

Drake, McKean, Kibbie

SSB 3172
State Government

Succeeded By
S HF 2281

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL
BY CHAIRPERSON KING)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to procedure for ethics complaints.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 68B.31, subsection 6, unnumbered
2 paragraph 1, Code 2001, is amended to read as follows:

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

31 EXPLANATION

32 This bill relates to procedure for ethics complaints. The
33 bill provides that prior to an ethics committee making a
34 determination of whether an ethics complaint states a valid
35 charge which may be investigated, the chairperson and ranking

1 member of the ethics committee shall make a determination of
2 whether the complaint is frivolous. The bill provides that
3 the complaint shall be dismissed and the ethics committee
4 shall be notified if the chairperson and ranking member
5 determine the complaint to be frivolous. The bill provides
6 that, if the complaint is not determined to be frivolous, the
7 ethics committee shall review the complaint to determine
8 whether the complaint states a valid charge which may be
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3/18/02 Returned to State Gov.

FILED FEB 21 2002

SENATE FILE 2281
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 3172)

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Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
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SENATE FILE 2281
-5101
1 Amend Senate File 2281 as follows:
2 1. Page 1, line 3, by inserting after the word
3 "committee" the following: "as provided by rule,".
4 By RICHARD F. DRAKE
5 JOHN P. KIBBIE
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5101 FILED MARCH 4, 2002

SF 2281

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