

Sec. 227. ~~Interest in contracts or supplies.~~ Prohibited actions by public officials.

Unless otherwise provided by this charter or ordinance of council, general laws of the state pertaining to prohibited actions by public officials, as established in chapter 2921 of the Ohio Revised Code, or a successor thereto, shall apply to the officers and employees of the city. Such prohibited actions include, but are not limited to, unlawful interest in public contracts, theft in office, soliciting or accepting improper compensation, and bribery. No officer or employee of the city shall have any beneficial interest, which interest accrues to the employee or officer by virtue of office or employment, in any contract with the city, or in the sale to the city of any supplies, material, service or land, except on behalf of the city as an officer or employee. Any willful¹ violation of this section shall constitute malfeasance in office, and any such officer or employee shall thereby forfeit office or employment.

SECTION	STANDARD	PENALTIES	OTHER PROVISIONS
2921.02 Bribery.	knowingly / with purpose to corrupt	felony of the third degree	forever disqualified from holding any public office, employment, or position of trust in this state
2921.41 Theft in office.	standard for specific theft offense (various)	felony of the fifth	forever disqualified from holding any public office, employment, or position of trust in this state
2921.42 Having an unlawful interest in a public contract.	knowingly	felony of the fourth degree / misdemeanor of the first degree	
2921.43 Soliciting or accepting improper compensation.	knowingly	misdemeanor of the first degree	

¹ The following is a layman’s overview of conversations with the City Attorneys’ Office on this issue: Forfeiture is the current charter penalty for unlawful interest in public contracts. “Willful” is the current charter standard, but it’s a tort standard. State law regarding unlawful interest in public contracts is a criminal statute and most sections rely on “knowingly,” which is a criminal standard. This language would bring the standard for a violation in line with state law (knowingly vs. willful), while maintaining the charter penalty for a violation. This language will still require any officer or employee to act knowingly and there would still have to be an underlying conviction based on that standard before the forfeiture would apply.