

## TITLE 7. PUBLIC PEACE, MORALS, AND WELFARE

### Chapter 7.12

#### BRIBERY AND CORRUPT INFLUENCE

##### Sections:

- 7.12.1 Bribery.
- 7.12.2 Requesting Unlawful Compensation.
- 7.12.3 Receiving or Granting Unlawful Compensation.
- 7.12.4 Trading in Public Office.
- 7.12.5 Trading in Special Influence.

##### **7.12.1. Bribery.** (a) A person is guilty of bribery if:

(1) With the intent to secure a particular result in a particular matter involving the exercise of the public servant's vote, opinion, judgment, exercise of discretion, or other action in his or her official capacity, he or she offers, confers, or agrees to confer any pecuniary benefit upon such public servant; or

(2) Being a public servant, he or she requests, accepts, or agrees to accept any pecuniary benefit pursuant to an agreement or understanding that his or her vote, opinion, judgment, exercise of discretion, or other action as a public servant will be used to secure or attempt to secure a particular result in a particular matter.

(b) It is no defense to a prosecution under this section that the public servant sought to be influenced was not qualified to act in the desired way, whether because he or she had not yet assumed office, lacked jurisdiction, or for any other reason.

(c) Bribery is a felony. (Res. 93-025 (part), passed Mar. 8, 1993)

**7.12.2. Requesting Unlawful Compensation.** (a) A public servant is guilty of requesting unlawful compensation if he or she requests a pecuniary benefit for the performance of an official action knowing that he or she is required to perform that action without compensation or at a level of compensation lower than that requested.

(b) Requesting unlawful compensation is a felony. (Res. 93-025 (part), passed Mar. 8, 1993)

**7.12.3. Receiving or Granting Unlawful Compensation.** (a) A person is guilty of receiving or granting unlawful compensation if:

(1) Being a public servant, he or she requests, accepts, or agrees to accept compensation for advice or other assistance in preparing a bill, contract,

claim, or transaction regarding which he or she knows he or she is likely to have an official discretion to exercise; or

(2) He or she knowingly offers, pays, or agrees to pay compensation to a public servant for advice or other assistance in preparing or promoting a bill, contract, claim, or other transaction regarding which the public servant is likely to have an official discretion to exercise.

(b) Receiving or granting unlawful compensation is a felony. (Res. 93-025 (part), passed Mar. 8, 1993)

**7.12.4. Trading in Public Office.** (a) A person is guilty of trading in public office if:

(1) He or she offers, confers, or agrees to confer any pecuniary benefit upon a public servant pursuant to an agreement or understanding that such actor will or may be appointed to a public office; or

(2) Being a public servant, he or she requests, accepts, or agrees to accept any pecuniary benefit from another person pursuant to an agreement or understanding that such person will or may be appointed to a public office.

(b) Trading in public office is a felony. (Res. 93-025 (part), passed Mar. 8, 1993)

**7.12.5. Trading in Special Influence.** (a) A person is guilty of trading in special influence if:

(1) He or she offers, confers, or agrees to confer any pecuniary benefit upon another person pursuant to an agreement or understanding that such other person will offer or confer a benefit upon a public servant or procure another to do so with intent thereby to secure or attempt to secure a particular result in a particular matter; or

(2) He or she requests, accepts, or agrees to accept any pecuniary benefit pursuant to an agreement or understanding that he or she will offer or confer a benefit upon a public servant or procure another to do so with intent thereby to secure or attempt to secure a particular result in a particular matter.

(b) Trading in special influence is a felony. (Res. 93-025 (part), passed Mar. 8, 1993)

Note: All subsections in this chapter have been renumbered for consistency, as follows. (Res. 2016-090, Jun. 20, 2016)

All Arabic numerals (1, 2, 3, etc.) used as subsection headings have been changed to lower case letters (a, b, c, etc.)

All lower case letters have been changed to Arabic numerals

Example: What was previously 7.12.1(1)(a) is now 7.12.1(a)(1)