

FINAL BILL REPORT

SB 5046

C 116 L 05
Synopsis as Enacted

Brief Description: Modifying provisions governing ethics complaints.

Sponsors: Senators Regala and Johnson; by request of Legislative Ethics Board.

Senate Committee on Government Operations & Elections

House Committee on State Government Operations & Accountability

Background: The Legislative Ethics Board and the Executive Ethics Board enforce the Ethics in Public Service Act against their respective members and employees. The ethics boards, or any person, may file with the appropriate ethics board a complaint alleging a violation of the ethics act. The staff of the appropriate ethics board must investigate all complaints. Current law gives the ethics boards the authority, through the rule making process, to allow board staff to dismiss a complaint if the alleged violation is not within the jurisdiction of the board; if the complaint is obviously unfounded or frivolous; or if the violation was inadvertent and minor and further proceedings would not serve the purposes of the ethics act.

All complaints alleging that a legislator or statewide elected official violated the prohibition on the use of public resources for political campaigns must be investigated by the Attorney General. The Attorney General bills the respective ethics board for the cost of any investigation.

Summary: The ethics boards are given the authority to issue rules allowing the board to dismiss complaints if the alleged violation is not within the jurisdiction of the board; if the complaint is obviously unfounded or frivolous; or if the violation was inadvertent and minor and further proceedings would not serve the purposes of the ethics act. If the complaint is dismissed by staff, the written notice to the complainant must include a statement of the right to appeal.

Complaints alleging that a legislator or statewide elected official violated the prohibition on the use of public resources for political campaigns are investigated by the Attorney General if requested by the appropriate ethics board.

Votes on Final Passage:

Senate	46	0
House	94	0

Effective: July 24, 2005