EXECUTIVE BRANCH ETHICS COMMISSION
LEAVER EBEC-SFD-102 Statement of Financial Disclosure (5/2020)
Question by Question Instructions

ANSWER EVERY QUESTION
INCOMPLETE FORMS WILL NOT BE ACCEPTED

CONSITUTIONAL OFFICERS AS DEFINED BY KRS 11A.010(9)(A)-(G) AND OFFICERS AS DEFINED BY KRS 11A.010(7) MUST FILE THIS FORM WITHIN 30 DAYS OF LEAVING STATE SERVICE AS AN OFFICER. (KRS 11A.050(1)(a)).

Questions 1 through 10 are to be answered using current information unless indicated otherwise.

Question 1: Please provide your full legal name.

Question 2: Provide your home street address. NOTE: "Home street address" means the address or location at which the officer resides on a permanent basis. 9 KAR 1:010(9). Include the city, state, zip code, home phone, mobile phone, and home e-mail address. If you have more than one residential address, list the primary one in the space provided on the form, and attach a sheet detailing any other addresses. [This information is redacted for open records disclosure pursuant to KRS 61.878(1)(a)].

Question 3: If you are a candidate for a public office specified in KRS 11A.010(9)(a)-(g), check the box which precedes the office for which you are a candidate. If you are not a candidate, check "Other Officer Position."

Question 4.a.: For each Officer position you held during the reporting year, starting with your current position, please include the Position Title, Start Date, whether you still occupy this position, the ending date for the position, AND include state agency information including cabinet, department or office, division, work street address, city, state, zip, work phone, work email address. Do not abbreviate. If your work **mailing** address is different from your work **location** address, provide both and label each.
If you need to use additional pages, please do so.

NOTE: An "Officer" is defined by KRS 11A.010(7) as the following:

"MAJOR MANAGEMENT" PERSONNEL: See Advisory Opinion 17-05.

SPECIFICALLY NAMED POSITIONS:
Cabinet Secretaries
Deputy Secretaries
General Counsels

Commissioners
Deputy Commissioners
Executive Directors
Executive Assistants
Policy Advisors
Special Assistants
Administrative Coordinators
Executive Advisors
Staff Assistants
Division Directors

Property Valuation Administrators as determined by EBEC v. Atkinson, Ky. App., 339 S.W.3d 472 (2010).

CONTRACT EMPLOYEES: Anyone holding a position by contract that would be considered a full-time position for any of the above positions,

CERTAIN MEMBERS OF BOARDS AND COMMISSIONS: Members of the following are considered to be officers:
Parole Board
Board of Tax Appeals
Board of Claims
Kentucky Retirement Systems Board of Directors
Kentucky Teachers' Retirement System Board of Trustees
Public Service Commission
Worker's Compensation Board and its administrative law judges
Kentucky Occupational Safety and Health Review Commission
Kentucky Board of Education o Council on Postsecondary Education, and
Members of salaried boards and commissions. See KRS 11A.010(21)

Question 4b: If you are no longer employed by a state agency, list your current employer or NONE if you are not employed.

Question 5: Provide the title and agency name for all non-officer positions you held during the reporting year.

Question 6: Provide the name and address of any other private employment in which you were engaged during the reporting year, including any self-employment. All work for state agencies should be listed in answer to Questions 4, 4b, and 5.

Question 7: Indicate your marital status. If you are married, state your spouse's full name, including a middle or maiden name where appropriate. If you were married in the reporting year to someone to whom you are not now married, enter "not married" (if you have not remarried) or "married" (if you have remarried). If you have remarried, enter your current spouse's name. In either event, attach an explanation to your Statement and ensure that all responses pertaining to your spouse accurately indicate the correct person(s) to whom you were married during the reporting year.

Question 8: If you are married and your spouse works, provide the name of your spouse's position, employer, and the employer's complete mailing address. Include the city, state, zip code, and e-mail address.

Question 9: List any other employment in which your spouse was engaged during the reporting year, including any self-employment.

Question 10: List the full name of each of your dependent children including each of your spouse's dependent children. A dependent child is one who lives with you or who qualifies as a dependent for federal tax purposes. [This information is redacted for open records disclosure pursuant to KRS 61.878(1)(a)].

Questions 11 through 20 are to be completed with information required for the filer as follows:

Reporting Year: Please answer the following questions with information as it applies for that portion of the current calendar year you occupied the position from January 1 up until the date you left the position.

Question 11: If, during the reporting year, you or your spouse were a board member, officer, or held any other position in a business; list the position, the nature of the business, and the name and address or location of the business.

NOTE: KRS 11A.010(1) defines **"Business"** as “any corporation, limited liability company, partnership, limited partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, or any legal entity through which business is conducted, whether or not for profit.” The definition apply now and throughout.

NOTE: **"Address or location"** means a street address or an address assigned to a location by the U.S. postal service, 911 service, or local government. If such an address is not available, then "address or location" means a description of the property so as to easily identify the location, global positioning system coordinates, or the location as described on the deed for the property. 9 KAR 1:010, Section 1(1).

Question 12: If, during the reporting year, you or your spouse held any fiduciary positions (such as executor, trustee, broker, attorney at law, or guardian) in a corporation, partnership, limited partnership or other legal entity, list your (or your spouse’s) position and the name and address of the person or entity to whom you were responsible.

Question 13: Report any interest which has a fair market value of at least ten thousand dollars ($10,000) or which constitutes at least five percent (5%) of the total interest in any business which is held by you, your spouse or one or more of your (or your spouse's) dependent children. Provide the name, complete address and type of business. Specify whether you listed the interest because of its fair market value or because it constitutes at least five percent (5%) of the business.

Question 14: Provide the name and address of all sources of gross income exceeding $1,000 from any one source to you or your spouse or dependent child, which have not been reported on the Statement in your responses to Questions 1 through 10.

NOTE: **"Gross income"** is value received that is subject to taxation. **"Income"** is defined by KRS 11A.010(6) as “any money or thing of value received or to be received as a claim on future services, whether in the form of a fee, salary, expense allowance, forbearance, forgiveness, interest, dividend, royalty, rent, capital gain, or any other form of compensation or any combination thereof.”

In general, gross income is any payment in return for services or as a return on capital investment. The payment could be anything of value (services, goods, cash). Examples are: salary, interest on checking and savings accounts, stock dividends, and possibly gain from the sale of a home, automobile or other property or goods. The individual addresses of publicly traded securities need not be reported. "Publicly traded securities" means securities for which a price is listed in the daily edition of the Wall Street Journal. The names of the securities held by public-traded mutual funds need not be reported but the name(s) of the mutual fund(s) which provide you with gross income must be reported. You may provide a listing supplied by your investment firm or advisor through additional pages.

Question 15: List the name and address of each person or entity that you or your spouse represented or intervened on behalf of before the state agency for which you work or supervise or before any entity of state government for which you serve in a decision-making capacity. Include only representations and interventions for which you were compensated. If you performed the service during the reporting year, but will not be compensated during that year, you must report the service in response to this question.

Question 16: Provide an address or other adequate description of the location and type of all real property in which you, your spouse, or a dependent child owns an interest of at least ten thousand dollars ($10,000). If the property is your personal residence, please indicate on your form so that the address will be redacted for open records disclosure pursuant to KRS 61.878(1)(a).

NOTE: "**Real property**" means property that is land or which is attached to the land, such as a house or other structure. It does not include automobiles, boats, stocks, bonds, or money. To have an interest in real estate includes:

1. Holding the title to the property, whether or not encumbered by one or more mortgages;
2. Being granted the right to use the property pursuant to a life estate interest;
3. Holding an easement or right of way;
4. Being a co-owner.

Question 17: Provide the name of any person or entity that provided you, your spouse or a dependent child with gifts of money or property with a retail value of more than two hundred dollars ($200) from any one source during the reporting year. If gifts were received from a single source and have a cumulative value of two hundred dollars ($200) during the reporting year, you must disclose that fact. Gifts from family members do not need to be disclosed.

NOTE: **"Gifts of money or property"** means a payment, loan, subscription, advance, deposit of money, services, or anything of value, unless consideration of equal or greater value is received; "gift" does not include gifts from family members, campaign contributions, the waiver of a registration fee for a presenter at a conference or training described in KRS 45A.097(5), gifts received by a public servant on behalf of his or her agency pursuant to KRS 45A.097, or door prizes that are available to the public. 9 KAR 1:010, Section 1(8).

NOTE: **"Family"** your "spouse and children, as well as a person who is related to a public servant as any of the following, whether by blood or adoption: parent, brother, sister, grandparent, grandchild, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister." KRS 11A.010(4).

Examples of gifts are: wedding, birthday, and retirement presents, money in the form of cash or checks, stocks, bonds, a ticket or admittance to an event which costs money or if such a ticket or admittance has a retail value, travel expenses (including transportation, meals, alcoholic beverages, lodging and entertainment), property acquired through inheritance or bequest, jewelry, and door prizes. You do not have to list the value of the gift. A gift is no longer a gift if you pay the face value or fair market value for the item.

Question 18: Provide the name and address of each person or entity you owe at least ten thousand dollars ($10,000) if the debt was incurred for a purpose other than procurement of consumer goods.

NOTE: **"Consumer goods"** means any item either tangible or intangible that can be purchased; "consumer goods" do not include purchases of real property or real estate. 9 KAR 1:010, Section 1(6).

A "consumer good" is something purchased primarily for personal, family or household purposes. Such goods are not intended for resale or further use in the production of other products. Examples of consumer goods are: clothing, personal automobiles, household furnishings, household electronic equipment, student loans, credit card debt, and personal loans not related to the purchase of real estate.

Question 19: Please contact the Legislative Ethics Commission at https://klec.ky.gov or (502) 573-2863 or the Executive Branch Ethics Commission if you need to verify whether an individual is registered with these entities as a lobbyist.

Question 20: Please thoughtfully consider before answering this question.

Possible penalties for failure to file a timely SFD:

WITHHELD SALARY: Any officer, public servant, or candidate required to file a statement of financial disclosure under KRS 11A.050 who does not file the statement by a date specified in that section shall have his salary withheld from the first day of noncompliance until he shall have completed the action required by law. The amount withheld shall be deducted from his overall pay and allowances and shall be recoverable upon the filing of the statement of financial disclosure. The commission may grant a reasonable extension of time for filing a statement of financial disclosure for good cause shown. **KRS 11A.990(2). For former officers, this could apply to any outstanding leaving balances for which you have not yet received payment.**

FINES: Any officer, public servant, or candidate who fails to file or files a false Statement of Financial Disclosure may be subject to a written, public reprimand, a recommendation from the Commission that the violator be removed or suspended from office or employment, and required to pay a civil penalty of not more than **$5,000**. **KRS 11A.100(3).**

This form may be electronically completed and submitted on the Commission's website at
https://secure.kentucky.gov/formservices/Ethics/StatementOfFinancialDisclosure/
OR
When you have answered every question, PRINT the Disclosure, SIGN it, and SUBMIT it by:
ELECTRONIC MAIL: EthicsFiler@ky.gov
OR
FAX: (502) 696-5091
OR
IN PERSON or by U.S. MAIL:
Executive Branch Ethics Commission
Capital Complex East
1025 Capital Center Drive, Suite 104
Frankfort, KY 40601