

## SB 2148 ETHICS COMMISSION

SB 2148 implements the sections of Article 14, a newly adopted constitutional amendment, that take effect in 2019 and require legislative action. They are:

- An elected public official may not be a lobbyist or for two years after holding office.
- A lobbyist may not deliver a campaign contribution made by another individual or entity.
  - SB 2148 establishes civil and criminal penalties for these provisions of Article 14. (page 23, lines 26-29 and page 24, lines 1-6)
- Creating a state ethics commission.
  - SB 2148 integrates the new ethics commission into the rule-making provisions of the state Administrative Agencies Practice Act. The commission will follow the same procedures as other state agencies when it makes rules. (pages 1-20)
  - The bill also:
    - defines key terms. (pages 20-21)
    - explains that the governor and the senate majority and minority leaders, by consensus, appoint the five ethics commissioners to four-year terms, as stated in Article 14. It provides for compensation to ethics commissioners as for members of legislative management and reimbursement for travel. It provides for an executive director and other necessary staff. (page 21)
    - provides for allocation of office space that allows for sufficient privacy and security. (page 22)
    - describes the process for making a complaint, including informing the accused individual as soon as reasonably possible, with a deadline of 20 days. (page 22)
    - permits the ethics commission to negotiate or mediate informal resolution. (page 22)
    - permits the ethics commission to investigate a complaint, including required interviews with both parties. (page 22)
    - permits referring matters to the bureau of criminal investigation or other appropriate law enforcement agency in the event of possible crime or safety issues. (page 22)
    - describes the process for releasing findings, imposing penalties, and appealing findings. (page 23)
    - requires confidentiality until findings are issued. (page 23)

SB 2148 also recommends a legislative interim study committee to prepare legislation for the 2021 Legislative Assembly regarding the sections that take effect in 2021 and 2022. These sections address: revealing the ultimate, true sources of funds greater than \$200 spent in any medium to influence elections or government action; public officials' acceptance of gifts except those that meet criteria approved by ethics commission rule-making; and requiring officials to disqualify from any quasi-judicial proceeding that relates to a source of support for their election or individual financial interests.