

EXECUTIVE BRANCH ETHICS COMMISSION  
**ADVISORY OPINION 93 – 32**

June 7, 1993

RE: Employee inquires as to whether he is required to file the Statement of Financial Disclosure

This letter is in response to your June 2 request for an advisory opinion from the Executive Branch Ethics Commission (the "Commission"). This matter was reviewed at the June 7 meeting of the Commission and the following opinion is issued.

You state the relevant facts as follows. You are currently a field representative for the Kentucky State Nature Preserves Commission. You do not have authority to disburse funds or make policy decisions. From September 15, 1992, through February 16, 1993, you served as Acting Director of the Commission. During that period you were never notified to file a statement of financial disclosure.

KRS 11A.050(1)(a) provides:

(1) Each officer and each public servant listed in KRS 11A.010(9)(a) to (i) shall file a statement of financial disclosure with the commission, as follows:

(a) Each officer and each public servant listed in KRS 11A.010(9)a) to (i) appointed to or employed in any position as of January 1 of any year shall file the statement for the preceding calendar year, complete through December 31, with the commission on or before April 15 of each year.

As an Acting Director, you are considered an officer under KRS 11A.010(9)(a) to (j). You were employed in that position as of January 1, 1993. The Commission believes you are required to file a Statement of Financial Disclosure for the preceding calendar year.