State Government Operations & Accountability Committee

SB 5046

Brief Description: Modifying provisions governing ethics complaints.

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

Brief Summary of Bill

- Allows an ethics board to dismiss a complaint for specified reasons.

- Limits the circumstances under which the Attorney General must investigate complaints of certain ethics violations.

Hearing Date: 3/11/05

Staff: Jim Morishima (786-7191).

Background:

The Legislative Ethics Board, the Executive Ethics Board, and the Commission on Judicial Conduct help enforce state ethics law. Any person may file a complaint with an ethics board alleging violations of the ethics law. The staff of an ethics board may issue an order of dismissal based on the complaint not being within the board's jurisdiction, the complaint being unfounded or frivolous, or the complaint alleging violations that do not constitute material violations of the ethics laws. If the staff issues an order of dismissal, the order may be appealed to the appropriate ethics board.

The Attorney General must investigate all complaints dealing with use of public resources in political campaigns, unless the violation involves the Attorney General. If the violation involves the Attorney General, the State Auditor must conduct the investigation.

Summary of Bill:

An ethics board, in addition to ethics board staff, may issue an order of dismissal based on the complaint not being within the board's jurisdiction, the complaint being unfounded or frivolous, or the complaint alleging violations that do not constitute material violations of the ethics laws. A dismissal issued by the board itself may not be appealed to the board.

The Attorney General must investigate complaints dealing with use of public funds in political campaigns only when requested to do so by an ethics board.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.