

servant.

Section 36.02, Texas Penal Code

4.03 Gifts to Public Servants

- A. It is unlawful for a City Official to solicit, accept, or agree to accept any benefit from a person the Official knows is subject to regulation, inspection, or investigation by the Official or the City.

Section 36.08 (a), Texas Penal Code

- B. In the event of litigation involving the City, it is unlawful for any City Official to solicit, accept, or agree to accept any benefit from a person against whom the official knows litigation is pending or contemplated by the Official or the City.

Section 36.08(c), Texas Penal Code

- C. It is unlawful for a City Official who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions of government to solicit, accept, or agree to accept any benefit from a person the official knows is interested in or likely to become interested in any contract, purchase, payment, claim, or transaction involving the exercise of his discretion.

Section 36.08(d), Texas Penal Code

- D. It is unlawful for a City Official who has judicial or administrative authority, is employed by or in a tribunal having judicial or administrative authority, or who participates in the enforcement of the tribunal's decision, to solicit, accept, or agree to accept any benefit from a person the official knows is interested in or likely to become interested in any matter before the official or tribunal.

Section 36.08(e), Texas Penal Code

- E. **Exceptions to Gifts to Public Servants**  
The provisions of Section 36.08, Texas Penal Code, described above, do not apply to (1) fees prescribed by law to be received by the public official or any other benefit to which the official is lawfully entitled and for which the official has given legitimate consideration; (2) gifts or other benefits conferred on account of kinship or personal, professional, or business relationships independent of the official's status with the City; (3) certain honorariums in consideration of legitimate services; (4) benefits consisting of food, lodging, transportation, or entertainment accepted as a guest and reported as required by law; or (5) benefits for which statements must be filed pursuant to Section 251.001 and Section 251.012, Texas Election Code, if the benefit and source of any benefit exceeding fifty dollars (\$50.00) is reported and the benefit is used solely to defray expenses which accrue in the performance of duties or activities in connection with office which are nonreimbursable by the City.

Section 36.10, Texas Penal Code