

Senate Study Bill 3172

Bill Text

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1 1 Section 1. Section [68B.31](#), subsection 6, unnumbered
1 2 paragraph 1, Code 2001, is amended to read as follows:
1 3 The ethics committee shall promptly notify any party
1 4 alleged to have committed a violation of the code of ethics,
1 5 rules governing lobbyists, or this chapter of the filing of a
1 6 complaint by causing a copy of the complaint to be served or
1 7 personally delivered to the party charged, unless service is
1 8 waived by the party charged, and shall review the complaint to
1 9 determine if the complaint meets the requirements for formal
1 10 sufficiency. If the complaint is deficient as to form, the
1 11 complaint shall be returned to the complainant with a
1 12 statement of the nature of the deficiency and the party
1 13 charged in the complaint shall be notified that the complaint
1 14 has been returned. If a complaint, previously found to be
1 15 deficient as to form, is refiled in different form, the party
1 16 charged in the complaint shall be provided with a copy of the
1 17 new document in the same manner as provided for service of the
1 18 initial complaint. Any amendments to a complaint that are
1 19 filed with the committee shall also be served or personally
1 20 delivered, unless service is waived, to the party charged in
1 21 the complaint. If the complaint is sufficient as to form, the
1 22 chairperson and ranking member of the ethics committee shall
1 23 make a determination of whether the complaint is frivolous.
1 24 The complaint shall be dismissed and the ethics committee
1 25 shall be notified if the chairperson and ranking member
1 26 determine the complaint to be frivolous. If the complaint is
1 27 not determined to be frivolous, the ethics committee shall
1 28 review the complaint to determine whether the complaint states
1 29 a valid charge which may be investigated. A valid complaint
1 30 must allege all of the following:

EXPLANATION

1 31
1 32 This bill relates to procedure for ethics complaints. The
1 33 bill provides that prior to an ethics committee making a
1 34 determination of whether an ethics complaint states a valid
1 35 charge which may be investigated, the chairperson and ranking
2 1 member of the ethics committee shall make a determination of
2 2 whether the complaint is frivolous. The bill provides that
2 3 the complaint shall be dismissed and the ethics committee
2 4 shall be notified if the chairperson and ranking member
2 5 determine the complaint to be frivolous. The bill provides
2 6 that, if the complaint is not determined to be frivolous, the
2 7 ethics committee shall review the complaint to determine
2 8 whether the complaint states a valid charge which may be
2 9 investigated.
2 10 LSB 6716SC 79
2 11 tm/cf/24.1