

### **38-296. Limitation on filing for election by incumbent of elective office**

A. Except during the final year of the term being served, no incumbent of a salaried elective office, whether holding by election or appointment, may offer himself for nomination or election to any salaried local, state or federal office.

B. An incumbent of a salaried elected office shall be deemed to have offered himself for nomination or election to a salaried local, state or federal office on the filing of a nomination paper pursuant to section 16-311, subsection A. An incumbent of a salaried elected office is not deemed to have offered himself for nomination or election to an office by making a formal declaration of candidacy for the office.

C. The resignation of the incumbent elective officer duly filed in writing with the officer, board or commission having jurisdiction of the office, if not accepted within ten days, shall be deemed to have become effective as of the date of filing.

D. This section shall not be construed to prohibit a person whose resignation from office has become effective from qualifying as a candidate for another office during the unexpired portion of the term affected by the resignation, nor shall it apply to any incumbent elective officer who seeks reelection to the same office or to any other public office during the final year of the term to which the person has been so elected.

E. A person violating any provision of this section is guilty of misfeasance in office, and the office held by such person shall be declared vacant.

### **38-296.01. Limitation on running for multiple offices**

A. A person is not eligible to be a candidate for nomination or election to more than one public office if the elections for those offices are held on the same day and if the person would be prohibited from serving in the offices simultaneously.

B. A person is not eligible to be a candidate for nomination or election to and is not eligible to serve simultaneously in more than one statewide office.

C. A person is not eligible to be a candidate for nomination or election to and is not eligible to serve simultaneously in more than one legislative office.

D. A person is not eligible to be a candidate for nomination or election to and is not eligible to serve simultaneously in both a legislative office and a statewide office.

E. A person is not eligible to be a candidate for nomination or election to and is not eligible to serve simultaneously on more than one school district governing board, except that a member of a governing board may be a candidate for nomination or election for any other governing board if the member is serving in the last year of a term of office.

**9-304. Compensation of alderman or councilman; failure to comply; classification**

A. No mayor, alderman or councilman of any city or town shall, during the term for which he has been elected, knowingly accept, take or receive for his own use from the city or town, any money or other thing of value other than that which is provided to be paid him for his services as such.

B. A person who violates any provision of this section is guilty of a petty offense, and his office shall be forfeited.

C. The fine as provided in subsection B shall be deposited in the school fund of the county in which the city or town is located

**38-444. Asking or receiving illegal gratuity or reward; classification**

A public officer who knowingly asks or receives any emolument, gratuity or reward, or any promise thereof, excepting those authorized by law, for doing any official act, is guilty of a class 6 felony.