



General Assembly

## ***Amendment***

***January Session, 2015***

**LCO No. 7671**



Offered by:

SEN. FASANO, 34<sup>th</sup> Dist.  
SEN. WITKOS, 8<sup>th</sup> Dist.  
SEN. BOUCHER, 26<sup>th</sup> Dist.  
SEN. CHAPIN, 30<sup>th</sup> Dist.  
SEN. FORMICA, 20<sup>th</sup> Dist.  
SEN. FRANTZ, 36<sup>th</sup> Dist.  
SEN. GUGLIELMO, 35<sup>th</sup> Dist.  
SEN. HWANG, 28<sup>th</sup> Dist.

SEN. KANE, 32<sup>nd</sup> Dist.  
SEN. KELLY, 21<sup>st</sup> Dist.  
SEN. KISSEL, 7<sup>th</sup> Dist.  
SEN. LINARES, 33<sup>rd</sup> Dist.  
SEN. MARKLEY, 16<sup>th</sup> Dist.  
SEN. MARTIN, 31<sup>st</sup> Dist.  
SEN. MCLACHLAN, 24<sup>th</sup> Dist.

To: Subst. Senate Bill No. **847**

File No. 612

Cal. No. 350

### ***"AN ACT ESTABLISHING A MUNICIPAL ETHICS TASK FORCE."***

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective from passage*) (a) Any member of the  
4 Senate may submit a complaint, under penalty of false statement,  
5 concerning alleged misconduct by a member of the Senate to the  
6 president pro tempore of the Senate and the minority leader of the  
7 Senate. Not later than seven days after receipt of such a complaint, the  
8 president pro tempore shall appoint a bipartisan committee on ethics  
9 that shall consist of six members, three of whom shall be appointed  
10 with the concurrence of the minority leader of the Senate. The

11 president pro tempore shall appoint two cochairpersons of the  
12 committee, one of whom shall be appointed upon the recommendation  
13 of the minority leader of the Senate. Such committee shall have  
14 cognizance of any official Senate action in response to any such  
15 complaint or misconduct by any member of the Senate.

16 (b) Any member of the House of Representatives may submit a  
17 complaint, under penalty of false statement, concerning alleged  
18 misconduct by a member of the House of Representatives to the  
19 speaker of the House of Representatives and the minority leader of the  
20 House of Representatives. Not later than seven days after receipt of  
21 such a complaint, the speaker of the House of Representatives shall  
22 appoint a bipartisan committee on ethics that shall consist of six  
23 members, three of whom shall be appointed by the minority leader of  
24 the House of Representatives. The speaker of the House of  
25 Representatives shall appoint two chairpersons of the committee, one  
26 of whom shall be appointed upon the recommendation of the minority  
27 leader of the House of Representatives. Such committee shall have  
28 cognizance of any official House of Representatives' action in response  
29 to any such complaint or misconduct by any member of the House of  
30 Representatives.

31 (c) As used in this section, "misconduct" means (1) any conviction or  
32 finding by a state agency of a substantial violation of state or federal  
33 election laws, or of the state code of ethics, or (2) any legal wrong that  
34 materially impairs the ability of the member to perform the duties of  
35 his or her office or that substantially undermines public trust and  
36 confidence in the Senate or House of Representatives, as applicable.  
37 Nothing in this section shall be construed to affect the powers and  
38 duties of the Office of State Ethics or the Citizen's Ethics Advisory  
39 Board. The provisions of subsections (d) to (i), inclusive, of this section  
40 set forth the procedures and requirements for any committee  
41 established in accordance with subsection (a) or (b) of this section.

42 (d) A quorum, consisting of not less than two members of each  
43 caucus, shall be required to conduct any official business of the

44 committee. All committee decisions shall require four affirmative  
45 votes.

46 (e) The committee shall conduct a preliminary investigation into any  
47 such complaint received pursuant to subsection (a) or (b) of this  
48 section. In the event that a complaint concerns alleged misconduct by  
49 the president pro tempore of the Senate, the duties of the president pro  
50 tempore under this section shall become the duties of the majority  
51 leader of the Senate. If such complaint concerns alleged misconduct of  
52 the minority leader of the Senate, the duties of the minority leader of  
53 the Senate under this section shall become the duties of the minority  
54 leader pro tempore of the Senate. If such complaint concerns alleged  
55 misconduct by the speaker of the House of Representatives, the duties  
56 of the speaker under this section shall become the duties of the  
57 majority leader of the House of Representatives. If such complaint  
58 concerns alleged misconduct of the minority leader of the House of  
59 Representatives, the duties of the minority leader shall become the  
60 duties of one of the deputy minority leaders of the House of  
61 Representatives.

62 (f) Any such preliminary investigation of a complaint shall be  
63 confidential and not subject to disclosure. Upon the conclusion of any  
64 preliminary investigation, the committee shall vote to either (1)  
65 dismiss the complaint, or (2) make a finding of probable cause that  
66 misconduct has occurred. Upon a finding of probable cause by the  
67 committee, all information relating to the preliminary investigation  
68 shall, to the extent allowed by state and federal law, be made available  
69 to the public.

70 (g) The committee shall undertake a full investigation only after a  
71 finding of probable cause. All information relating to a full  
72 investigation shall, to the extent allowed by state and federal law, be  
73 made available to the public. All proceedings relating to a full  
74 investigation shall be open to the public. Upon the completion of a full  
75 investigation, the committee shall report its findings and  
76 recommendation in the form of a resolution to be voted upon by the

77 Senate or House of Representatives, as applicable. Such  
 78 recommendation shall include one of the following: (1) Expulsion, (2)  
 79 censure, (3) reprimand, or (4) no action. The full Senate or House of  
 80 Representatives, as applicable, shall vote on any such resolution not  
 81 later than ten days after the committee reports out any such resolution.

82 (h) The subject of any such complaint or investigation may be  
 83 represented by counsel and may appear before the committee on his or  
 84 her own behalf.

85 (i) The committee shall adopt rules and procedures to govern its  
 86 proceedings. Such rules shall include, but not be limited to, standards,  
 87 rules and methodology for conducting such preliminary and full  
 88 investigation, respectively."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	New section