

# When an official must *step back*

*One mechanism of local government — what a conflict of interest actually is, when recusal is required, and why disclosure is not the same as stepping aside.*

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## BEFORE YOU BEGIN

### *How This Guide Works*

This is part of **Incognati Civics**, applying the field-guide format to local government — city councils, counties, special districts, zoning, and local taxes. Unlike elections or federal law, local structure **varies by state and even by town**: the same title can carry different powers ten miles away. So each specimen names the pattern and the tell, then points you to the one authority that settles it — your own jurisdiction's charter and your state's code — rather than asserting a single national rule. Sources are cross-jurisdiction bodies and representative statutes, listed in full on the references page.

#### INCOGNATI CIVICS — LOCAL GOVERNMENT

- |                                                    |                                                  |
|----------------------------------------------------|--------------------------------------------------|
| 01 Forms of Government: Who Actually Runs the City | 02 Dillon's Rule vs. Home Rule                   |
| 03 Overlapping Jurisdictions: Who Is Responsible   | 04 Elected vs. Appointed Offices                 |
| 05 Special Districts: The Hidden Layer             | 06 Open-Meetings Laws & the Walking Quorum       |
| 07 Property Tax: Rate vs. Levy vs. Reassessment    | 08 Zoning: Variance vs. Rezoning vs. As-of-Right |
| 09 Public Notice: 'Public' but Unseen              | 10 Bond & Referendum vs. Council Appropriation   |
| 11 Quorum & What a Majority Means                  | 12 <b>Conflict of Interest &amp; Recusal</b>     |

# Conflict of Interest & Recusal

*Se Removeat*

**Governing precedent / case** State and local ethics / recusal law (varies) **Status** Varies by state; structured

OBSERVED SPECIMEN

LOCAL OFFICIALS' VOTES AND DECISIONS

*A conflict of interest is not simply that an official is biased or unpopular; it is a defined situation — typically a **direct financial interest** in a matter, or one running to a close family member — in which state or local law requires the official to **recuse**: disclose and abstain, and sometimes leave the room. Disclosure alone, without recusal, may not satisfy the rule; conversely, a general political interest or a past donation often does not legally require stepping back. “They had a conflict” is a legal claim with a standard, and whether it required recusal depends on your state's ethics law and the body's rules.*

## THE HOOK

‘Conflict of interest’ is used loosely for any bias, blurring the specific legal duty to recuse.

## THE MECHANISM

Ethics laws define disqualifying interests (usually financial or familial) and require recusal — disclose and abstain. The threshold, and whether disclosure alone suffices, are set by state and local law.

**Field mark:** when an official is accused of a conflict, ask whether the interest is the kind the law defines — usually financial or familial — and whether recusal, not just disclosure, was required; your state's ethics code sets the standard.

See the full references page for complete citations.

# References

every source checkable at the link provided; DOIs given where the source has one

CROSS-JURISDICTION REFERENCE

Council on Governmental Ethics Laws (COGEL) / state ethics commissions, conflict-of-interest and recusal standards.

<https://www.cogel.org/>

*Association of government-ethics regulators; specific recusal rules are set by each state and locality.*

PROFESSIONAL STANDARD · ICMA

International City/County Management Association, Code of Ethics on conflicts of interest.

<https://icma.org/icma-code-ethics>

*The management profession's standard on disclosure and recusal, distinct from and supplemented by binding state law.*

## ***Reading a Conflict-of-Interest Claim: A Gut Check***

*four questions before ‘they had a conflict’ means a rule was broken*

### **1 Define the interest**

Is it a financial or familial stake the law names?

### **2 Disclosure vs. recusal**

Some rules require stepping back, not just disclosing.

### **3 Rule out mere bias**

A political view or old donation may not require recusal.

### **4 Check your state's code**

Ethics standards and thresholds vary by jurisdiction.

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INCOGNATI CIVICS

## ***The Series Continues***

This is Specimen No. 12 of the Local Government section within Incognati Civics — the section built around the fact that local structure varies, so every plate ends at your own charter. It joins Elections, Federal Laws, Official Data Reporting, and Institutional Communications within Civics. The Incognati Atlas catalogs the underlying patterns across all of it.