





Ethics Commission jurisdiction

- Jurisdiction generally limited to interpretation and enforcement of the Ethics, Government Accountability, and Campaign Reform Act of 1991.
- Four subject areas of Ethics Act
 - Rules of Conduct (§ 8-13-700 through 8-13-795)
 - Financial Disclosure (§ 8-13-1110 through 8-13-1180)
 - Campaign practices (§ 8-13-1300 through 8-13-1374)
 - Lobbyist/Lobbyist's Principals (§ 2-17-5 through 2-17-150)

Collins & Lacy ATTORNEYS AT LAW



Reconstituted Commission

- Commission goes from 9 members to 8.
- Now investigates complaints against Members of General Assembly, but cannot make probable cause findings.
- Now 6 votes for probable cause finding for all matters.
- All hearings now open to the public.

Collins & Lacy
ATTORNEYS AT LAW

Significant personnel changes

- Interim Executive Director – Steve Hamm
 - Commission undergoing search for permanent director
- General Counsel – position vacant
 - Search ongoing
- New location
 - Target date December 2017

Collins & Lacy
ATTORNEYS AT LAW



Key Prohibitions in Rules of Conduct

Section 8-13-700(A) – “use of position”

Section 8-13-700(B) – “participation in governmental decision”


Requirement to recuse under 8-13-700(B)

Restrictions on acceptance of gifts

Section 8-13-705 – anti-bribery statute

Section 8-13-740 – improper representation

Section 8-13-720 – acceptance of extra money




Key Definitions

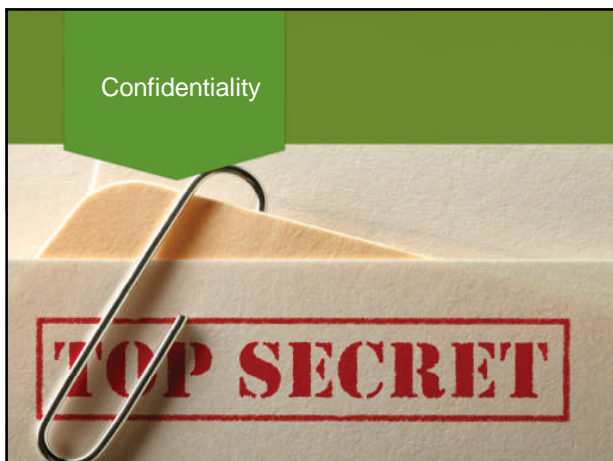
“Economic interest” Section 8-13-100(11)

“Family member” Section 8-13-100(15)

“Individual with whom he is associated.” Section 8-13-100(21)

“Business with which he is associated.” Section 8-13-100(4)





Strict confidentiality of proceedings

Please remember that the existence of an ethics complaint is strictly confidential unless waived by Respondent.



Conclusion

If you have any doubt as to whether a course of conduct will be a problem, you may seek an advisory opinion from the Commission.

Staff – Issues informal advisory opinions
Commission – Issues formal advisory opinions.

Anyone subject to the Act may request a formal or informal advisory opinion

