous Executive Orders concerning ethics in the executive branch, including Executive Order D 001 99, are hereby superseded and replaced by this Executive Order.

VI. Duration

This Executive Order shall remain in effect until further modification or rescission by the Governor.

GIVEN under my hand and the Executive Seal of the State of Colorado this fifth day of October, 2009

Bill Ritter, Jr.
Governor

EXHIBIT A

CERTIFICATE OF REVIEW AND COMPLIANCE

Executive Branch Code of Ethics

I, _____, state that I have read the Executive Order D 021 09, and will abide by the Code of Ethics and Disclosure requirements set forth therein.

Name: _____

Position: _____ Date: _____

Signature: _____

EXHIBIT B

CONFLICTS DISCLOSURE STATEMENT

Executive Branch Code of Ethics

All heads of principal departments and Governor's Office senior staff members shall submit this Statement to the Governor's Office of Legal Counsel by October 25, 2009, or within 30 days of initial employment, and annually on or before June 30 each year.

Additionally, all heads of principal departments and Governor's Office senior staff members shall amend this Statement not more than 30 days after any conflict of interest arises.

Name: _____

Position: _____ Date: _____

Signature: _____

Check one: ☐ Initial Filing ☐ Annual Filing ☐ Amendment

CONFLICTS OR POTENTIAL CONFLICTS OF INTEREST:

If your actions in any way harm, benefit, or promote your private interests or the interests of your family, friends, or business associates, you have a conflict of interest. You may also have a conflict of interest if pursuing own interest is incompatible with or detrimental to the state, or any way compromises your loyalty to the State and your commitment to your duties.

Please describe below all conflicts or potential conflicts of interest, which you may have. *If you are uncertain whether your situations present a conflict of interest or potential conflict, contact the Governor's Office of Legal Counsel.* Attach additional pages if necessary.

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Please disclose all outside employment, including a disclosure of all income earned from the outside employment. In addition, please confirm that the outside employment is not conducted during state time or using state resources.

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