As Adopted by the Senate

136th General Assembly Regular Session 2025-2026

S. C. R. No. 4

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Senator Reineke

Cosponsors: Senators Antonio, Blackshear, Cirino, Craig, Hicks-Hudson, Ingram, Koehler, Lang, Reynolds, Roegner, Schaffer, Weinstein, Wilson

A CONCURRENT RESOLUTION

To adopt the Legislative Code of Ethics for the members	1
and employees of both chambers of the 136th General	2
Assembly, employees of any legislative agency, and	3
candidates for the 137th General Assembly.	4

BE IT RESOLVED BY THE SENATE OF THE STATE OF OHIO (THE HOUSE OF REPRESENTATIVES CONCURRING):

WHEREAS, The Joint Legislative Ethics Committee, appointed	5
by the Speaker of the House of Representatives and the President	6
of the Senate pursuant to section 101.34 of the Revised Code, is	7
required to recommend a Code of Ethics that is consistent with	8
the law to govern all members and employees of each chamber of	9
the General Assembly and all candidates for the office of member	10
of each chamber; and	11
WHEREAS, The Joint Legislative Ethics Committee is the	12

WHEREAS, The Joint Legislative Ethics Committee is the appropriate ethics committee for matters relating to members and employees of the General Assembly, employees of any legislative agency, and candidates for the office of member of the General Assembly; now therefore be it

RESOLVED, That the House of Representatives and the Senate 17 of the <u>135th_136th_</u>General Assembly adopt the following 18

Legislative Code of Ethics:19LEGISLATIVE CODE OF ETHICS20FOR MEMBERS AND EMPLOYEES OF THE21135th-136th_OHIO GENERAL ASSEMBLY,22EMPLOYEES OF ANY LEGISLATIVE AGENCY,23AND CANDIDATES FOR THE 136th-137th_GENERAL ASSEMBLY24Section 1. CONDUCT25

All members of the Senate or the House of Representatives shall conduct themselves at all times so as to reflect credit upon the member's respective chamber of the General Assembly, shall obey all rules of the member's respective chamber of the General Assembly, and shall conform the member's conduct to this Code of Ethics. All employees of the Senate or House of Representatives and all employees of any legislative agency shall conduct themselves at all times so as to reflect credit upon the employee's respective chamber of the General Assembly or institution of employment, shall obey all rules of the employee's respective chamber of the General Assembly or institution of employment, and shall conform the employee's conduct to this Code of Ethics.

Section 2. DISCLOSURE STATEMENT

(A) The Office of the Legislative Inspector General shall 40 accept disclosure statements filed by members and employees of 41 the General Assembly and employees of any legislative agency 42 pursuant to section 102.02 of the Revised Code and shall 43 maintain a file of all disclosure statements that are filed 44 pursuant to that section. Every member of the General Assembly 45 and every employee of the General Assembly and any legislative 46 agency who is required to file a financial disclosure statement, 47 within the period prescribed by law, shall file with the Office 48

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of the Legislative Inspector General, a disclosure statement as provided for by section 102.02 of the Revised Code. Each member and each employee of the General Assembly and employee of any legislative agency required to file a financial disclosure statement, within the period and in the manner prescribed by section 102.02 of the Revised Code, shall receive from the Office of the Legislative Inspector General the form on which the statement shall be prepared.

(B) Division (A) (2) (b) (iii) of section 102.02 of the Revised Code applies to members of the General Assembly who are attorneys or physicians or who otherwise engage in the practice of a profession and to the clients, patients, and other recipients of professional services of members of the General Assembly who are attorneys or physicians or who otherwise engage in the practice of a profession, even if those clients, patients, and other recipients of professional services are legislative agents.

(C) Division (A)(2)(h) of section 102.02 of the Revised Code requires a member of the General Assembly and an employee of the General Assembly or any legislative agency required to file a disclosure statement under section 102.02 of the Revised Code to identify on a disclosure statement the source and amount of any payment of expenses incurred for travel to destinations inside or outside this state that the member or employee receives in the member's or employee's own name or that another person receives for the member's or employee's use or benefit in connection with the member's or employee's official duties, except for expenses for travel to meetings or conventions of a national or state organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or any political subdivision or any office or agency of a political subdivision

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pays membership dues.

(D) Division (A)(2)(i) of section 102.02 of the Revised Code requires a member of the General Assembly and an employee of the General Assembly or any legislative agency required to file a disclosure statement under section 102.02 of the Revised Code to identify on a disclosure statement the source of payment of expenses for meals and other food and beverages that are incurred in connection with the person's official duties and that exceed one hundred dollars aggregated per calendar year, except for expenses for meals and other food and beverages provided at a meeting at which the member or employee participated in a panel, seminar, or speaking engagement or at a meeting or convention of a national or state organization to which a state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or any political subdivision or any office or agency of a political subdivision pays membership dues.

(E) (1) Except as otherwise provided in division (E) (2) of 100 this section, in accordance with section 102.02 of the Revised 101 Code, every member of the General Assembly and every employee of 102 the General Assembly or any legislative agency required to file 103 an annual statement under section 102.02 of the Revised Code 104 shall disclose the source of a gift or gifts, where the value of 105 the gift or gifts aggregated per calendar year exceeds seventy-106 five dollars, except gifts received by will or by virtue of 107 section 2105.06 of the Revised Code, or received from spouses, 108 parents, grandparents, children, grandchildren, siblings, 109 nephews, nieces, uncles, aunts, cousins, brothers-in-law, 110 sisters-in-law, sons-in-law, daughters-in-law, fathers-in-law, 111 mothers-in-law, step-relations, or any person to whom the member 112 or employee of the General Assembly or employee of any 113 legislative agency stands in loco parentis, or received by way 114

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of distribution from any inter vivos or testamentary trust 115 established by a spouse or by an ancestor. 116

(2) In accordance with section 102.02 of the Revised Code, every member of the General Assembly and every employee of the General Assembly or any legislative agency required to file an annual statement under section 102.02 of the Revised Code shall 120 disclose the source of a gift or gifts from a legislative agent, where the value of the gift or gifts aggregated per calendar 122 year exceeds twenty-five dollars.

Section 3. LICENSE DISCLOSURE

Any member of the General Assembly who engages in the 125 conduct or practice of a particular business, profession, trade, 126 or occupation that is subject to licensing or regulation by any 127 branch, department, division, institution, instrumentality, 128 board, commission, or bureau of the state shall file a notice 129 that the member is the holder of a particular license, or is 130 engaged in such activity, as part of the financial disclosure 131 statement required by section 102.02 of the Revised Code. 132

Section 4. VOTING ABSTENTION

(A) A member who has reason to believe that the member has 134 a substantial personal interest in legislation may request 135 permission of the chair to abstain from voting on the 136 legislation and may state the member's reason for the request. 1.37 The request shall be granted by the chair or the member's 138 respective chamber of the General Assembly pursuant to the rules 139 of that chamber. The request and permission to abstain shall be 140 entered in the House or Senate Journal, as is appropriate. 141

(B) No member of the General Assembly shall vote on any 142 legislation that the member knows is then being actively 143 advocated if the member is one of the following with respect to 144 a legislative agent or employer that is then actively advocating 145

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on that legislation: 146 (1) An employee, as defined in section 102.031 of the 147 Revised Code; 148 (2) A business associate, as defined in section 102.031 of 149 the Revised Code; 150 (3) A person, other than an employee, who is hired under 151 contract to perform certain services, and such position involves 152 a substantial and material exercise of administrative discretion 153 in the formulation of public policy. 154 (C) The Joint Legislative Ethics Committee may impose a 155 fine of not more than one thousand dollars upon a member of the 156 General Assembly who violates division (B) of this section. 157 Section 5. COMPENSATION 158 (A) Except as provided in division (D) of section 102.04 of 159 the Revised Code, no person elected to or employed by the 160 General Assembly or employed by any legislative agency shall 161 receive or agree to receive, directly or indirectly, 162 compensation other than from the house with which the person 163 serves or from any legislative agency, if the person is a 164 legislative agency employee, for any service rendered or to be 165 rendered by the person personally in any case, proceeding, 166 application, or other matter that is before the General Assembly 167 or any department, division, institution, instrumentality, 168 board, commission, or bureau of the state, excluding the courts. 169

Division (A) of this section shall not be construed to170prohibit the performance of ministerial functions, including,171but not limited to, the filing or amendment of tax returns,172applications for permits and licenses, incorporation papers,173security registrations, and other documents.174

Except as provided in division (D) of section 102.04 of the 175 Revised Code, no person elected to or employed by the General 176

Assembly or employed by any legislative agency shall sell or 177 agree to sell, except through competitive bidding, any goods or 178 services to the General Assembly or any department, division, 179 institution, instrumentality, board, commission, or bureau of 180 the state, excluding the courts. 181

(B) No member or employee of the General Assembly or employee of any legislative agency shall knowingly accept any of the following from a legislative agent:

(1) The payment of any expenses for travel or lodging
except as otherwise authorized by division (H) of section 102.03
of the Revised Code;

(2) More than seventy-five dollars aggregated per calendar 188 year as payment for meals and other food and beverages, other 189 than for those meals and other food and beverages provided to 190 the member or employee at a meeting at which the member or 191 employee participates in a panel, seminar, or speaking 192 engagement, at a meeting or convention of a national 193 organization to which either house of the General Assembly or 194 any state agency, including, but not limited to, any legislative 195 agency or state institution of higher education as defined in 196 section 3345.011 of the Revised Code, pays membership dues, or 197 at a dinner, party, or function to which all members of the 198 General Assembly or all members of either house of the General 199 Assembly are invited. 200

(C) No member or employee of the General Assembly or 201 employee of any legislative agency shall knowingly accept from a 202 legislative agent a gift of any amount in the form of cash or 203 the equivalent of cash, or a gift or gifts of any other thing of 204 value where the value of the gift or gifts aggregated per 205 calendar year exceeds seventy-five dollars. As used in this 206 division, "gift" does not include any contribution as defined in 207 section 3517.01 of the Revised Code or any gifts of meals and 208

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other food and beverages or the payment of expenses incurred for travel to destinations either inside or outside this state that is received by a member of the General Assembly and that is incurred in connection with the member's official duties.

(D) It is not a violation of division (B)(2) of this 213 section if, within sixty days after receiving notice pursuant to 214 division (F)(2) of section 101.73 of the Revised Code from a 215 legislative agent that the legislative agent has provided a 216 member of the General Assembly or an employee of the General 217 Assembly or any legislative agency with more than seventy-five 218 dollars aggregated in a calendar year as payment for meals and 219 other food and beverages that were purchased for consumption on 220 the premises in which the food and beverages were sold, the 221 member or employee of the General Assembly or employee of any 222 legislative agency returns to that legislative agent the amount 223 received that exceeds seventy-five dollars. 224

Section 6. CONFIDENTIAL INFORMATION

No present or former member or employee of the General Assembly or present or former employee of any legislative agency 227 shall disclose or use for the member's or employee's personal 228 profit, without appropriate authorization, any information 229 acquired by the member or employee in the course of the member's 230 or employee's official duties that has been clearly designated 231 to the member or employee as confidential when such confidential 232 designation is warranted because of the status of the 233 proceedings or the circumstances under which the information was 234 received and preserving its confidentiality is necessary to the 235 proper conduct of government business. No present or former 236 member or employee of the General Assembly or present or former 237 employee of any legislative agency shall disclose or use, 238 without appropriate authorization, any information acquired by 239 the member or employee in the course of the member's or 240 employee's official duties that is confidential because of 241

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statutory provisions, except as provided in section 101.30 of242the Revised Code or Section 12 or 13 of Article II, Ohio243Constitution.244

Section 7. IMPROPER INFLUENCE

(A) No member or employee of the General Assembly or 246 employee of any legislative agency shall use or attempt to use 247 or authorize the use of the authority or influence of the 248 member's or employee's office or employment to secure anything 249 of value or the promise or offer of anything of value that is of 250 such a character as to manifest a substantial and improper 251 influence upon the member or employee with respect to the 252 member's or employee's duties. 253

(B) No member or employee of the General Assembly or employee of any legislative agency shall solicit or accept anything of value that is of such a character as to manifest a substantial and improper influence upon the member or employee with respect to the member's or employee's duties.

(C) No member of the General Assembly shall solicit or 259 receive funds from any legislative agent who is registered 260 pursuant to section 101.72 of the Revised Code, for use other 2.61 than by a political party, campaign committee, legislative 262 campaign fund, political action committee, or political 263 contributing entity, as defined in section 3517.01 of the 264 Revised Code, except that a member may solicit or receive funds 265 from any legislative agent on behalf of religious and benevolent 266 organizations regulated by Chapter 1716. of the Revised Code or 267 charitable organizations that have registered with the Attorney 268 General pursuant to section 109.26 or 1716.02 of the Revised 269 Code. 270

(D) In the absence of bribery or another offense under the
Revised Code or a purpose to defraud, the receipt of
contributions, as defined in section 3517.01 of the Revised
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Code, made to a campaign committee, political party, legislative campaign fund, political action committee, or political 275 contributing entity on behalf of a member of or candidate for 276 the General Assembly does not violate divisions (A) and (B) of 277 this section.

(E) A member or employee of the General Assembly and an 279 employee of any legislative agency may accept travel, meals, and 280 lodging or expenses or reimbursement of expenses for travel, 281 meals, and lodging in connection with conferences, seminars, and 282 similar events related to the member's or employee's official 283 duties if the travel, meals, lodging, expenses, or reimbursement 284 is not of such a character as to manifest a substantial and 285 improper influence upon the member or employee with respect to 286 those duties and if, in relation to expenses or reimbursement 287 for travel or lodging provided to a member by a legislative 288 agent, the expenses or reimbursement are not made in violation 289 of division (C)(1) of section 102.031 of the Revised Code. A 290 member or employee who acts in compliance with this division 291 does not violate division (A), (B), or (C) of this section. 292

Section 8. STAFF USE

(A) A member of the General Assembly shall utilize General Assembly employees only for the official purposes for which they are employed.

(B) (1) In accordance with section 3517.092 of the Revised 297 Code, no member of or candidate for the General Assembly, no 298 campaign committee of a member of or candidate for the General 299 Assembly, no legislative caucus campaign committee, and no other 300 person or entity shall knowingly solicit or accept a 301 contribution on behalf of that member or candidate, that 302 member's or candidate's campaign committee, or a legislative 303 caucus campaign committee from any of the following: 304

(a) A state employee whose appointing authority is the 305

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member of the General Assembly;

(b) A state employee whose appointing authority is 307
authorized or required by law to be appointed by the member of 308
the General Assembly; 309

(c) A state employee who functions in or is employed by the
Ohio Senate, the Ohio House of Representatives, or any
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legislative agency;
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(d) A state employee at the time of the solicitation, whose
appointing authority will be the candidate for the General
Assembly, if elected;
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(e) A state employee at the time of the solicitation, whose appointing authority will be appointed by the candidate for the General Assembly, if elected, as authorized or required by law;

(f) A state employee at the time of the solicitation, who will function in or be employed in or by the same public agency, department, division, or office as the candidate for the General Assembly, if elected.

(2) As used in this section, "contribution" does not
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 include services provided by individuals volunteering a portion
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 of their time on behalf of a campaign.
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(C) In addition to any complaint brought or penalty that 326 may be imposed under sections 3517.152 to 3517.157 of the 327 Revised Code, the Joint Legislative Ethics Committee may receive 328 and initiate complaints against members and employees of, and 329 candidates for, the General Assembly and employees of any 330 legislative agency concerning conduct alleged to be in violation 331 of this section. Upon a finding of a violation of this section, 332 the Joint Legislative Ethics Committee may recommend whatever 333 sanction is appropriate with respect to a particular member, 334 employee, or candidate as will best maintain in the minds of the 335 public a good opinion of the conduct and character of members 336

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and employees of the General Assembly.	337
Section 9. SEPARATION OF FUNDS	338

(A) No member of or candidate for the General Assembly
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shall convert, receive, or accept for personal or business use
anything of value from the member's or candidate's campaign
fund, as defined in section 3517.01 of the Revised Code,
including, without limitation, payments to the member or
candidate for services personally performed by the member or
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candidate, except as reimbursement for any of the following:
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(1) Legitimate and verifiable prior campaign expenses346incurred by the member or candidate;347

(2) Legitimate and verifiable, ordinary, and necessary
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prior expenses incurred by the member or candidate in connection
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with duties as the holder of a public office, including, without
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limitation, expenses incurred through participation in
nonpartisan or bipartisan events where the participation of the
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holder of a public office would normally be expected;
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(3) Legitimate and verifiable, ordinary, and necessaryprior expenses incurred by a member or candidate while doing any355of the following:356

(a) Engaging in activities in support of or opposition to 357another candidate, political party, or ballot issue; 358

(b) Raising funds for a political party, political action
committee, campaign committee, legislative campaign fund,
political contributing entity, or other candidate;
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(c) Participating in the activities of a political party,
political action committee, legislative campaign fund, political
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contributing entity, or campaign committee;
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(d) Attending a political party convention or other365political meeting.366

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(B) For purposes of division (A) of this section, an
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expense is incurred whenever a member or candidate has either
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made payment or is obligated to make payment, as by the use of a
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credit card or other credit procedure, or by the use of goods or
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services received on account.
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(C) No member of or candidate for the General Assembly shall knowingly receive or accept reimbursement for an expense under division (A) of this section to the extent that the expense previously was reimbursed or paid from another source of funds. If an expense is reimbursed under division (A) of this section and is later paid or reimbursed, wholly or in part, from another source of funds, a member or candidate shall immediately repay the reimbursement received under division (A) of this section to the extent of the payment made or reimbursement received from the other source.

(D) A member of the General Assembly may be reimbursed 382 under division (A)(1) or (3) of this section for expenses 383 incurred for the member's meals and lodging in Franklin County 384 if the expenses otherwise meet the requirements for 385 reimbursement under division (A)(1) or (3) of this section and 386 were not incurred while the member was in Franklin County to 387 attend floor sessions of the General Assembly or meetings of its 388 committees, except that a member may be reimbursed under 389 division (A)(1), (2), or (3) of this section for expenses 390 incurred for the member's meals in Franklin County at any time 391 if the expenses otherwise meet the requirements for 392 reimbursement under division (A)(1), (2), or (3) of this section 393 and were incurred for meals at which the member hosted other 394 395 persons.

(E) No member of or candidate for the General Assembly
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shall accept for personal or business use anything of value from
a political party, political action committee, legislative
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campaign fund, political contributing entity, or campaign
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As Adopted by the Senate	
committee other than the member's or candidate's own campaign	400
committee, except for the following:	401
(1) Reimbursement for legitimate and verifiable, ordinary,	402
and necessary prior expenses not otherwise prohibited by law	403
incurred by the member or candidate while engaged in any	404
legitimate activity of the political party, political action	405
committee, legislative campaign fund, political contributing	406
entity, or such campaign committee. Without limitation,	407
reimbursable expenses under this division include those incurred	408
while doing any of the following:	409
(a) Engaging in activities in support of or opposition to	410
another candidate, political party, or ballot issue;	411
(b) Raising funds for a political party, campaign	412
committee, legislative campaign fund, or another candidate;	413
(c) Attending a political party convention or other	414
political meeting.	415
(2) Compensation not otherwise prohibited by law for actual	416
and valuable personal services rendered under a written contract	417
to the political party, political action committee, legislative	418
campaign fund, political contributing entity, or the member's or	419
candidate's own campaign committee for any legitimate activity	420
of the political party, political action committee, legislative	421
campaign fund, political contributing entity, or such campaign	422
committee.	423
Reimbursable expenses under this division do not include,	424
and it is a violation of this division for a member or candidate	425

and it is a violation of this division for a member or candidate425to accept from a political party, political action committee,426legislative campaign fund, political contributing entity, or427campaign committee other than the member's or candidate's own428campaign committee, anything of value for activities primarily429related to the member's or candidate's own campaign for430

For purposes of this division, an expense is incurred whenever a member or candidate has either made payment or is obligated to make payment, as by the use of a credit card or other credit procedure, or by the use of goods or services received on account.

(F)(1) Divisions (A) and (C) of this section do not 438 prohibit a member's or candidate's campaign committee from 439 making a direct advance or post payment from the member's or 440 candidate's campaign fund to vendors for goods and services for 441 which reimbursement is permitted under division (A) of this 442 section, except that no campaign committee shall pay a member or 443 candidate for services personally performed by the member or the 444 candidate. 445

(2) When any expense that may be reimbursed under division 446 (A), (C), or (E) of this section is part of other expenses that 447 may not be paid or reimbursed, the separation of the two types 448 of expenses for the purpose of allocating for payment or 449 reimbursement those expenses that may be paid or reimbursed may 450 be by any reasonable accounting method, considering all of the 451 surrounding circumstances. 452

(3) For purposes of divisions (A), (C), and (E) of this section, mileage allowance at a rate not greater than that allowed by the Internal Revenue Service at the time the travel occurs may be paid instead of reimbursement for actual travel expenses allowable.

(G) The Joint Legislative Ethics Committee shall report 458 violations of this section to the Elections Commission pursuant 459 to division (E)(1) of Section 13 of this Code of Ethics.

Section 10. HONORARIA AND TESTIMONIALS

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(A) No member of the General Assembly, employee of the 462 General Assembly who is required to file a financial disclosure 463 statement under section 102.02 of the Revised Code, or employee 464 of any legislative agency who is required to file a financial 465 disclosure statement under section 102.02 of the Revised Code 466 shall solicit or accept an honorarium. This division and 467 divisions (A), (B), and (C) of Section 7 of this Code of Ethics 468 do not prohibit a member or employee who is required to file a 469 financial disclosure statement under section 102.02 of the 470 Revised Code from accepting the payment of actual travel 471 expenses, including any expenses incurred in connection with the 472 travel for lodging, and meals, food, and beverages provided to 473 the member or employee at a meeting at which the member or 474 employee participates in a panel, seminar, or speaking 475 engagement or provided to the member or employee at a meeting or 476 convention of a national organization to which either house of 477 the General Assembly, or any state agency, including, but not 478 limited to, any legislative agency or state institution of 479 higher education as defined in section 3345.011 of the Revised 480 Code, pays membership dues. This division and divisions (A), 481 (B), and (C) of Section 7 of this Code of Ethics do not prohibit 482 an employee of the General Assembly or employee of any 483 legislative agency who is not required to file a financial 484 disclosure statement under section 102.02 of the Revised Code 485 from accepting an honorarium or the payment of travel, meal, and 486 lodging expenses if the honorarium, expenses, or both were paid 487 in recognition of demonstrable business, professional, or 488 esthetic interests of the employee that exist apart from the 489 employee's public employment, including, but not limited to, 490 such a demonstrable interest in public speaking and were not 491 paid by any person or other entity, or by any representative or 492 association of such person or entities, that is regulated by, 493 doing business with, or seeking to do business with the General 494 Assembly or any legislative agency. 495

(B) No member of the General Assembly shall conduct a 496 public or private fund raising event that seeks to provide money 497 for the member's personal use. 498

(C) As used in this section, "honorarium" means any payment 499 made in consideration for any speech given, article published, 500 or attendance at any public or private conference, convention, 501 meeting, social event, meal, or similar gathering. "Honorarium" 502 does not include ceremonial gifts or awards that have 503 insignificant monetary value; unsolicited gifts of nominal value 504 or trivial items of informational value; or earned income from 505 any person, other than a legislative agent, for personal 506 services that are customarily provided in connection with the 507 practice of a bona fide business, if that business initially 508 began before the member or employee conducting that business was 509 elected or appointed to the member's or employee's office or 510 position of employment. 511

Section 11. IMPROPER INDUCEMENT

If any person attempts to induce a member or employee of or 513 candidate for the General Assembly or employee of any 514 legislative agency to violate any provision of this Code of 515 Ethics, the member, employee, or candidate shall report the 516 matter to the Joint Legislative Ethics Committee.

Section 12. ADVISORY BODY

(A) The Joint Legislative Ethics Committee may recommend 519 legislation relating to ethics, conflicts of interest, and 520 financial disclosure and, upon a vote of a majority of its 521 members, may render advisory opinions with regard to questions 522 concerning these matters for members and employees of and 523 candidates for the General Assembly and for employees of any 524 legislative agency. 525

(B) When the Joint Legislative Ethics Committee renders an

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advisory opinion that has been publicly sought and that relates 527 to a special set of circumstances involving ethics, conflicts of 528 interest, or financial disclosure under Chapter 102. or section 529 2921.42 or 2921.43 of the Revised Code, the person to whom the 530 opinion was directed or who was similarly situated may 531 reasonably rely upon such opinion and shall be immune from 532 criminal prosecutions, civil suits, or actions for removal from 533 the person's office or position of employment for a violation of 534 Chapter 102. or section 2921.42 or 2921.43 of the Revised Code 535 based on facts and circumstances covered by the opinion, if the 536 opinion states that there is no violation of Chapter 102. or 537 section 2921.42 or 2921.43 of the Revised Code. The committee 538 shall include in every advisory opinion it renders a statement 539 as to whether the set of circumstances described in the advisory 540 opinion constitutes a violation of section 2921.42 or 2921.43 of 541 the Revised Code. When the Joint Legislative Ethics Committee 542 renders an opinion that has been publicly sought, the advisory 543 opinion is a public record available under section 149.43 of the 544 Revised Code. 545

(C) When the Joint Legislative Ethics Committee renders a written opinion that has been privately sought and that relates to a special set of circumstances involving ethics, conflicts of interest, or financial disclosure under Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the written opinion does not have the legal effect of an advisory opinion issued under division (B) of this section. When the Joint Legislative Ethics Committee renders a written opinion that has been privately sought, the written opinion is not a public record available under section 149.43 of the Revised Code.

The person to whom a written opinion is issued under this556division may request the committee to issue the written opinion557as an advisory opinion. The person may make the request at any558time within thirty days after the written opinion is issued and559

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prior to committing any proposed action discussed in the written 560 opinion. Upon receiving a timely request and with the approval 561 of a majority of the members of the committee, the committee may 562 issue the written opinion as an advisory opinion. If the 563 committee issues the written opinion as an advisory opinion, the 564 advisory opinion has the same legal effect as an advisory 565 opinion issued under division (B) of this section and is a 566 public record available under section 149.43 of the Revised 567 Code. If the person commits any proposed action discussed in the 568 written opinion before the committee issues the written opinion 569 as an advisory opinion, the advisory opinion grants no immunity 570 to the person regarding any action that is discussed in the 571 written opinion and that the person commits before the committee 572 issues the written opinion as an advisory opinion. 573

(D) The Joint Legislative Ethics Committee shall issue an advisory opinion under division (B) of this section or a written opinion under division (C) of this section, whether it is publicly or privately sought, only at a meeting of the committee and only with the approval of a majority of the members of the committee.

(E) All requests for an opinion shall be submitted in 580 writing by the member or employee of or candidate for the 581 General Assembly or employee of any legislative agency who 582 desires the opinion and shall state in the request whether the 583 opinion is being publicly or privately sought. If the request 584 fails to state whether the opinion is being publicly or 585 privately sought, the committee shall consider the opinion to be 586 privately sought. The committee shall issue in writing all 587 advisory opinions that have been publicly sought, appropriately 588 number them, and make them available for public inspection. The 589 Joint Legislative Ethics Committee shall conduct all of its 590 proceedings surrounding the rendering of an opinion so as to 591 protect the confidentiality of those named in the request for 592

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the opinion.

Section 13. CONSIDERATION AND HEARING OF COMPLAINTS

(A) (1) The Joint Legislative Ethics Committee shall 595 receive, and may initiate, complaints concerning breach of 596 privilege and complaints against members and employees of and 597 candidates for the General Assembly and employees of any 598 legislative agency concerning conduct alleged to be misconduct, 599 a violation of Chapter 102. or section 2921.42 or 2921.43 of the 600 Revised Code, or this Code of Ethics. All The committee shall 601 receive complaints from any person concerning conduct alleged to 602 be a violation of Chapter 102. or section 2921.42 or 2921.43 of 603 the Revised Code. The committee shall receive complaints only 604 from members and employees of the General Assembly and from 605 employees of any legislative agency concerning breach of 606 privilege, conduct alleged to be misconduct, or conduct alleged 607 to be a violation of this Code of Ethics. 608

<u>All</u> complaints except those by the committee shall be by affidavit made on personal knowledge, subject to the penalties of perjury. A complaint by the committee shall be by affidavit, based upon facts that constitute reasonable cause to believe that a breach of privilege, misconduct, or a violation of this Code of Ethics or Chapter 102. or section 2921.42 or 2921.43 of the Revised Code has occurred. The complaint shall not contain innuendo, speculative assertions, or conclusory statements.

At the first meeting of the committee in each calendar 617 year, the chairperson of the committee for that year shall 618 appoint an investigation subcommittee. The subcommittee shall 619 consist of the chairperson of the committee for that year and a 620 member of the committee who is a member of the chamber and 621 political party of which the chairperson is not a member. This 622 subcommittee shall have the authority to issue subpoenas 623 regarding complaints referred to it and approve depositions by 624

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the Office of the Legislative Inspector General.

(2) A complaint other than a complaint by the committee 626 shall be filed with the executive director of the Office of the 627 Legislative Inspector General of the Joint Legislative Ethics 628 629 Committee. Upon receiving the complaint, the executive director or the executive director's designee shall gather, if necessary, 630 preliminary facts surrounding the complaint for presentation to 631 the chairperson or committee. Thereafter, the executive director 632 shall seal the complaint and deliver it to the chairperson of 633 the Joint Legislative Ethics Committee. A complaint by the 634 committee shall be drafted by the legal counsel of the Office of 635 the Legislative Inspector General, and, if at least eight 636 members of the committee approve the draft complaint, the draft 637 complaint shall be a complaint by the committee and shall be 638 filed with the Office of the Legislative Inspector General and 639 delivered to the chairperson of the committee. 640

Within fourteen days after the filing of a complaint by a 641 complainant, the chairperson shall notify the complainant that 642 the complaint has been filed with the committee, that all 643 further proceedings of the committee are confidential, that the 644 committee is required to dismiss the complaint if it is not 645 disposed of within six months after the complaint is filed, and 646 that, if a report dealing with the complaint has not been 647 published in the House or Senate Journal, as appropriate, within 648 that time, the complaint has been dismissed because no violation 649 was found to have been committed by the accused person. Within 650 fourteen days after the filing of any complaint, the chairperson 651 shall deliver a copy of the complaint to the accused person and 652 shall notify the accused person that the accused person may 653 file, within twenty days after receiving the copy, a written 654 response to the complaint with the executive director of the 655 Office of the Legislative Inspector General and, if desired, may 656 657 file in addition to the written response a request to appear

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personally before the committee to answer to the complaint. The executive director immediately shall seal the written response to the complaint, the request, or both and deliver the written response, the request, or both to the chairperson.

Within forty-five days after the filing of any complaint 662 and at least twenty days after the chairperson has delivered a 663 copy of the complaint to the accused person, the chairperson 664 shall convene a meeting of the committee regarding the 665 complaint. If at least eight members of the committee find that 666 the complaint before the committee is not frivolous and that the 667 facts alleged constitute on their face a breach of privilege, 668 misconduct, a violation of this Code of Ethics, or a violation 669 of Chapter 102. or section 2921.42 or 2921.43 of the Revised 670 Code, the committee shall refer the complaint to the Office of 671 the Legislative Inspector General for further investigation and 672 may delegate to the investigation subcommittee appointed 673 pursuant to division (A)(1) of this section the authority to 674 issue subpoenas regarding a given complaint or other matter. The 675 chairperson of the committee shall notify the accused of the 676 referral. Unless eight members of the committee find that the 677 complaint before the committee alleges facts that, on their 678 face, constitute a breach of privilege, misconduct, a violation 679 of this Code of Ethics, or a violation of Chapter 102. or 680 sections 2921.42 or 2921.43 of the Revised Code, the committee 681 shall dismiss the complaint. 682

(B) The Office of the Legislative Inspector General shall 683 investigate each complaint referred to it by the committee and 684 shall investigate any other matters as directed by the 685 committee. The Office of the Legislative Inspector General may 686 request further information from the complainant, any person 687 presenting charges to the committee, the accused person if the 688 information sought is directly relevant to a complaint or 689 charges received by the committee pursuant to this section, and 690

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any other person it believes may have information pertaining to 691 the complaint or other matter referred for investigation to the 692 Office of the Legislative Inspector General. It may request the 693 committee to issue a subpoena to obtain any necessary 694 information. Upon the approval of the investigation subcommittee 695 appointed pursuant to division (A)(1) of this section, the 696 Office of the Legislative Inspector General may depose any 697 person. Any person interviewed or deposed by the Office of the 698 Legislative Inspector General may be represented by an attorney. 699 The substance of any request for further information and the 700 information provided pursuant to any request are confidential. 701 Except as otherwise provided in this section, the person from 702 whom information is requested shall not divulge the substance of 703 the committee's request to any person other than the person's 704 attorney and shall not divulge the information provided in 705 response to the request to any person other than the person's 706 attorney and any person necessary to prepare the information for 707 delivery to the committee. Except as otherwise provided in this 708 section, no attorney or person who prepares information for 709 delivery to the committee shall divulge the substance of the 710 committee's request or the information provided in response to 711 the request. 712

Upon the completion of an investigation based on a 713 complaint referred to the Office of the Legislative Inspector 714 General, the executive director, or the executive director's 715 designee, shall present to the committee the executive 716 director's or designee's preliminary findings with respect to 717 the facts and evidence gathered regarding the complaint. Upon 718 receiving the preliminary findings, the committee, upon a vote 719 of at least eight members of the committee, may refer the 720 complaint back to the Office of the Legislative Inspector 721 General for further investigation, hold a hearing pursuant to 722 divisions (E) and (G) of this section, order remedial action 723

pursuant to division (E) of this section, or dismiss the complaint.

Upon the completion of an investigation of any other matter referred to the Office of the Legislative Inspector General, the executive director or the executive director's designee shall 728 present to the committee the executive director's or designee's 729 preliminary findings with respect to the facts and evidence 730 gathered regarding the matter referred. Upon receiving the 731 preliminary findings, the committee, upon a vote of at least 732 eight members of the committee, may refer the matter back to the 733 Office of the Legislative Inspector General for further 734 investigation, request that a complaint be drafted by the legal 735 counsel of the Office of the Legislative Inspector General, 736 terminate the investigation, or hold a hearing pursuant to 737 division (E) of this section. 738

Before the fifth day of each month, the executive director of the Office of the Legislative Inspector General shall make a report, in writing, to the committee regarding the status of any ongoing investigation that the committee referred to the Office of the Legislative Inspector General.

(C) Before the committee takes any formal action against a person who is the subject of an investigation based upon a complaint filed with the committee, the committee shall consider the complaint.

(D) The committee may defer action on a complaint against 748 members and employees of and candidates for the General Assembly 749 and employees of any legislative agency when the complaint 750 alleges conduct that at least eight members of the committee 751 find reason to believe is being reviewed by appropriate law 752 enforcement or regulatory authorities, or when at least eight 753 members of the committee determine that it is appropriate for 754 the conduct alleged in the complaint to be reviewed initially by 755

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law enforcement or regulatory authorities.

(E) (1) If, in any case in which a complaint is filed with 757 the committee, at least eight members of the committee find that the complaint is not frivolous and there is reasonable cause to believe that the facts alleged in the complaint constitute a breach of privilege, misconduct, or a violation of Chapter 102. 761 or section 2921.42 or 2921.43 of the Revised Code, or this Code 762 of Ethics, the committee shall hold a hearing. At the hearing, 763 the legal counsel of the Office of the Legislative Inspector 764 General shall present to the committee the case against the 765 accused person, introduce evidence, call witnesses, and cross-766 examine witnesses. The chairperson of the committee shall make 767 all rulings regarding procedure and the admissibility of 768 evidence. The hearing and all related proceedings of the 769 committee are absolutely confidential as provided under this 770 Code of Ethics and section 102.06 of the Revised Code. No member 771 or employee of the committee, person who staffs or otherwise 772 serves the committee, witness, or other person shall divulge any 773 information about the hearing or related proceedings, except 774 that a witness and the complainant may consult with an attorney 775 before and after the hearing and any related proceeding, any 776 witness may be represented by an attorney while the witness is 777 being examined or cross-examined, the accused person may be 778 represented by an attorney at all stages of the proceedings, and 779 the attorney of the accused person may attend all hearings and 780 related proceedings of the committee. 781

(2) If, in any case in which a complaint is filed with the 782 committee, at least eight members of the committee find that the 783 784 complaint is frivolous or that there is no reasonable cause to believe that the charge or complaint constitutes a breach of 785 privilege, misconduct, or a violation of Chapter 102. or section 786 2921.42 or 2921.43 of the Revised Code, or this Code of Ethics, 787 the committee shall dismiss the complaint and notify the accused 788

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person in writing of the dismissal of the complaint. If the committee so dismisses the complaint, the committee shall not issue a report of its findings unless the accused person requests a report. If the accused person requests a report, the committee shall issue a report in accordance with division (F) (2) of this section.

(3) If, in any case in which a complaint is filed with the 795 committee, the committee finds by unanimous concurrence of its 796 membership that there is reasonable cause to believe that the 797 charges presented constitute a breach of privilege, misconduct, 798 or a violation of this Code of Ethics but do not constitute a 799 violation of Chapter 102. or section 2921.42 or 2921.43 of the 800 Revised Code and also finds by unanimous concurrence of its 801 membership that the breach of privilege, misconduct, or 802 violation was in good faith and without wrongful intent and the 803 person has taken or will take suitable remedial action, it may 804 order the person to take any further remedial action it 805 considers necessary and, upon satisfaction that any order it 806 makes is complied with, terminate the investigation, with the 807 concurrence of the accused person. If an investigation is so 808 terminated, the committee shall not issue a report of its 809 findings unless the accused person requests a report. If the 810 accused person requests a report, the committee shall issue a 811 report in accordance with division (F) (2) of this section. If 812 the accused person fails to comply with an order of the 813 committee, the committee, upon concurrence of at least eight of 814 its members, shall proceed with the original complaint filed 815 against the person. 816

(F)(1) If, upon the basis of the hearing, at least eight members of the committee find, based upon a preponderance of the evidence, that the facts alleged in the complaint are true and constitute a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the committee, upon concurrence of

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at least eight of its members, shall order the Office of the 822 Legislative Inspector General to prepare a report of the 823 committee's findings to the appropriate prosecuting authority or 824 other appropriate body for proceedings in prosecution of the 825 violations and, in accordance with division (F)(1) of this 826 section, issue a report to the General Assembly recommending 827 reprimand, censure, expulsion, or other sanction the committee 828 considers appropriate. Upon acceptance by at least eight members 829 of the committee of the report to the appropriate prosecuting 830 authority or other appropriate body, the committee shall report 831 its findings to the appropriate prosecuting authority, the 832 Elections Commission, or other appropriate body. This report is 833 the investigative report described in division (E) of section 8.34 101.34 of the Revised Code and shall contain any findings of 835 fact and conclusions of law made by the committee. This report 836 shall not contain any papers, records, affidavits, or documents 837 upon any complaint, inquiry, or investigation relating to the 838 proceedings of the committee. If at least eight members of the 839 committee find, based upon a preponderance of the evidence, that 840 the facts alleged in the complaint are true and constitute a 841 violation of division (B) of section 102.031 of the Revised 842 Code, the committee may impose a fine of not more than one 843 thousand dollars upon the member. 844

(2) If, upon the basis of the hearing, at least eight 845 members of the committee find, based upon a preponderance of the 846 evidence, that a breach of privilege has been committed or that 847 a member or employee of or candidate for the General Assembly or 848 employee of any legislative agency has violated a provision of 849 this Code of Ethics that is not a violation of Chapter 102. or 850 section 2921.42 or 2921.43 of the Revised Code, or has committed 851 misconduct, the committee, upon concurrence of at least eight of 852 its members and in accordance with division (F)(1) of this 853 section, may issue a report recommending reprimand, censure, 854

expulsion, or other sanction the committee considers appropriate 855 or, upon a finding by unanimous concurrence of its membership 856 that the breach of privilege, misconduct, or violation was in 857 good faith and without wrongful intent and the person has taken 858 or will take suitable remedial action, may order the person to 859 take any further remedial action it considers necessary and, 860 upon satisfaction that any order it makes is complied with, 861 dismiss the complaint without issuing a report of its findings, 862 unless the accused person requests a report. If the accused 863 person requests a report, the committee shall issue a report in 864 accordance with division (F)(2) of this section. If the person 865 fails to comply with an order of the committee, the committee, 866 upon concurrence of eight of its members, shall recommend some 867 sanction. 868

(3) If, upon the basis of the hearing, at least eight 869 members of the committee do not find, based upon a preponderance 870 of the evidence, that the facts alleged in a complaint 871 constitute a breach of privilege, misconduct, or a violation of 872 Chapter 102. or section 2921.42 or 2921.43 of the Revised Code 873 or this Code of Ethics, the committee shall dismiss the 874 complaint. The complaint shall also be dismissed if the 875 committee has not conducted a hearing within ninety days after 876 the complaint is filed with the committee, or if the committee 877 has not finally disposed of the complaint within six months 878 after the complaint is filed with the committee. The committee 879 shall notify the accused person in writing of the dismissal of 880 the complaint. The committee shall not issue a report of its 881 findings unless the accused person requests a report. If the 882 accused person requests a report, the committee shall issue a 883 report in accordance with division (F)(2) of this section. If 884 the committee issues the report, all evidence and the record of 885 the hearing shall remain confidential unless the accused person 886 also requests that the evidence and record be made public. Upon 887

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request by the accused person, the committee shall make the 888 evidence and the record available for public inspection. 889

(G) (1) Any report of the committee that is issued pursuant 890 to division (E)(1) of this section and contains a finding that 891 the facts in the complaint are true and constitute a violation 892 of Chapter 102. or section 2921.42 or 2921.43 of the Revised 893 Code, or that is issued pursuant to division (E)(2) of this 894 section and contains a finding that a breach of privilege, 895 misconduct, or violation of this Code of Ethics has occurred and 896 recommends reprimand, censure, expulsion, or another appropriate 897 sanction, shall be entered in the House Journal and the Senate 898 Journal. The House of Representatives and the Senate shall vote 899 on approval of any report entered in the House or Senate Journal 900 in accordance with this division. Concurrence of two-thirds of 901 the members of both the House and the Senate shall be necessary 902 for approval of the report, and, upon approval, any recommended 903 sanction shall be imposed immediately. 904

(2) If the investigation of the committee results in a 905 finding that a complaint that is filed is frivolous or that no 906 misconduct, breach of privilege, or violation of Chapter 102. or 907 section 2921.42 or 2921.43 of the Revised Code or this Code of 908 Ethics has been committed or if the committee terminates an 909 investigation or dismisses a complaint pursuant to division (E) 910 (2) or (3) of this section, the committee shall not issue a 911 report of its findings unless the accused person requests a 912 report. If the accused person requests a report, the committee 913 shall issue a report and publish it in the House Journal, if the 914 accused person is a member or employee of, or candidate for, the 915 House of Representatives, or the Senate Journal, if the accused 916 person is a member or employee of, or candidate for, the Senate 917 or an employee of any legislative agency. A report published in 918 the House or Senate Journal under division (F)(2) of this 919 920 section does not require a vote by the House or Senate.

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(H) A person against whom a complaint is filed shall be 921 given by certified mail, return receipt requested, or by 922 personal service reasonable notice of the date, time, and place 923 of the hearing and a statement of the charges and the law or 924 provision directly involved, and shall be granted the following 925 rights: to be represented by counsel, to have counsel appointed 926 for the person if the person is unable to afford counsel without 927 undue hardship, to examine the evidence against the person, to 928 have access to all information relative to the complaint that is 929 in the possession or knowledge of the committee or the Office of 930 the Legislative Inspector General, to produce evidence and to 931 call and subpoena witnesses in the person's defense, to confront 932 the person's accusers, to cross-examine witnesses, to have a 933 stenographic record made of the hearing, to have the hearing 934 follow the rules of evidence applicable to the courts of this 935 state, and to have the hearing closed to the public. A person, 936 with the approval of the committee, may waive any or all of such 937 rights by executing a written waiver and filing it with the 938 committee. 939

(I) The chairperson of the committee and the executive 940 director and chief legal counsel of the Office of the 941 Legislative Inspector General may administer oaths, and the 942 committee or the investigation subcommittee appointed pursuant 943 to division (A)(1) of this section may issue subpoenas to any 944 person in the state compelling the attendance of witnesses and 945 the production of relevant papers, books, accounts, and records. 946 The committee or the investigation subcommittee shall issue 947 subpoenas to compel the attendance of witnesses and the 948 production of documents upon the request of an accused person. 949 Section 101.42 of the Revised Code shall govern the issuance of 950 such subpoenas insofar as applicable. Upon the refusal of any 951 person to obey a subpoena, be sworn, or answer as a witness, the 952 committee or the investigation subcommittee may apply to the 953

Court of Common Pleas of Franklin County under section 2705.03 954 of the Revised Code. The court shall hold proceedings in 955 accordance with Chapter 2705. of the Revised Code. The 956 committee, the Office of the Legislative Inspector General, or 957 the accused person may take the depositions of witnesses 958 residing within or without the state in the same manner as 959 prescribed by law for the taking of depositions in civil actions 960 in the court of common pleas. 961

(J) (1) All complaints, papers, records, affidavits, and 962 documents upon any complaint, inquiry, or investigation relating 963 to the proceedings of the committee shall be sealed and are 964 private and confidential, except as otherwise provided in this 965 section. The substance of any charges received by the committee 966 and of any request made by the committee for further 967 information, any information received by the committee, all 968 testimony and other evidence presented during a hearing, and all 969 committee discussions are private and confidential, except as 970 otherwise provided in this section. No person serving on or 971 employed in the service of the committee, or employee of the 972 Office of the Legislative Inspector General who staffs or 973 otherwise assists the committee or the Office of the Legislative 974 Inspector General employee who staffs the committee shall 975 divulge any of the following: 976

(a) Any matter concerning a complaint after it is filedwith the executive director of the Office of the LegislativeInspector General;

(b) In the case of complaints initiated by the committee,
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any matter concerning a complaint after the matter is under
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investigation by the committee, whether before or after a
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complaint is filed;
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(c) Any other information that is made private and984confidential by this section.985

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(2) The requirement of confidentiality set forth in 986 division (I)(1) of this section includes without limitation 987 divulging any matter to members or employees of the House or 988 Senate or employees of any legislative agency who are not 989 members of or assigned to the committee or to any employees of 990 the Office of the Legislative Inspector General who are not 991 assigned to staff the committee or do not assist any Office of 992 the Legislative Inspector General employee assigned to staff the 993 committee, but does not prevent any of the following: 994

(a) The issuance of a final report by the committee or any995commentary upon the contents of the final report;996

(b) Discussion of any complaint, request for an advisory
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opinion, charges presented to the committee, information related
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to a complaint, to an advisory opinion request, or to charges
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presented to the committee, proceedings of the committee, or
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other papers, records, affidavits, documents, or proceedings
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that are made private and confidential by this section between
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the members of the committee and any of the following:

(i) Any employees or staff of the committee;

(ii) Any employees of the General Assembly assigned to
serve the committee, and any employee who serves as legal
counsel for a caucus of the General Assembly;
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(iii) Any employees of the Office of the LegislativeInspector General assigned to staff the committee;1009

(iv) Any other persons employed by or assigned to serve the 1010 committee. 1011

(c) The preparation of any documents necessary for the1012operation of the committee by employees of the General Assembly1013assigned to the committee chairperson, employees of the General1014Assembly assigned to staff the committee, or employees of the1015Office of the Legislative Inspector General who assist the1016

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Office of the Legislative Inspector General employee assigned to1017staff the committee, except that any confidentiality1018requirements of this section applicable to the members of the1019committee shall apply to the employees of the General Assembly,1020committee, or Office of the Legislative Inspector General who1021prepare those documents.1022

(K) If a complaint filed with the committee alleges a violation by a member of the committee, the member against whom the allegation is made shall not vote on the matter. The committee shall conduct no business concerning complaints unless a majority of its members are present.

(L) The committee shall deliver all notices and otherdocuments by certified mail, return receipt requested, or bypersonal service.

(M) Within fourteen days after the final disposition of a
complaint, either by dismissal or by referral to the appropriate
prosecuting authority, the committee shall notify the
complainant of the dismissal or referral by certified mail,
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return receipt requested, or by personal service.

Section 14. AMENDMENTS TO THE ETHICS CODE

The Joint Legislative Ethics Committee may recommend1037amendments to this Code of Ethics at any time by proposing to1038the General Assembly a concurrent resolution containing the1039desired amendments.1040

Section 15. DISTRIBUTION OF ETHICS CODE

Each member and employee of the General Assembly and each1042employee of any legislative agency shall be given a copy of this1043Code of Ethics within ten days after its adoption.1044

Section 16. APPLICATION TO 136th<u>137th</u> GENERAL ASSEMBLY 1045 The Code of Ethics for the 135th<u>136th</u> General Assembly 1046

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