

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES
Health Care Department Operations Manual

5.5.17 Prohibition on the Purchase of Promotional Items

(a) Policy

- (1) California Correctional Health Care Services (CCHCS) staff shall not use State funds to purchase any promotional items. The purchase of novelty gift items or giveaways for purposes of recruitment, advertising, and/or morale boosting is prohibited, absent specific statutory authority.
- (2) Persons involved in the purchase of promotional items may incur personal liability for the items purchased. Unlawfully purchased items are subject to orders of restitution (i.e., personal liability) against the individual who improperly uses the state contracting process pursuant to the State Administrative Manual, Section 3504. Consequences could lead to employee discipline including, but not limited to, reimbursement, and/or restitution, after consideration of all facts and circumstances surrounding the improper purchase.
- (3) This policy is supported by the California State Constitution, Article 16, Section 6, which states in part, “any gift of public funds is strictly prohibited.”

(b) Applicability

This policy applies to all CCHCS staff.

References

- California Government Code, Title 2, Division 5, Part 2.6, Chapter 2.5, Article 10 (Activities), Section 19990
- California Government Code, Title 1, Division 4, Chapter 1, Article 4 (Prohibitions Applicable to Specified Officers), Section 1090
- California Constitution, Article 16, Section 6 (Prohibition on Gifts of Public Funds)
- Acquisitions Management Bulletin #15-001, Prohibition on the Purchase of Promotional Items
- State Administrative Manual, Chapter 3500 Purchases, Section 3504 Prohibited Practices

Revision History

Effective: 05/2016