Independent Ethics Commissions in the United States and U.S. Territories

Anthony Jenouri and Chel Miller

Edited by Chel Miller and Patrick A. Woods

With contributions by staff of the Government Law Center and Albany Law School students
Erika Bentley, Harris Bresowsky, and Dedeou Diarra

December 2022

Cover image: Detail of the exterior of the New York State Supreme Court Building, formerly known as the New York County Courthouse. The frieze bears the inscription “The true administration of justice is the firmest pillar of good government,” a quotation attributed to George Washington. Washington’s original statement, in a letter to Attorney General Edmund Randolph on September 28, 1789, was, “The due administration of justice is the firmest pillar of good government.”
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ABOUT THE REPORT

This report is the culmination of a nationwide survey of the structure and procedures of independent government ethics oversight bodies. The report illustrates the myriad ways in which state/territorial governments have attempted to promote ethics and address corruption in government across the United States. The accompanying appendix provides a state-by-state comparison of the structures and procedures of government ethics oversight bodies in each jurisdiction.

The underlying research covers jurisdictions in almost all states and territories in the United States. The following states and territories do not have an independent government ethics oversight body: American Samoa, Arizona, Idaho, Northern Mariana Islands, the U.S. Virgin Islands, and Wyoming. Therefore, these jurisdictions are not included in the report.

Each state and territory uses different language to refer to independent government ethics oversight bodies. The authors have chosen to refer to such bodies as “commissions” or “the commission” for consistency throughout the report.

The majority of jurisdictions that have created ethics commissions have only one commission. However, six states—Illinois, Kentucky, New Hampshire, New Jersey, Utah, and Washington—have two ethics commissions, with one commission having jurisdiction over the executive branch and the other with jurisdiction over the legislative branch. In this report, such distinctions are noted using parentheses (e.g. “(Executive)” or “(Legislature)”).

In early 2022, a preliminary version of this report was presented to Governor Kathy Hochul to inform the administration’s efforts to overhaul the embattled Joint Ethics Commission on Public Ethics (JCOPE). As the New York Commission on Ethics and Lobbying in Government replaces JCOPE, New York State has entered a new era of ethics oversight in government. Throughout this report, the structure, procedures, and authority of the state’s new ethics commission are highlighted.

This research was conducted by Government Law Center staff, including Mary Berry, Richard Rifkin, and Bennett Liebman, and four Albany Law School students: Anthony Jenouri (Class of 2023; Warren M. Anderson Legislative Fellow, Summer 2022), Erika Bentley (Class of 2022), Harris Bresowsky (Class of 2022), and Dedeou Diarra (Class of
This report was compiled by Anthony Jenouri and Chel Miller, with editorial assistance from Patrick A. Woods.

The Government Law Center provides the nonpartisan legal research and analysis that state and local governments need to better serve their communities. This report is intended to serve as a source of information for government leaders and researchers, rather than a prescriptive document suggesting any particular course of action.
I. CREATION OF GOVERNMENT ETHICS COMMISSIONS

In forty jurisdictions, ethics commissions were established by statute (Table 1.1). Ethics commissions were established by state constitution in eleven states (Table 1.2). In Utah, the Executive Branch Ethics Commission was established by statute, while the Legislative Ethics Commission was established by state constitution and rules of the Utah State Legislature.¹ In New York, the Ethics Commission Reform Act of 2022 established the Commission on Ethics and Lobbying in Government to replace the state’s previous ethics oversight commission, the Joint Commission on Public Ethics (JCOPE).²

Table 1.1: Jurisdictions in which the commission was established solely by statute

<table>
<thead>
<tr>
<th>Alabama</th>
<th>Maine</th>
<th>North Carolina</th>
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<tbody>
<tr>
<td>Alaska</td>
<td>Maryland</td>
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<td>California</td>
<td>Massachusetts</td>
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<td>District of Columbia</td>
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<td>Guam</td>
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<tr>
<td>Illinois (Executive)</td>
<td>Nebraska</td>
<td>Utah (Executive)</td>
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<tr>
<td>Illinois (Legislature)</td>
<td>Nevada</td>
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<td>Indiana</td>
<td>New Hampshire (Executive)</td>
<td>Virginia</td>
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<td>Iowa</td>
<td>New Hampshire (Legislature)</td>
<td>Washington (Executive)</td>
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<td>Kansas</td>
<td>New Jersey (Executive)</td>
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<td>Kentucky (Executive)</td>
<td>New Jersey (Legislature)</td>
<td>West Virginia</td>
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<tr>
<td>Kentucky (Legislature)</td>
<td>New York</td>
<td>Wisconsin</td>
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</tbody>
</table>

² See N.Y. Exec. Law § 94.
Table 1.2: Jurisdictions in which the commission was established by the state constitution

<table>
<thead>
<tr>
<th></th>
<th>Arkansas</th>
<th>Louisiana</th>
<th>Rhode Island</th>
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<tbody>
<tr>
<td>Colorado</td>
<td></td>
<td>New Mexico</td>
<td>Texas</td>
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<td>Florida</td>
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<td>North Dakota</td>
<td>Utah (Legislature)</td>
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<tr>
<td>Hawaii</td>
<td></td>
<td>Oklahoma</td>
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</tbody>
</table>
II. JURISDICTION OF COMMISSIONS

Government ethics oversight commissions are responsible for enforcing government ethics laws in their respective state or territory. However, the jurisdiction of each commission—over whom they may exercise authority—varies widely across the U.S.

Most commissions have jurisdiction over officials and employees in both the executive and legislative branches (Table 2.1), but some have jurisdiction over officials and employees in only one branch of government (tables 2.2 and 2.3). Some, but not all, commissions also have jurisdiction over lobbyists (Table 2.4). In New York, the commission has jurisdiction over public officials and employees in the executive and legislative branches, as well as lobbyists.\(^3\) In North Carolina, the commission also has jurisdiction over officials and employees in the judicial branch.\(^4\)

**Table 2.1: Jurisdictions in which the commission has jurisdiction over officials and employees in the executive and legislative branches**

<table>
<thead>
<tr>
<th>Alabama</th>
<th>Louisiana</th>
<th>Oklahoma</th>
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</thead>
<tbody>
<tr>
<td>Arkansas</td>
<td>Maryland</td>
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<td>California</td>
<td>Massachusetts</td>
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<td>Colorado</td>
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<td>Guam</td>
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<td>Hawaii</td>
<td>New York</td>
<td>West Virginia</td>
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<td>Indiana</td>
<td>North Carolina</td>
<td>Wisconsin</td>
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<tr>
<td>Kansas</td>
<td>North Dakota</td>
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</table>

3 See N.Y. Exec. Law § 94(1)(a).
### Table 2.2: Jurisdictions in which a separate commission has jurisdiction over executive branch officers and employees

<table>
<thead>
<tr>
<th>Illinois</th>
<th>New Hampshire</th>
<th>South Dakota</th>
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<tbody>
<tr>
<td>Iowa</td>
<td>New Jersey</td>
<td>Utah</td>
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<td>Kentucky</td>
<td>Ohio</td>
<td>Washington</td>
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<td>Michigan</td>
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</table>

### Table 2.3: Jurisdictions in which a separate commission has jurisdiction over legislative branch officers and employees

<table>
<thead>
<tr>
<th>Illinois</th>
<th>New Hampshire</th>
<th>Utah</th>
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<tbody>
<tr>
<td>Kentucky</td>
<td>New Jersey</td>
<td>Washington</td>
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<tr>
<td>Maine</td>
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</tbody>
</table>

### Table 2.4: Jurisdictions in which the commission has jurisdiction over lobbyists/principals

<table>
<thead>
<tr>
<th>Alabama</th>
<th>Kentucky (Legislature)</th>
<th>North Carolina</th>
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<tbody>
<tr>
<td>Alaska</td>
<td>Louisiana</td>
<td>North Dakota</td>
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<td>Arkansas</td>
<td>Maine</td>
<td>Oklahoma</td>
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<td>Kansas</td>
<td>New York</td>
<td>Wisconsin</td>
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<tr>
<td>Kentucky (Executive)</td>
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</table>
III. COMMISSION APPOINTMENTS

The process for appointing commission members also varies from one jurisdiction to the next. In several jurisdictions, the executive branch appoints all commission members (Table 3.1). In others, the legislative branch appoints members (Table 3.2). In twenty-four states, appointments are split between the executive and legislative branches (tables 3.3 through 3.5).

Some jurisdictions assign some (or all) appointment power to other entities, such as the judicial branch or civic organizations, including: Colorado (chief justice), Kansas (chief justice), Mississippi (chief justice), Oklahoma (chief justice), Vermont (civic organizations and the chief justice), and Washington's Legislative Ethics Board (certain members of the board). In eight jurisdictions, commission members are appointed from a list of candidates provided by the Legislature, judicial branch, or civic organizations (Table 3.6).

In twenty-two jurisdictions, commission appointments require approval from the legislative branch (Table 3.7). In New York, appointments require approval from an independent review committee, consisting of American Bar Association-accredited New York state law school deans or interim deans, which reviews the qualifications of nominated candidates and approves or rejects each candidate nominated.\(^5\)

**Table 3.1: Jurisdictions in which the executive branch appoints commission members**

<table>
<thead>
<tr>
<th>Alaska</th>
<th>Kentucky</th>
<th>New Jersey (Executive)</th>
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<tbody>
<tr>
<td>California</td>
<td>Delaware</td>
<td>Maine</td>
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<td>Iowa</td>
<td>New Hampshire (Executive)</td>
<td>West Virginia</td>
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</table>

\(^5\) See N.Y. Exec. Law § 94(3)(b).
| Table 3.2: Jurisdictions in which the legislative branch appoints commission members |
| Illinois (Legislature) | New Hampshire (Legislature) | Utah (Legislature) |
| Kentucky (Legislature) | New Jersey (Legislature) |

| Table 3.3: Jurisdictions in which commission appointments are split between executive and legislative branches, but the executive branch selects a majority of the members |
| Alabama | Georgia | Maryland |
| Arkansas | Louisiana | Texas |
| Florida |

| Table 3.4: Jurisdictions in which commission appointments are split between executive and legislative branches, but the legislative branch selects a majority of the members |
| Connecticut | Pennsylvania | Virginia |
| New Mexico | Tennessee | Wisconsin |
| New York |

| Table 3.5: Jurisdictions in which commission appointments are evenly split between the executive and legislative branches, or with other branches |
| Colorado | North Carolina | South Carolina |
| Kansas | North Dakota | Vermont |
| Mississippi | Oklahoma | Washington (Legislature) |
| Nevada |

| Table 3.6: Jurisdictions in which some (or all) commission appointments are selected from a list of candidates |
| Hawaii | Montana | Rhode Island |
| Louisiana | Oregon | Texas |
| Maine | Puerto Rico |
Table 3.7: Jurisdictions in which some (or all) commission appointments are subject to confirmation by the legislative branch

<table>
<thead>
<tr>
<th></th>
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<td>Michigan</td>
<td>Puerto Rico</td>
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<td>Delaware</td>
<td>Minnesota</td>
<td>South Carolina</td>
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<td>District of Columbia</td>
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<td>Louisiana</td>
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IV. COMMISSION MEMBERSHIP ELIGIBILITY AND RESTRICTIONS

Eligibility and restrictions for ethics commission members also vary across jurisdictions. Several jurisdictions prohibit current public officials and candidates, public employees, political party chairs and officials, and lobbyists from serving on ethics commissions (tables 4.1 through 4.4).

Several jurisdictions also prohibit persons who have held public office within a specified period of time prior to their potential appointment. In tables 4.1 through 4.4, such restrictions are noted in parentheses. In New York, no commission member may have served as a public official, public employee, political party official, or lobbyist/principal for a two-year period prior to their appointment.6 This is similar to the limitations in place for the state’s previous ethics commission, the Joint Commission on Public Ethics (JCOPE), but the waiting time provision was shortened from three to two years.7

Some jurisdictions specify how many public officials may serve on the commission or in which branches of government they may serve. For example, Mississippi allows up to four elected officials to serve on the commission.8 In South Dakota, legislators are prohibited from serving on the commission, but public officials in other branches may serve.9 In Table 4.1, such partial restrictions are noted in parentheses.

Political party balance among commission membership is frequently required. In the majority of states/territories, including California, Colorado, and Illinois, the number of commission members who may be affiliated with the same political party is specified. 10 In other jurisdictions, such as Alaska, the appointing entity must select a certain

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7 Another noteworthy change to eligibility requirements in New York is that individuals who have served as a commissioner of an executive agency appointed by the Governor have been added to the list of restrictions.
8 See Miss. Code Ann. § 25-4-5(2).
9 See S.D. Codified Laws § 3-24-1.
number of candidates from each of the two largest political parties in the state.\textsuperscript{11} Political party balance is not required in New York.

In twenty-nine jurisdictions, commission members are prohibited from engaging in partisan political activity (Table 4.5). In New York, commission members are prohibited from making, or soliciting from other individuals, any contributions to candidates, political action committees, political parties or committees, newsletter funds, or political advertisements for election to the several state offices.\textsuperscript{12}

Table 4.1: Jurisdictions in which current public officials and candidates are prohibited from serving on the commission

<table>
<thead>
<tr>
<th>Alabama</th>
<th>Maine</th>
<th>Ohio</th>
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<tbody>
<tr>
<td>Alaska</td>
<td>Maryand</td>
<td>Oklahoma</td>
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<tr>
<td>Arkansas</td>
<td>Massachusetts (1 year)</td>
<td>Oregon</td>
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<tr>
<td>California</td>
<td>Michigan</td>
<td>Pennsylvania</td>
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<tr>
<td>Connecticut (3 years)</td>
<td>Minnesota</td>
<td>Puerto Rico</td>
</tr>
<tr>
<td>Delaware</td>
<td>Mississippi (partial)</td>
<td>Rhode Island (1 year)</td>
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<tr>
<td>District of Columbia</td>
<td>Missouri</td>
<td>South Carolina (8 years)</td>
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<tr>
<td>Georgia (5 years)</td>
<td>Montana</td>
<td>South Dakota (partial)</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Nebraska</td>
<td>Tennessee</td>
</tr>
<tr>
<td>Illinois (Executive)</td>
<td>Nevada</td>
<td>Utah (Executive, 4 years)</td>
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<tr>
<td>Illinois (Legislature)</td>
<td>New Hampshire (Executive, partial)</td>
<td>Utah (Legislature)</td>
</tr>
<tr>
<td>Indiana</td>
<td>New Jersey (Legislature, partial)\textsuperscript{13}</td>
<td>Virginia</td>
</tr>
<tr>
<td>Iowa</td>
<td>New Mexico (2 years)</td>
<td>Washington (Executive)</td>
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<tr>
<td>Kansas (5 years)</td>
<td>New York (2 years)</td>
<td>Washington (Legislature)</td>
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<tr>
<td>Kentucky (Legislature)</td>
<td>North Carolina</td>
<td>West Virginia</td>
</tr>
<tr>
<td>Louisiana (6 months)</td>
<td>North Dakota</td>
<td>Wisconsin</td>
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\textsuperscript{11} See Alaska Stat. § 15.13.020(b).

\textsuperscript{12} Although New York prohibits those who held elected office within two years of appointment, the state does not appear to prohibit candidates for elected office from serving on the Commission. See N.Y. Exec. Law § 94(4)(e).

\textsuperscript{13} New Jersey’s Legislative Ethics Commission bars only legislative officials and candidates from being appointed, not all elected officials. See N.J. Stat. Ann. § 52:13D-22(11)(b).
### Table 4.2: Jurisdictions in which current public employees are prohibited from serving on the commission

<table>
<thead>
<tr>
<th>Jurisdiction</th>
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<tbody>
<tr>
<td>Arkansas</td>
<td>Maryland</td>
<td>North Carolina</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Massachusetts (1 year)</td>
<td>Ohio</td>
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<tr>
<td>District of Columbia</td>
<td>Michigan</td>
<td>Oklahoma</td>
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<td>New Jersey (Legislature)</td>
<td>Utah (Executive)</td>
</tr>
<tr>
<td>Indiana</td>
<td>New Mexico (2 years)</td>
<td>Vermont</td>
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<tr>
<td>Iowa</td>
<td>New York (2 years)</td>
<td>West Virginia</td>
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<tr>
<td>Louisiana (6 months)</td>
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### Table 4.3: Jurisdictions in which current party chairs/officials are prohibited from serving on the commission

<table>
<thead>
<tr>
<th>Jurisdiction</th>
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<tbody>
<tr>
<td>Alabama</td>
<td>Kansas</td>
<td>New York (2 years)</td>
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<tr>
<td>Alaska</td>
<td>Kentucky (Legislature)</td>
<td>North Carolina</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Maine</td>
<td>North Dakota</td>
</tr>
<tr>
<td>California</td>
<td>Maryland</td>
<td>Pennsylvania</td>
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<tr>
<td>Connecticut</td>
<td>Massachusetts</td>
<td>Rhode Island</td>
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<tr>
<td>Delaware</td>
<td>Missouri</td>
<td>Tennessee</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Montana (2 years)</td>
<td>Vermont</td>
</tr>
<tr>
<td>Illinois (Executive)</td>
<td>Nebraska</td>
<td>Washington (Executive)</td>
</tr>
<tr>
<td>Illinois (Legislature)</td>
<td>Nevada</td>
<td>Washington (Legislature)</td>
</tr>
<tr>
<td>Iowa</td>
<td>New Mexico (2 years)</td>
<td>West Virginia</td>
</tr>
</tbody>
</table>
### Table 4.4: Jurisdictions in which current lobbyists/principals are prohibited from serving on the commission

<table>
<thead>
<tr>
<th>Alabama</th>
<th>Louisiana (2 years)</th>
<th>Ohio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Maryland</td>
<td>Rhode Island</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Minnesota</td>
<td>South Carolina (4 years)</td>
</tr>
<tr>
<td>California</td>
<td>Missouri</td>
<td>Tennessee</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Nebraska</td>
<td>Texas</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>District of Columbia</th>
<th>New Hampshire (Executive, 6 months)</th>
<th>Utah (Executive)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>New Hampshire (Legislature, 6 months)</td>
<td>Utah (Legislature)</td>
</tr>
<tr>
<td>Illinois (Executive)</td>
<td>New Jersey (Legislature)</td>
<td>Vermont</td>
</tr>
<tr>
<td>Illinois (Legislature)</td>
<td>New Mexico (2 years)</td>
<td>Washington (Executive)</td>
</tr>
<tr>
<td>Indiana</td>
<td>New York (2 years)</td>
<td>Washington (Legislature)</td>
</tr>
<tr>
<td>Iowa</td>
<td>North Carolina (4 years)</td>
<td>West Virginia</td>
</tr>
<tr>
<td>Kansas (3 years)</td>
<td>North Dakota</td>
<td>Wisconsin</td>
</tr>
</tbody>
</table>

### Table 4.5: Jurisdictions in which commission members are prohibited from engaging in political partisan activity

<table>
<thead>
<tr>
<th>Alabama</th>
<th>Iowa</th>
<th>New York</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Kansas</td>
<td>North Carolina</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Kentucky (Legislature)</td>
<td>Oklahoma</td>
</tr>
<tr>
<td>California</td>
<td>Louisiana</td>
<td>Pennsylvania</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Maine</td>
<td>Puerto Rico</td>
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<tr>
<td>District of Columbia</td>
<td>Massachusetts</td>
<td>Rhode Island</td>
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<tr>
<td>Guam</td>
<td>Minnesota</td>
<td>Tennessee</td>
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<tr>
<td>Hawaii</td>
<td>Missouri</td>
<td>Washington (Executive)</td>
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<tr>
<td>Illinois (Executive)</td>
<td>Nevada</td>
<td>Washington (Legislature)</td>
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<tr>
<td>Illinois (Legislature)</td>
<td>New Hampshire (Executive)</td>
<td>West Virginia</td>
</tr>
<tr>
<td>Indiana</td>
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</tr>
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</table>
Table 4.6: Jurisdictions in which political party balance among commission membership is required

<table>
<thead>
<tr>
<th></th>
<th>Alaska</th>
<th>Kentucky (Legislature)</th>
<th>Ohio</th>
</tr>
</thead>
<tbody>
<tr>
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<td></td>
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<td>Michigan</td>
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<td>South Carolina</td>
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<td>District of Columbia</td>
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<td>Missouri</td>
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<tr>
<td>Illinois (Executive)</td>
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<td>New Hampshire (Executive)</td>
<td>Virginia</td>
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<tr>
<td>Indiana</td>
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<td>New Jersey (Legislature)</td>
<td>Washington (Executive)</td>
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<td>Iowa</td>
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<td>New Mexico</td>
<td>Washington (Legislature)</td>
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<tr>
<td>Kansas</td>
<td></td>
<td>North Carolina</td>
<td>West Virginia</td>
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</tbody>
</table>
V. COMMISSION PROCEDURES

Ethics commissions across the U.S. have different procedures they must follow. In many jurisdictions, a majority of commission members constitutes a quorum, or the number of members who must be present at a meeting before business may legally be conducted (Table 5.1).

In order for the commission to take official action, including initiating investigations, some jurisdictions require an affirmative vote from the majority of total number of commission members (Table 5.2), while others require an affirmative vote from the majority of members present (Table 5.3).

In six jurisdictions, a supermajority (a specified number of members that is higher than a simple majority) is required for the commission to initiate an investigation (Table 5.4). In five jurisdictions, a supermajority is required for the commission to make findings or a determination based on its investigation (Table 5.5). In New York, a supermajority vote was required for JCOPE to take official action, including initiating investigations or due process hearings, under the Public Integrity Reform Act of 2011. However, this requirement was removed under the Ethics Commission Reform Act of 2022.

Most, but not all, ethics commissions in the U.S. have the authority to issue subpoenas for witness attendance, testimony, and records related to matters under investigation by the commission (Table 5.6). Most states/territories require an affirmative vote from the majority of commission members in order to take such action.

In New York, the ethics commission has subpoena authority. In New Jersey, while the state’s executive ethics commission has the authority to issue subpoenas, its legislative ethics commission does not. In

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14 See Public Integrity Reform Act of 2011, N.Y. Exec. Law § 94 (former).
15 See Ethics Commission Reform Act of 2022, N.Y. Exec. Law § 94(4)(h).
17 See N.Y. Exec. Law § 94(5)(c).
Connecticut, the commission may request the Office of State Ethics, within which the commission is housed, to issue a subpoena.\(^{19}\) In Massachusetts, while the state’s ethics commission does not have authority to issue subpoenas, it may request witness attendance, testimony, or records pursuant to a summons.\(^{20}\)

**Table 5.1: Jurisdictions in which at least a majority of members constitutes a quorum**

<table>
<thead>
<tr>
<th>Alaska</th>
<th>Louisiana</th>
<th>Ohio</th>
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<tbody>
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<td>Maine</td>
<td>Oklahoma</td>
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<td>Maryland</td>
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<td>Massachusetts</td>
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<td>Rhode Island</td>
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<td>Delaware</td>
<td>Mississippi</td>
<td>South Carolina</td>
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<td>District of Columbia</td>
<td>Missouri</td>
<td>Tennessee</td>
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<tr>
<td>Georgia</td>
<td>Nebraska</td>
<td>Texas</td>
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<tr>
<td>Illinois (Executive)</td>
<td>New Hampshire (Executive)</td>
<td>Utah (Executive)</td>
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<tr>
<td>Illinois (Legislature)</td>
<td>New Mexico</td>
<td>Utah (Legislature)</td>
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<tr>
<td>Iowa</td>
<td>New York</td>
<td>Virginia</td>
</tr>
<tr>
<td>Kentucky (Executive)</td>
<td>North Carolina</td>
<td>West Virginia</td>
</tr>
<tr>
<td>Kentucky (Legislature)</td>
<td></td>
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</tbody>
</table>

**Table 5.2: Jurisdictions in which a majority vote of the total membership is required for the commission to take official action**

<table>
<thead>
<tr>
<th>California</th>
<th>Kentucky (Executive)</th>
<th>New Hampshire (Executive)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delaware</td>
<td>Kentucky (Legislature)</td>
<td>New Hampshire (Legislature)</td>
</tr>
<tr>
<td>Illinois (Executive)</td>
<td>Massachusetts</td>
<td>New Mexico</td>
</tr>
<tr>
<td>Illinois (Legislature)</td>
<td>Michigan</td>
<td>Oregon</td>
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<tr>
<td>Indiana</td>
<td>Minnesota</td>
<td>Pennsylvania</td>
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<tr>
<td>Iowa</td>
<td>Mississippi</td>
<td>Tennessee</td>
</tr>
<tr>
<td>Kansas</td>
<td>Missouri</td>
<td></td>
</tr>
</tbody>
</table>


Table 5.3: Jurisdictions in which a majority vote of members present is required for the commission to take official action

<table>
<thead>
<tr>
<th>Arkansas</th>
<th>Maine</th>
<th>Pennsylvania</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colorado</td>
<td>Maryland</td>
<td>Rhode Island</td>
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<tr>
<td>Florida</td>
<td>Nebraska</td>
<td>South Dakota</td>
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<tr>
<td>Georgia</td>
<td>New York</td>
<td>Utah (Executive)</td>
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<tr>
<td>Hawaii</td>
<td>Ohio</td>
<td>Wisconsin</td>
</tr>
<tr>
<td>Louisiana</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 5.4: Jurisdictions in which a supermajority is required to initiate an investigation

<table>
<thead>
<tr>
<th>Alabama</th>
<th>Louisiana</th>
<th>South Carolina</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guam</td>
<td>New Mexico</td>
<td>West Virginia</td>
</tr>
</tbody>
</table>

Table 5.5: Jurisdictions in which a supermajority is required to determine the commission’s findings

<table>
<thead>
<tr>
<th>Connecticut</th>
<th>South Carolina</th>
<th>Utah (Executive)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guam</td>
<td>Texas</td>
<td>Utah (Legislature)</td>
</tr>
</tbody>
</table>

Table 5.6: Jurisdictions in which the commission has the authority to issue subpoenas

<table>
<thead>
<tr>
<th>Alabama</th>
<th>Alaska</th>
<th>Arkansas</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Colorado</td>
<td>Delaware</td>
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<tr>
<td>Florida</td>
<td>Georgia</td>
<td>Guam</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Illinois (Executive)</td>
<td>Illinois (Legislature)</td>
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<tr>
<td>Indiana</td>
<td>Iowa</td>
<td>Kentucky (Executive)</td>
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<tr>
<td>Kentucky (Legislature)</td>
<td>Louisiana</td>
<td>Maine</td>
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<td>Maryland</td>
<td>Minnesota</td>
<td>Mississippi</td>
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<td>Missouri</td>
<td>Montana</td>
<td>Nebraska</td>
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<tr>
<td>Nevada</td>
<td>New Hampshire (Executive)</td>
<td>New Hampshire (Legislature)</td>
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<tr>
<td>New Jersey (Executive)</td>
<td>New Mexico</td>
<td>New York</td>
</tr>
<tr>
<td>North Carolina</td>
<td>North Dakota</td>
<td>Ohio</td>
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<tr>
<td>Oklahoma</td>
<td>Oregon</td>
<td>Puerto Rico</td>
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<tr>
<td>Rhode Island</td>
<td>South Carolina</td>
<td>South Dakota</td>
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<tr>
<td>Tennessee</td>
<td>Texas</td>
<td>Utah (Executive)</td>
</tr>
<tr>
<td>Utah (Legislature)</td>
<td>Washington (Executive)</td>
<td>Washington (Legislature)</td>
</tr>
<tr>
<td>West Virginia</td>
<td>Wisconsin</td>
<td></td>
</tr>
</tbody>
</table>

15
VI. DISCIPLINARY AUTHORITY

In thirty-four jurisdictions, ethics commissions have the authority to issue civil discipline, bring lawsuits, or impose fines against alleged violators (Table 6.1). In some jurisdictions, the commission’s disciplinary authority has restrictions. For example, the New York Commission on Ethics and Lobbying in Government is prohibited from imposing penalties upon officials/candidates in the legislative branch; instead, the commission must report its findings and recommendations to a legislative ethics commission after an investigation, due process hearing, and a finding by the majority of the commission that there was substantial basis for finding a violation.21

In sixteen jurisdictions, the commission does not have the authority to issue civil discipline, but may recommend discipline or make a referral to other agencies for enforcement (Table 6.2).

Table 6.1: Jurisdictions in which the commission has authority to issue civil discipline, bring lawsuits, or impose fines

<table>
<thead>
<tr>
<th>Alaska</th>
<th>Louisiana</th>
<th>Oklahoma</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arkansas</td>
<td>Maryland</td>
<td>Pennsylvania</td>
</tr>
<tr>
<td>California</td>
<td>Massachusetts</td>
<td>Puerto Rico</td>
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<td>Colorado</td>
<td>Minnesota</td>
<td>Rhode Island</td>
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<td>Connecticut</td>
<td>Mississippi</td>
<td>South Carolina</td>
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<td>Delaware</td>
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<td>South Dakota</td>
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<tr>
<td>District of Columbia</td>
<td>Nebraska</td>
<td>Tennessee</td>
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<tr>
<td>Georgia</td>
<td>Nevada</td>
<td>Texas</td>
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<tr>
<td>Indiana</td>
<td>New Jersey (Executive)</td>
<td>Washington (Executive)</td>
</tr>
<tr>
<td>Iowa</td>
<td>New Jersey (Legislature)</td>
<td>Washington (Legislature)</td>
</tr>
<tr>
<td>Kansas</td>
<td>New York (Executive only)</td>
<td>West Virginia</td>
</tr>
<tr>
<td>Kentucky (Executive)</td>
<td>North Dakota</td>
<td>Wisconsin</td>
</tr>
<tr>
<td>Kentucky (Legislature)</td>
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</tbody>
</table>

21 See N.Y. Exec. Law § 94(10)(p).
Table 6.2: Jurisdictions in which the commission can only recommend discipline or refer to other agencies for enforcement

<table>
<thead>
<tr>
<th></th>
<th>Alabama</th>
<th>Michigan</th>
<th>Ohio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Guam</td>
<td>Missouri</td>
<td>Oregon</td>
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<tr>
<td>Guam</td>
<td>New Hampshire (Executive)</td>
<td>Utah (Executive)</td>
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<td>Hawaii</td>
<td>New Hampshire (Legislature)</td>
<td>Utah (Legislature)</td>
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<td>Illinois (Executive)</td>
<td>New Mexico</td>
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<td>Illinois (Legislature)</td>
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<tr>
<td>Maine</td>
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</tbody>
</table>
VII. GUIDANCE AND TRAINING

Most ethics commissions are expected to provide guidance and training on government ethics matters.

In thirty-six jurisdictions, ethics commissions provide ethics training and/or educational materials (Table 7.1). In forty-five jurisdictions, commissions provide guidance and advisory opinions on government ethics issues (Table 7.2). Ethics commissions in forty-three jurisdictions have the authority to create and define rules within their respective jurisdiction (Table 7.3).

The New York Commission on Ethics and Lobbying in Government provides ethics training and/or educational materials, issues advisory opinions, and can create and/or define rules within its jurisdiction.22

Table 7.1: Jurisdictions in which the commission provides ethics training and/or educational materials

<table>
<thead>
<tr>
<th>Alabama</th>
<th>Indiana</th>
<th>Oregon</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Iowa</td>
<td>Pennsylvania</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Kentucky (Executive)</td>
<td>Puerto Rico</td>
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<td>California</td>
<td>Kentucky (Legislature)</td>
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<tr>
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<td>Wisconsin</td>
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</tbody>
</table>

22 See N.Y. Exec. Law §§ 94(8), 94(7)(c), 94(5)(a)(i).
Table 7.2: Jurisdictions in which the commission issues advisory opinions

<table>
<thead>
<tr>
<th></th>
<th>Alabama</th>
<th>Louisiana</th>
<th>North Carolina</th>
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<tbody>
<tr>
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APPENDIX: INDEPENDENT COMMISSION STRUCTURES AND PROCEDURES BY STATE/TERRITORY

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ABOUT THE APPENDIX

The following states and territories do not have an independent government ethics oversight body: American Samoa, Arizona, Idaho, Northern Mariana Islands, the U.S. Virgin Islands, and Wyoming. Therefore, these jurisdictions are excluded from the appendix.
**ALABAMA**

**Alabama Ethics Commission**

**Jurisdiction**
The commission has jurisdiction over public officials and employees in the executive and legislative branches. The commission also has jurisdiction over lobbyists/principals.

**Appointment**
Appointments are split between the executive branch (three) and legislative branch (two).

**Membership**
Current public officials/candidates, political party officials, and lobbyists/principals are prohibited from serving on the commission. Commission membership must include one Black citizen, one Alabama-licensed attorney, and one former elected public official. Commission members are prohibited from engaging in partisan political activity.

**Procedure**
The commission must be composed of five members. A quorum consists of three members. The commission may initiate an investigation upon written consent of a supermajority (four members). A majority vote (three members) is required to issue a finding regarding a violation.

**Subpoena Authority**
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.

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26 See Ala. Code §§ 36-25-3(a), 36-25-1(27).
27 See Ala. Code § 36-25-3(a).
28 See Ala. Code § 36-25-3(e).
29 See Ala. Code § 36-25-3(a).
30 See Ala. Code § 36-25-3(b).
31 See Ala. Code § 36-25-4(d).
32 See Ala. Code § 36-25-27(c).
33 See Ala. Code § 36-25-4(h).
**Disciplinary Authority**
The commission has the authority to recommend discipline. If the commission determines that a violation has occurred, the commission shall report findings and recommend discipline to the district attorney for the jurisdiction in which the alleged violation occurred or to the Attorney General.\(^{34}\)

**Guidance**
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.\(^{35}\)

**Creation**
The commission was established by statute.\(^{36}\)

**For more information, visit these websites:**
- Alabama Ethics Commission website:

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\(^{34}\) See Ala. Code § 36-25-4(i).
\(^{36}\) See Ala. Code § 36-25-3.
ALASKA

Alaska Public Offices Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches. The commission also has jurisdiction over lobbyists/principals.37

Appointment
The executive branch appoints all commission members. All appointments are subject to confirmation by the legislative branch. See Alaska Stat. § 15.13.020(a).

Membership
Current public officials/candidates, 38 political party officials, 39 and lobbyists/principals are prohibited from serving on the commission.40 Political party balance among commission membership is required.41 Commission members are prohibited from engaging in political partisan activity.42

Procedure
The commission must be composed of 5 members.43 Quorum and voting requirements for the commission are not specified in statutes.

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.44

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38 See Alaska Stat. § 15.13.020(e)(1)
41 “The governor shall appoint two members of each of the two political parties or political groups with the largest number of registered voters at the time of the most recent preceding general election at which a governor was elected. The two appointees from each of these two parties or groups shall be chosen from a list of four names to be submitted by the central committee of each party or group.” See Alaska Stat. § 15.13.020(b).
42 See Alaska Stat. § 15.13.020(e)(3).
44 See Alaska Stat. § 15.13.045(a).
Disciplinary Authority
If the commission determines that a violation has occurred, the commission may assess appropriate civil penalties, the commission’s costs of investigation and adjudication, and reasonable attorney’s fees against the respondent.45

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.46

Creation
The commission was established by statute.47

For more information, visit these websites:
- Alaska Public Offices Commission website: https://doa.alaska.gov/apoc

45 Costs of investigation and adjudication include costs of serving subpoenas, witness fees, database searches, deposition costs, staff travel costs, witness travel costs, transcription costs paid to outside firms, expert or consultant fees, overtime pay for hourly staff employees, copying costs, materials, costs of preparing hearing materials and display, costs of publishing hearing notices, hearing officer fees, and honoraria and travel costs of commissioners. See Alaska Admin. Code tit. 2, §50.891(h).
Arkansas Ethics Commission

Arkansas

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches. The commission also has jurisdiction over lobbyists/principals.48

Appointment
Appointments are split between the executive branch (three) and the legislative branch (two).49 Appointments do not require confirmation by the legislative branch.

Membership
Current public officials/candidates, public employees, political party officials, and lobbyists/principals are prohibited from serving on the commission.50 Partial political party balance among the membership is required: one commission member must represent a minority party.51 Commission membership must include at least one woman and one individual of a minority race. and one individual of a minority party.52 Commission members are prohibited from engaging in partisan political activity.53

Procedure
The commission must be composed of five members.54 A majority of total members (three) constitutes a quorum.55 A majority vote of the commission’s total membership is required to take official action.56 An affirmative vote of at least three members of the commission who are present is required to impose sanctions.57

48 See Ark. Code Ann. § 7-6-217(g)(1).
49 See Ark. Code Ann. § 7-6-217(a)(1).
50 See Ark. Code Ann. §§ 7-6-217(c)(1), 7-6-217(c)(2).
51 See Ark. Code Ann. § 7-6-217(a)(1).
52 Id.
53 See Ark. Code Ann. § 7-6-217(c).
54 See Ark. Code Ann. § 7-6-217(a)(1).
Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.58

Disciplinary Authority
If the commission determines that a violation has occurred, it can issue a public letter of caution, warning, or reprimand, or impose a fine ranging from fifty dollars ($50) to three thousand five hundred dollars ($3,500) to be deposited into the State Treasury.59

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.60

Creation
The commission was established by state constitution and statute.61

For more information, visit these websites:
- Arkansas Ethics Commission website: http://www.arkansasethics.com
- Statutory text: https://codes.findlaw.com/ar/title-7-elections/ar-code-sect-7-6-217.html

58 See Ark. Code Ann. § 7-6-217(g)(4).
60 See Ark. Code Ann. § 7-6-217(g)(1), § 7-6-217(g)(2).
CALIFORNIA

California Fair Political Practices Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches. The commission also has jurisdiction over lobbyists/principals. 62

Appointment
The executive branch appoints all commission members. 63

Membership
Current public officials/candidates, political party officials, and lobbyists/principals are prohibited from serving on the commission. 64 Political party balance among the membership is required: No more than three members may be members of the same political party. 65 Commission members are prohibited from engaging in partisan political activity. 66

Procedure
The commission must be composed of 5 members. 67 Three members constitutes a quorum. 68 A majority vote of the commission’s total membership is required to take official action. 69

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission. 70

Disciplinary Authority
If the commission determines that a violation has occurred, it may require the alleged violator to: cease and desist the violation; file any reports, statements, or other required documents or information; and/or

64 See Cal. Gov’t Code § 83105.
68 See Cal. Gov’t Code § 83104.
70 See Cal. Gov’t Code § 83118.
pay a monetary penalty of up to five thousand dollars ($5,000) per violation to the General Fund of the state.\textsuperscript{71}

**Guidance**
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.\textsuperscript{72}

**Creation**
The commission was established by statute.\textsuperscript{73}

**For more information, visit these websites:**
- California Fair Political Practices Commission website: https://fppc.ca.gov
- Statutory text: https://fppc.ca.gov/content/dam/fppc/NS-Documents/LegalDiv/The%20Political%20Reform%20Act/2022_Act_Highlighted_Final.pdf
- Regulatory text: https://fppc.ca.gov/the-law/fppc-regulations/regulations-index.html

\textsuperscript{71} See Cal. Gov't Code § 83116.
\textsuperscript{72} See Cal. Gov't Code §§ 83113(b), 83114, 83112.
\textsuperscript{73} See Cal. Gov't Code § 83100.
COLORADO

Colorado Independent Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches.74

Appointment
Appointments to the commission are split between the executive branch (one), legislative branch (two), Chief Justice (one), and commission members (one).75 Appointments selected by the Legislature require confirmation by the legislative branch.76

Membership
One commission member must work in local government.77 Political party balance among commission members is required; no more than two members shall be affiliated with the same political party.78

Procedure
The commission must be composed of 5 members.79 Three members constitutes a quorum.80 A majority of a quorum is required to determine the commission’s findings.81

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.82 A motion by one member of the commission and subsequent approval from four members are required to issue a subpoena.83

81 See Colo. IEC Rules 7(L)(3).
82 Id.
Disciplinary Authority
If the commission determines that a violation has occurred, the alleged violator is liable to the state or local jurisdiction for double the amount of the financial equivalent of any benefits obtained by the violation.84

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.85

Creation
The commission was established by the state constitution and statute.86

For more information, visit these websites:
- Independent Ethics Commission website: https://iec.colorado.gov

CONNECTICUT

Citizen’s Ethics Advisory Board

Jurisdiction

Appointment
Appointments to the commission are split between the executive branch (three) and legislative branch (six). See Conn. Gen. Stat. § 1-80(a). Appointments do not require confirmation by the legislative branch.

Membership
No commission member may have held public office or have been a candidate for public office for a 3-year period prior to appointment. See Conn. Gen. Stat. § 1-80(b). Current public officials/candidates, public employees, political party officials, and lobbyists/principals are prohibited from serving on the commission. Political party balance among commission members is required; no more than five members shall be members of the same political party. See Conn. Gen. Stat. § 1-80(i). Commission members are prohibited from engaging in partisan political activity. See Conn. Gen. Stat. § 1-80(l). No commission member may hold any other position in state employment for at least one year following the end of their service on the board.

Procedure
The commission must be composed of nine members. See Conn. Gen. Stat. § 1-80(a). Six members constitutes a quorum. See Conn. Gen. Stat. § 1-80(b). A majority is required to initiate an investigation. Id. A majority vote is required to determine the commission’s findings.

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96 Id.
Subpoena Authority
The Office of State Ethics, within which the commission is housed, has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.98 A majority vote of commission members is required to issue subpoenas.99

Disciplinary Authority
If the commission determines that a violation has occurred, it has the authority to order the alleged violator to: cease and desist the violation; file any report, statement, or other required information; and/or pay a civil penalty of at least ten thousand dollars ($10,000) for each violation.100

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.101

Creation
The commission was established by statute.102 The commission is housed within the Office of State Ethics.

For more information, visit these websites:
- Citizen’s Ethics Advisory Board website:
  https://portal.ct.gov/ethics
- Statutory text:
  https://www.cga.ct.gov/current/pub/chap_010.htm#sec_1-99

99 Id.
PUBLIC INTEGRITY COMMISSION

Jurisdiction
The commission has jurisdiction over public officials and employees in
the executive and legislative branches. The commission also has
jurisdiction over lobbyists/principals.103

Appointment
The executive branch appoints all commission members. Appointments
require confirmation by the legislative branch.104

Membership
Current public officials/candidates and political party officials are
prohibited from serving on the commission.105 Political party balance
among commission members is required; no more than 4 members shall
be registered with the same political party.106

Procedure
The commission must be composed of seven members.107 Four members
constitutes a quorum.108 An affirmative vote of at least four members is
required to conduct hearings and impose sanctions.109

Subpoena Authority
The commission has the authority to issue subpoenas for witness
attendance/testimony and records related to matters under
investigation by the commission.110

Disciplinary Authority
The commission has the authority to issue civil discipline by the
affirmative vote of at least four members.111

105 Id.
106 Id.
109 Id.
111 See Del. Code Ann. tit. 29 §§ 5808(d), 5809(3).
Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.¹¹²

Creation
The commission was established by statute.¹¹³

For more information, visit these websites:
• Public Integrity Commission website: https://depic.delaware.gov
• Statutory text: https://delcode.delaware.gov/title29/c058/sc01/index.html#5808

DISTRICT OF COLUMBIA
Board of Ethics and Government Accountability

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches. The commission also has jurisdiction over lobbyists/principals.114

Appointment
The executive branch appoints all commission members. Appointments require confirmation by the legislative branch.115

Membership
The commission membership must include at least one individual with experience in government transparency.116 Current public officials/candidates, public employees, political party officials, and lobbyists/principals are prohibited from serving on the commission.117 Political party balance among commission members is required; no more than three members may be affiliated with the same political party.118 Commission members are prohibited from engaging in partisan political activity and shall not be convicted of having committed a felony.119

Procedure
The commission must be composed of five members.120 A majority of sitting members constitutes a quorum.121 Voting requirements for the commission are not specified in statutes.

Subpoena Authority
The commission does not have the authority to issue subpoenas.

Disciplinary Authority
Following the presentation of evidence to the commission by the Director of Government Ethics, the commission may: levy a penalty; refer the

114 See D.C. Code § 1-1162.01a.
115 See D.C. Code § 1-1162.03(a).
116 See D.C. Code § 1-1162.03(g).
117 See D.C. Code §§ 1-1162.03(h), 1-1162.03(i).
118 See D.C. Code § 1-1162.03(a).
119 See D.C. Code § 1-1162.03(i).
120 See D.C. Code § 1-1162.03(a).
121 Id.
matter to the prosecutorial authority with jurisdiction for enforcement or prosecution; repeal the action; or dismiss the action.122

Guidance
The commission issues advisory opinions and/or specific advice and can create and/or define rules within its jurisdiction.123

Creation
The commission was established by statute.124

For more information, visit these websites:
- Board of Ethics and Government Accountability website: https://bega.dc.gov
- Statute text: http://dccode.elaws.us/code?no=1-11A|II
**FLORIDA**

**Florida Commission on Ethics**

**Jurisdiction**
The Florida Commission on Ethics has jurisdiction over public officials and employees in the executive and legislative branches. \(^{125}\) The commission also has jurisdiction over lobbyists/principals.\(^{126}\)

**Appointment**
Appointments to the commission are split between the executive branch (five) and legislative branch (four). Appointments selected by the Legislature require confirmation by the legislative branch.\(^{127}\)

**Membership**
Current public employees and lobbyists/principals are prohibited from serving on the commission. Political party balance among commission members is required; no more than three members may be affiliated with the same political party.\(^{128}\)

**Procedure**
The commission must be composed of nine members.\(^{129}\) A majority vote of members present is required to initiate an investigation.\(^{130}\)

**Subpoena Authority**
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.\(^{131}\)

**Disciplinary Authority**
If the commission determines that a violation has occurred, it must report its findings to the appropriate disciplinary authority.\(^{132}\)

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\(^{125}\) See Fla. Const. Art. 2, § 8.
\(^{126}\) See Fla. Stat. § 112.3215.
\(^{127}\) See Fla. Stat. § 112.321(1).
\(^{128}\) Id.
\(^{129}\) Id.
\(^{130}\) See Fla. Stat. § 112.322(2)(a).
\(^{131}\) See Fla. Stat. § 112.322(4).
\(^{132}\) See Fla. Stat. § 112.324(3).
Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.\(^{133}\)

Creation
The commission was established by state constitution and statute.\(^{134}\)

For more information, visit these websites:
- Florida Commission on Ethics website: [http://www.ethics.state.fl.us](http://www.ethics.state.fl.us)

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\(^{133}\) See Fla. Stat. §§ 112.3142, 112.322(3), 112.322(9).

\(^{134}\) See Fla. Const. Art. 2, § 8; Fla. Sat. § 112.320.
GEORGIA

Georgia Government Transparency and Campaign Finance Commission

Jurisdiction
The Georgia Government Transparency and Campaign Finance Commission, formerly known as the State Ethics Commission, has jurisdiction over public officials and employees in the executive and legislative branches.\textsuperscript{135} The commission also has jurisdiction over lobbyists/principals.\textsuperscript{136}

Appointment
Appointments to the commission are split between the executive branch (three) and legislative branch (two).\textsuperscript{137}

Membership
No commission member may have held public office or have been a candidate for public office for a five-year period prior to appointment.\textsuperscript{138} Current political party officials are prohibited from serving on the commission.\textsuperscript{139} Political party balance among commission members is required; no more than two members may be affiliated with the same political party.\textsuperscript{140}

Procedure
The commission must be composed of five members.\textsuperscript{141} A majority of members (three) constitutes a quorum.\textsuperscript{142} A majority vote of members present is required to take official action.

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.\textsuperscript{143}

\textsuperscript{140} See Ga. Code Ann. § 21-5-4(b).
\textsuperscript{141} Id.
\textsuperscript{143} See Ga. Code Ann. § 21-5-6(a)(5).
Disciplinary Authority
If the commission determines that a violation has occurred, it has the authority to order the alleged violator to: cease and desist from committing further violations; make public complete statements containing required information; and/or pay a civil penalty.144

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.145

Creation
The commission was established by statute.146

For more information, visit these websites:

GUAM

Guam Ethics Commission

Jurisdiction
The Guam Ethics Commission has jurisdiction over officials and employees in both the executive and legislative branches. 147

Appointment
The executive branch appoints all commission members. Appointments require confirmation by the legislative branch. 148

Membership
Current public employees are prohibited from serving on the commission. 149 No person who has ever been convicted of a felony or who is a relative of a current public employee may serve on the commission. 150 Commission members are prohibited from engaging in partisan political activity. 151

Procedure
The commission must be composed of seven members. 152 A vote of five or more members is required to initiate an investigation. 153 Any charge concerning violations must be initiated in writing, and any charge initiated by the commission must be signed by five or more members. 154 A decision regarding the conduct of a public employee must be in writing and signed by five or more members. 155

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission. A formal resolution defining the nature and scope of its inquiry supported by a vote of five or more members is required to issue a subpoena. 156

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147 See Guam Code Ann. § 15401(2).
149 See Guam Code Ann. § 15301(b).
150 See Guam Code Ann. § 15301(a).
151 See Guam Code Ann. § 15408.
152 See Guam Code Ann. § 15301(a).
154 See Guam Code Ann. § 15401(b).
155 See Guam Code Ann. § 15401(e).
Disciplinary Authority
If the commission determines that a violation has occurred, it must refer the complaint to the Attorney General’s Office or appropriate disciplinary authority.\textsuperscript{157}

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.\textsuperscript{158}

Creation
The commission was established by statute.\textsuperscript{159}

For more information, visit these websites:
• Statute text: https://law.justia.com/codes/guam/2021/title-4/chapter-15

\textsuperscript{157} See Guam Code Ann. § 15403(a).
\textsuperscript{158} See Guam Code Ann. §§ 15410, 15401(a)(2), 15401(a)(5).
\textsuperscript{159} See Guam Code Ann. § 15301.
HAWAII

Hawaii State Ethics Commission

Jurisdiction
The Hawaii State Ethics Commission has jurisdiction over public officials and employees in both the executive and legislative branches. The commission also has jurisdiction over lobbyists/principals.

Appointment
The executive branch appoints commission members from a list of ten candidates nominated by the judicial branch.

Membership
Current public officials/candidates are prohibited from serving on the commission. Commission members are prohibited from engaging in partisan political activity.

Procedure
The commission must be composed of five members. A vote of three or more members is required to initiate an investigation. A vote of three or more members is also required to find violations.

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission. A formal resolution defining the nature and scope of its inquiry supported by a vote of three or more members is required to issue a subpoena.

Disciplinary Authority
The commission has the authority to recommend discipline. If the commission determines that a violation has occurred, it shall issue a complaint and refer the matter to the appropriate disciplinary body.

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.\textsuperscript{169}

Creation
The commission was established by state constitution and statute.\textsuperscript{170}

For more information, visit these websites:
- Hawaii State Ethics Commission website: https://ethics.hawaii.gov

ILLINOIS

Illinois has two state government ethics oversight bodies: The Executive Ethics Commission and the Legislative Ethics Commission.

Illinois Executive Ethics Commission

Jurisdiction
The Executive Ethics Commission has jurisdiction over public officials and employees in the executive branch.\textsuperscript{171}

Appointment
The executive branch appoints commission members.\textsuperscript{172} Appointments require confirmation by the legislative branch.

Membership
Current public officials/candidates, public employees, and political party officials are prohibited from serving on the commission.\textsuperscript{173} No commission member may have engaged in lobbying activities for a one-year period prior to appointment.\textsuperscript{174} A person is also not eligible to serve as a commission member if they have been convicted of a felony.\textsuperscript{175} Political party balance among commission members is required; no more than five members may be affiliated with the same political party.\textsuperscript{176} Commission members are prohibited from engaging in partisan political activity.\textsuperscript{177}

Procedure
The commission must be composed of nine members.\textsuperscript{178} An affirmative vote of five members is required to take official action.\textsuperscript{179} A quorum consists of five members.

**Subpoena Authority**
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.180

**Disciplinary Authority**
The commission has authority to recommend discipline. All decisions of the commission shall be delivered to the head of the appropriate State agency, the appropriate ultimate jurisdictional authority, and the appropriate Executive Inspector General.181 The commission may also impose administrative fines, if appropriate, in connection with the implementation and interpretation of the State Officials and Employee Ethics Act.182

**Guidance**
The commission supplies ethics materials and/or trainings and can create and/or define rules within its jurisdiction.183

**Creation**
The commission was established by statute.184

For more information, visit these websites:
- Executive Ethics Commission website: https://eec.illinois.gov

**Illinois Legislative Ethics Commission**

**Jurisdiction**
The Legislative Ethics Commission has jurisdiction over public officials and employees in the legislative branch.185

**Appointment**
The legislative branch appoints all commission members.186

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Membership
Individuals who have experience holding governmental office or employment may serve on the commission. Members of the General Assembly may also be appointed to the commission.

Current public officials/candidates, public employees, and political party officials are prohibited from serving on the commission. No commission member may have engaged in lobbying activities for a one-year period prior to appointment. A person is also not eligible to serve as a commission member if they have been convicted of a felony, or if they are a relative of the appointing authority. Commission members are prohibited from engaging in partisan political activity.

Procedure
The commission must be composed of eight members. A quorum consists of five members. An affirmative vote of five commissioners is required to take official action.

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.

Disciplinary Authority
The commission has authority to recommend discipline. All decisions of the commission shall be delivered to the head of the appropriate State agency, the appropriate ultimate jurisdictional authority, and the appropriate Executive Inspector General.

Guidance
The commission supplies ethics materials and/or trainings and can create and/or define rules within its jurisdiction.

Creation
The commission was established by statute.\textsuperscript{197}

For more information, visit these websites:
\begin{itemize}
  \item Legislative Ethics Commission website: https://www.ilga.gov/commission/lec/default.asp
  \item Statutory text: https://www.ilga.gov/legislation/ilcs/ilcs4.asp?
\end{itemize}

INDIANA

State Ethics Commission

Jurisdiction
The commission has jurisdiction over current and former public officials and employees in both the executive and legislative branches.\footnote{See Ind. Code Ann. § 4-2-6-2.5(a).}

Appointment
The executive branch appoints all commission members.\footnote{See Ind. Code Ann. § 4-2-6-2(b).}

Membership
Current public officials/candidates, public employees, and lobbyists/principals are prohibited from serving on the commission.\footnote{See Ind. Code Ann. § 4-2-6-2(c).} Political party balance among commission members is required; no more than three members may be affiliated with the same political party.

Procedure
The commission must be composed of five members.\footnote{See Ind. Code Ann. § 4-2-6-2(b).} An affirmative vote of four members is required to refer potential violations to the Inspector General for investigation.\footnote{See Ind. Code Ann. § 4-2-6-4(a)(1).} A majority vote is required to determine the commission’s findings.

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission. An affirmative vote of four members is required to issue a subpoena.\footnote{See Ind. Code Ann. § 4-2-6-4(a)(3).}

Disciplinary Authority
If the commission determines that a violation has occurred, it may: impose a civil penalty; cancel a contract; bar a person from entering into a contract with an agency or state officer for a specified period; order restitution or disgorgement; reprimand, suspend, or terminate an employee or state appointee; bar a person from future state employment or appointment; revoke a license or permit issued by an agency; bar a person from obtaining a license or permit issued by an agency; revoke

\footnotesize{\textsuperscript{198} See Ind. Code Ann. § 4-2-6-2.5(a).} \textsuperscript{199} See Ind. Code Ann. § 4-2-6-2(b). \textsuperscript{200} See Ind. Code Ann. § 4-2-6-2(c). \textsuperscript{201} See Ind. Code Ann. § 4-2-6-2(b). \textsuperscript{202} See Ind. Code Ann. § 4-2-6-4(a)(1). \textsuperscript{203} See Ind. Code Ann. § 4-2-6-4(a)(3).}
the registration of a person registered as a lobbyist; and/or bar a person from future lobbying activity with a state officer or agency.204

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.205

Creation
The commission was established by statute.206

For more information, visit these websites:
- State Ethics Commission website: https://www.in.gov/ig/commission

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204 See Ind. Code Ann. § 4-2-6-12.
205 See 42 Ind. Admin. Code 1-4-1; Ind. Code Ann. §§ 4-2-6-4(b)(1), 4-2-6-4(a)(5).
IOWA

Iowa Ethics and Campaign Disclosure Board

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive branch. The commission also has jurisdiction over lobbyists/principals.

Appointment
The executive branch appoints all commission members. Appointments require confirmation by the legislative branch.

Membership
Current public officials/candidates, public employees, political party officials, and lobbyists/principals are prohibited from serving on the commission.

Partisan political activity by commission members is limited. Making monetary and in-kind contributions to the committees of candidates for Iowa public office or a political action committee (PAC) is prohibited. However, contributions to candidates for federal office, state parties, or county central committees are permitted.

Political party balance among commission members is required; no more than half of the commission may belong to the same political party.

Procedure
The commission must be composed of six members. A quorum consists of four members. An affirmative vote of four board members is required for a motion to pass.

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.

207 See Iowa Code § 68B.32(1).
208 Id.
209 See Iowa Admin. Code §§ 351-1.4(4), 351-1.4(7), 351-1.4(6), 351-1.4(8).
211 See Iowa Code §§ 68B.32(1), 69.16.
212 See Iowa Code § 68B.32(1).
214 See Iowa Code § 68B.32B(8).
Disciplinary Authority
If the commission determines that a violation has occurred, it may: issue an order requiring the alleged violator to cease and desist from the violation; issue an order requiring the alleged violator to take any remedial action deemed appropriate; issue an order requiring the alleged violator to file any report, statement, or other required information; publicly reprimand the alleged violator; make a written recommendation to the alleged violator's appointing authority that the alleged violator be removed or suspended from office; if the alleged violator is an elected official of the executive branch, make a written recommendation to the attorney general or appropriate county attorney that an action for removal from office be initiated; if the alleged violator is a lobbyist, censure, reprimand, or impose other sanctions deemed appropriate; issue an order requiring the alleged violator to pay a civil penalty of no more than two thousand dollars ($2,000) per violation; and/or refer the complaint to the attorney general or appropriate county attorney with a recommendation for prosecution or enforcement of criminal penalties.215

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.216

Creation
The commission was established by statute.217

For more information, visit these websites:
- Iowa Ethics and Campaign Disclosure Board website: https://ethics.iowa.gov
- Statute text: https://www.legis.iowa.gov/docs/code/2022/68B.pdf

215 See Iowa Code § 68B.32D(1).
217 See Iowa Code § 68B.32.
KANSAS

Governmental Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches. The commission also has jurisdiction over lobbyists/principals.

Appointment
Appointments are split between the executive branch (four), legislative branch (four), and the judicial branch (one).218

Membership
Current political party officials and lobbyists/principals are prohibited from serving on the commission.219 No commission member may have been a public official/candidate for a five-year period prior to their appointment. No commission member may have held an elective state office, held the office of secretary of any department of state government, been a lobbyist, been an officer or employee who directly participated in the making of a contract on behalf of a vendor of goods and services with the State of Kansas, or provided services under contract to the State of Kansas for a three-year period prior to their appointment. Current public employees who directly participate in the making of contracts on behalf of vendors of goods or services with the State of Kansas may not serve on the commission.

Political party balance among commission members is required; no more than five members shall be affiliated with the same political party, and the two members appointed by the Governor may not be members of the same political party.220

Procedure
The commission must be composed of nine members.221 A majority vote of five members is required for the commission to take official action.222

Subpoena Authority
The commission does not have the authority to issue subpoenas.

221 Id.
Disciplinary Authority
If the commission determines that a violation has occurred, it may assess a civil fine against the alleged violator in an amount not to exceed five thousand dollars ($5,000) for the first violation, ten thousand dollars ($10,000) for the second violation, and fifteen thousand dollars ($15,000) for the third violation and for each subsequent violation.223

Guidance
The commission issues advisory opinions and/or specific advice and can create and/or define rules within its jurisdiction.224

Creation
The commission was established by statute.225

For more information, visit these websites:
- Governmental Ethics Commission website: https://ethics.kansas.gov
- Statute text: https://ethics.kansas.gov/commission/procedural-statutes

Kentucky has two state government ethics oversight bodies: The Executive Branch Ethics Commission and the Legislative Ethics Commission.

**Kentucky Executive Branch Ethics Commission**

**Jurisdiction**
The commission has jurisdiction over public officials and employees in the executive branch. The commission also has jurisdiction over lobbyists/principals.

**Appointment**
The executive branch appoints commission members.

**Membership**
Current public officials/candidates, public employees, political party officials, and lobbyists/principals are not prohibited from serving on the commission. The statute also does not address partisan political activity by commission members or require any political party balance.

**Procedure**
The commission must be composed of seven members. A quorum consists of four or more members. An affirmative vote of four or more members is required for the commission to take official action.

**Subpoena Authority**
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.

**Disciplinary Authority**
If the commission determines that a violation has occurred, it may: require the alleged violator to cease and desist the violation; require the alleged violator to file any report, statement, or other required information; publicly reprimand the alleged violator and provide a copy

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229 Id.
of the reprimand to the appointing authority, if any; recommend to the appointing authority that the alleged violator be removed or suspended from office or employment; or require the alleged violator to pay a civil penalty of no more than five thousand dollars ($5,000) for each violation.\textsuperscript{232}

**Guidance**
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.\textsuperscript{233}

**Creation**
The commission was established by statute.\textsuperscript{234}

**For more information, visit these websites:**
- Commission website: [https://ethics.ky.gov/Pages/default.aspx](https://ethics.ky.gov/Pages/default.aspx)

**Kentucky Legislative Ethics Commission**

**Jurisdiction**
The commission has jurisdiction over public officials and employees in the legislative branch.\textsuperscript{235} The commission also has jurisdiction over lobbyists/principals.

**Appointment**
The legislative branch appoints all commission members.\textsuperscript{236}

**Membership**
Current public officials/candidates and political party officials are prohibited from serving on the commission.\textsuperscript{237} Political party balance among commission members is required; at least three members must be affiliated with the largest minority party in the state.\textsuperscript{238} Commission members are prohibited from engaging in partisan political activity.\textsuperscript{239}

Procedure
The commission must be composed of nine members.\(^\text{240}\) A quorum consists of five or more members.\(^\text{241}\) An affirmative vote of five or more members is required for the commission to take official action.

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.\(^\text{242}\)

Disciplinary Authority
The commission has the authority to issue civil discipline.\(^\text{243}\) If the commission determines that a violation has occurred, it may: require the alleged violator to cease and desist the violation; require the alleged violator to file any report, statement, or other required information; publicly reprimand the alleged violator and provide a copy of the reprimand to the presiding officer in the house in which the alleged violator serves; recommend to the house in which the alleged violator serves that the alleged violator be sanctioned; require the alleged violator to pay a civil penalty of no more than two thousand dollars ($2,000); or revoke the registration of any legislative agent or employer for a period up to five years.\(^\text{244}\)

The commission may also refer evidence of criminal violations to the Attorney General, county attorney, or Commonwealth’s attorney of the appropriate jurisdiction for prosecution.

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.\(^\text{245}\)

Creation
The commission was established by statute.\(^\text{246}\)

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For more information, visit these websites:

- Kentucky Legislative Ethics Commission website: https://klec.ky.gov/Pages/default.aspx
LOUISIANA

Board of Ethics

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches. The commission also has jurisdiction over lobbyists/principals.

Appointment
Appointments are split between the executive branch (seven) and legislative branch (four). A nominating committee, consisting of presidents of the State’s colleges, submits a list of candidates for consideration. Appointments require confirmation by the legislative branch.

Membership
At least one member shall be appointed from each congressional district. At least three members appointed by the Governor shall be licensed attorneys. Commission members may not have served as public officials/candidates or public employees within six months prior to their appointment. Commission members may not have engaged in lobbying activities within two years prior to their appointment. Commission members are prohibited from engaging in political party activity.

Procedure
The commission must be composed of eleven members. A quorum consists of six members. A two-thirds majority vote is required to initiate an investigation. The commission may authorize the hearing and determination of matters by separate panels consisting of at least three members. A majority vote is required to determine the panel’s findings. However, if the panel consists of three members, a unanimous vote is required.

**Subpoena Authority**
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.257

**Disciplinary Authority**
If the commission determines that an elected official has violated governmental ethics law, it may censure the elected official and/or impose a fine of no more than ten thousand dollars ($10,000).258 If the commission determines that a public employee has violated governmental ethics law, it may remove, suspend, or order a reduction in pay or demotion of the public employee and/or impose a fine of no more than ten thousand dollars ($10,000).259

**Guidance**
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.260

**Creation**
The commission was established by state constitution and statute.261

**For more information, visit these websites:**
- Board of Ethics website: https://ethics.la.gov/BoardOfEthics.aspx
- Statute text: https://ethics.la.gov/Pub/Laws/ethsum.pdf
- Regulatory text: https://ethics.la.gov/Pub/Other/rules.pdf?20180730

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MAINE

Commission on Governmental Ethics and Election Practices

Jurisdiction
The commission has jurisdiction over the legislative branch.262 The commission also has jurisdiction over lobbyists/principals.263

Appointment
The executive branch selects appointments from a list of candidates provided by the legislative branch.264

Membership
Current public officials/candidates and political party officials are prohibited from serving on the commission.265 Commission members may not have been a public official/candidate for a two-year period prior to their appointment. Political party balance among commission members is required; no more than two members may be enrolled in the same party.266 Commission members are prohibited from engaging in partisan political activity.267

Procedure
The commission must be composed of five members.268 A quorum consists of a majority of members (three).269 A majority vote is required to initiate an investigation.270

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.271

Disciplinary Authority
The commission has the authority to recommend discipline. If the commission determines that a violation has occurred, it must refer a

copy of its findings, opinion, and other relevant information to the Attorney General.272

Guidance
The commission issues advisory opinions and/or specific advice and can create and/or define rules within its jurisdiction.273

Creation
The commission was established by statute.274

For more information, visit these websites:
- Commission on Governmental Ethics and Election Practices website: https://www.maine.gov/ethics

MARYLAND

Maryland State Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches.\textsuperscript{275} The commission also has jurisdiction over lobbyists/principals.\textsuperscript{276}

Appointment
Appointments are split between the executive branch (three) and legislative branch (two).\textsuperscript{277} Appointments require confirmation by the legislative branch.

Membership
Current public officials/candidates, public employees, political party officials, and lobbyists/principals are prohibited from serving on the commission.\textsuperscript{278} Political party balance is not specifically required; however, at least one commission member must be a member of the principal political party of which the Governor is not a member.\textsuperscript{279}

Procedure
The commission must be composed of five members.\textsuperscript{280} A majority of members constitutes a quorum.\textsuperscript{281} A majority vote is required for the commission to take official action.\textsuperscript{282}

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.\textsuperscript{283}

Disciplinary Authority
If the commission determines that a violation has occurred, it may: direct the alleged violator to cease and desist from the violation; issue a

\textsuperscript{281} Id.
reprimand; or recommend discipline to the appropriate authority.284 If the commission determines that a lobbyist has violated governmental ethics law, it may: require the alleged violator to file any additional reports or required information; impose a fine up to five thousand dollars ($5,000) for each violation; or suspend the registration of the lobbyist.285

**Guidance**
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.286

**Creation**
The commission was established by statute.287

**For more information, visit these websites:**
- Maryland State Ethics Commission website: [https://ethics.maryland.gov](https://ethics.maryland.gov)

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Massachusetts State Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches.\(^{288}\) The commission also has jurisdiction over lobbyists/principals.

Appointment
The executive branch appoints commission members.\(^{289}\)

Membership
Current political party officials are prohibited from serving on the commission.\(^{290}\) Commission members are prohibited from holding or being a candidate for any other public office for one year after they have served on the commission.\(^{291}\) Political party balance among commission members is required; no more than three members may be affiliated with the same political party.\(^{292}\) Commission members are prohibited from engaging in partisan political activity.\(^{293}\)

Procedure
The commission must be composed of five members.\(^{294}\) A quorum consists of three members.\(^{295}\) An affirmative vote from at least three members is required for the commission to take official action. A majority vote is required to initiate an adjudicatory proceeding to determine whether a violation has occurred.\(^{296}\)

Subpoena Authority
The commission does not have the authority to issue subpoenas; however, it may require by summons the attendance and testimony of witnesses and the production of records related to matters under investigation by the commission.\(^{297}\)

Disciplinary Authority
If the commission determines that a violation has occurred, it may order the alleged violator to: cease and desist such violation; file a report, statement, or other required information; or pay a civil penalty of no more than ten thousand dollars ($10,000) for each violation. The commission may also file a civil action in a superior court to enforce such orders.

Guidance
The commission issues advisory opinions and/or specific advice and can create and/or define rules within its jurisdiction.

Creation
The commission was established by statute.

For more information, visit these websites:
- Massachusetts State Ethics Commission website: https://www.mass.gov/orgs/state-ethics-commission
- Statute text: https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter268B

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MIChIGAN

State Board of Ethics

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive branch.301

Appointment
The executive branch appoints commission members.302 Appointments require confirmation by the legislative branch.

Membership
Current public officials/candidates and public employees are prohibited from serving on the commission.303 Political party balance among commission members is required; no more than four members may be members of the same political party.

Procedure
The commission must be composed of seven members.304 A quorum consists of four members.305 An affirmative vote of four members is required for the commission to take official action.

Subpoena Authority
The commission does not have the authority to issue subpoenas.

Disciplinary Authority
The commission has the authority to recommend discipline to the appointing authority with supervisory responsibility for the person whose activities have been investigated.306

Guidance
The commission issues advisory opinions and/or specific advice and can create and/or define rules within its jurisdiction.307

Creation
The commission was established by statute.308

303 Id.
304 Id.
305 See Mich. Comp. Laws § 15.344(3)
For more information, visit these websites:

- State Board of Ethics website: https://www.michigan.gov/mdcs/quick-links/boardethics/state-board-of-ethics
- Regulatory text: https://www.michigan.gov/mdcs/-/media/Project/Websites/mdcs/ETHICS/Rules.pdf?rev=f0bcdf34fd34eeaf0af67cd40a0f82&hash=0A6C37E3EA4DFBB026E17231234C01F6
MINNESOTA

Campaign Finance and Public Disclosure Board

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches.\(^{309}\) The commission also has jurisdiction over lobbyists/principals.\(^{310}\)

Appointment
The executive branch appoints commission members. Appointments require confirmation by the legislative branch.\(^{311}\)

Membership
Current public officials/candidates and lobbyists/principals are prohibited from serving on the commission.\(^{312}\) Political party balance among commission members is required; no more than three members may support the same political party.\(^{313}\) Two commission members must be former members of the legislature who support different political parties, and two members must be person who have not been public officials, held any political party office, or have been elected to public office in which party designation is required by statute for a three-year period prior to their appointment.\(^{314}\) Partisan political activity by commission members is limited but not prohibited.\(^{315}\)

Procedure
The commission must be composed of six members.\(^{316}\) An affirmative vote of four members is required to determine the commission’s findings.\(^{317}\)

\(^{309}\) See Minn. Stat. § 10A.02.
\(^{310}\) See Minn. Stat. § 10A.03.
\(^{311}\) See Minn. Stat. § 10A.02(1).
\(^{312}\) See Minn. Stat. §§ 10A.02(7), 10A.02(1).
\(^{313}\) See Minn. Stat. § 10A.02(1).
\(^{314}\) Id.
\(^{315}\) “All members and employees of the board are subject to any provisions of law regulating political activity by state employees. In addition, no member or employee of the board may be a candidate for, or holder of, (1) a national, state, congressional district, legislative district, county, or precinct office in a political party, or (2) an elected public office for which party designation is required by statute.” See Minn. Stat. § 10A.02(7).
\(^{316}\) See Minn. Stat. § 10A.02(1).
\(^{317}\) See Minn. Stat. § 10A.02(3).
Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.\textsuperscript{318}

Disciplinary Authority
If the commission determines that a violation has occurred, it may impose civil penalties and issue orders for compliance.\textsuperscript{319}

Guidance
The commission issues advisory opinions and/or specific advice and can create and/or define rules within its jurisdiction.\textsuperscript{320}

Creation
The commission was established by statute.\textsuperscript{321}

For more information, visit these websites:
- Statute text: https://www.revisor.mn.gov/statutes/cite/10A

\textsuperscript{318} See Minn. Stat. § 10A.022(2)(a).
\textsuperscript{319} Id.
\textsuperscript{320} See Minn. Stat. §§ 10A.02(12), 10A.02(13).
\textsuperscript{321} See Minn. Stat. § 10A.02.
MISSISSIPPI

Mississippi Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches.322

Appointment
Appointments are split between the executive branch (four), legislative branch (two), and judicial branch (two).323

Membership
No more than four members be an elected public official.324 No person who has ever been convicted of a felony or certain misdemeanors shall be eligible to serve on the commission.325

Procedure
The commission must be composed of eight members.326 A quorum consists of five members.327 An affirmative vote of five members is required for the commission to take official action.

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.328

Disciplinary Authority
If the commission determines that a violation has occurred, it may impose civil penalties.329 The commission may order any person who has failed to file a statement of economic interest by the required deadlines

324 “Not more than one (1) person appointed by each appointing authority shall be an elected official.” See Miss. Code Ann. § 25-4-5(2).
325 “Any member of the commission who is indicted for any felony may be suspended by the commission from service on the commission. A commission member who is convicted of a misdemeanor involving moral turpitude or convicted of any felony shall be ineligible to serve and the member’s position on the commission shall be vacant and subject to reappointment as for other vacancies.” See Miss. Code Ann. § 25-4-5(6).
327 See Miss. Code Ann. § 25-4-11(1).
328 See Miss. Code Ann. § 25-4-19(c).
to pay a fine of fifty dollars ($50) per day, not to exceed a total fine of one thousand dollars ($1000). Upon a finding by clear and convincing evidence that any public official or employee has violated governmental ethics law, the commission may censure the alleged violator and/or impose a civil fine of not more than ten thousand dollars ($10,000). The commission may also recommend to the Circuit Court for hinds County that the public official be removed from office or that the public employee be removed from office, suspended, or subjected to a demotion or reduction in pay. The commission may also order restitution or other equitable or legal remedies to recover public funds or property unlawfully taken.

Guidance
The commission issues advisory opinions and/or specific advice and can create and/or define rules within its jurisdiction.

Creation
The commission was established by statute.

For more information, visit these websites:
- Mississippi Ethics Commission website: https://www.ethics.ms.gov
- Statute text: https://www.ethics.ms.gov/node/52

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330 See Miss. Code Ann. §§ 25-4-29(2).
332 Id.
333 See Miss. Code Ann. § 24-5-109(3).
334 See Miss. Code Ann. §§ 25-4-17(i), 25-4-17(g).
335 See Miss. Code Ann. § 25-4-5.
MISSOURI

Missouri Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees of both the executive and legislative branches. The commission also has jurisdiction over lobbyists/principals.336

Appointment
The executive branch appoints commission members from lists submitted by each congressional district committee of the political parties which had the two highest number of votes cast for their candidate for governor at the last gubernatorial election.337 Appointments require confirmation by the legislative branch.

Membership
Political party balance and geographical representation are required; no more than three members of the commission shall be members of the same political party, nor shall more than one member be from any one United States congressional district.338

Current public officials/candidates, public employees, political party officials, and lobbyists/principals are prohibited from serving on the commission.339 Commission members are prohibited from engaging in partisan political activity.340

Procedure
The commission must be composed of six members.341 A quorum consists of at least four members.342 An affirmative vote of at least four members is required for the commission to take official action or initiate an investigation.343 An affirmative vote of at least four members is also required to determine the commission’s findings.344

337 See Mo. Rev. Stat. § 105.955(1).
338 See Mo. Rev. Stat. § 105.955(3).
341 See Mo. Rev. Stat. § 105.955(1).
342 See Mo. Rev. Stat. § 105.955(6).
343 Id.
344 See Mo. Rev. Stat. § 105.961(3).
Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.345

Disciplinary Authority
The commission has the authority to recommend discipline and report its findings to the appropriate disciplinary authority.346 The commission may initiate formal judicial proceedings seeking to obtain orders to: cease and desist the alleged violation; pay any civil penalties required; file any reports, statements, or other required documents; or pay restitution for any unjust enrichment.347

Guidance
The commission issues advisory opinions and/or specific advice and can create and/or define rules within its jurisdiction.348

Creation
The commission was established by statute.349

For more information, visit these websites:
- Missouri Ethics Commission website: https://mec.mo.gov

Jurisdiction
The commissioner has jurisdiction over public officials and employees in both the executive and legislative branches.350 The commissioner also has jurisdiction over lobbyists/principals.

Appointment
The executive branch appoints the commissioner from a list of nominees submitted by a four-member nomination committee.351 The nomination committee is composed of the Speaker of the House, the President of the Senate, and the Minority Leaders of both houses in the Legislature. The appointment requires confirmation by the legislative branch.352

Membership
Current public officials/candidates and public employees are prohibited from serving as commissioner.353 The commissioner may not have served as a political party official for a two-year period prior to their appointment.354 The commissioner is prohibited from engaging in partisan political activity.355

Procedure
There is one commissioner in the Office of the Commissioner of Political Practices.356

Subpoena Authority
The commissioner has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation.357

Disciplinary Authority
The commissioner has the authority to issue civil and criminal discipline. The commissioner may hire or retain attorneys who are licensed to practice before the Montana Supreme Court. Such attorneys

may, subject to the control and supervision of the commissioner, prosecute any criminal or civil action arising out of a violation of governmental ethics laws.\textsuperscript{358}

**Guidance**
The commission supplies ethics materials and/or trainings and can create and/or define rules within its jurisdiction.\textsuperscript{359}

**Creation**
The Office of the Commissioner of Political Practices was established by statute.\textsuperscript{360}

**For more information, visit these websites:**
- Statute text: [https://Legislaturemt.gov/bills/mca(title_0130/chapter_0370/part_0010/sections_index.html](https://Legislaturemt.gov/bills/mca/title_0130/chapter_0370/part_0010/sections_index.html)


NEBRASKA

Nebraska Accountability and Disclosure Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches. The commission also has jurisdiction over lobbyists/principals.

Appointment
The Secretary of State is a member of the commission. The executive branch appoints the remaining commission members. The Governor selects four members: two members from each of two lists submitted by the Legislature and two members from the citizenry of the state at large. The Secretary of State selects four members: one member from a list submitted by the Democrat state chairperson, one member from a list submitted by the Republican state chairperson, and two members from the citizenry of the state at large. Appointments require confirmation by the legislative branch.

Membership
Current public officials/candidates, public employees, political party officials, and lobbyists/principals are prohibited from serving on the commission. Political party balance among commission members is required; no more than four members may be from the same political party, and at least one member shall have been registered as an independent for at least two years prior to their appointment.

Procedure
The commission must be composed of nine members, including the Secretary of State. A quorum consists of five members. The approval of five members is required for the commission to take official action or impose sanctions.

**Subpoena Authority**
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation.371

**Disciplinary Authority**
If the commission determines that a violation has occurred, it may require the alleged violator to: cease and desist from the violation; file any report, statement, or other required information; pay a civil penalty of no more than five thousand dollars ($5,000) for each violation; or pay the costs of the hearing in a contested case if the alleged violator did not appear at the hearing personally or by counsel.372

**Guidance**
The commission issues advisory opinions and/or specific advice and can create and/or define rules within its jurisdiction.373

**Creation**
The commission was established by statute.374

**For more information, visit these websites:**
- Nebraska Accountability and Disclosure Commission website: https://nadc.nebraska.gov

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373 See Neb. Rev. Stat. §§ 49-14, 123(10), 49-14, 123(1).
NEVADA

Commission on Ethics

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches.\(^{375}\) However, the commission only has jurisdiction to investigate and take appropriate action regarding an alleged violation within two years after the alleged violation occurred or reasonable discovery of the alleged violation.

Appointment
Appointments are split between the executive branch (four) and the legislative branch (four).\(^{376}\)

Membership
At least two members must be attorneys licensed to practice law in Nevada, and at least four members must be former public officers or employees.\(^{377}\) Current public officials/candidates and political party officials are prohibited from serving on the commission.\(^{378}\) Parity in geographical representation is required; no more than four members may be residents of the same county.\(^{379}\) Political party balance among commission members is also required; no more than four members may be members of the same political party.\(^{380}\) Commission members are prohibited from engaging in partisan political activity.\(^{381}\)

Procedure
The commission must be composed of eight members.\(^{382}\) The statute does not specify quorum or voting requirements.

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission. A majority vote is required for the commission to issue a subpoena.\(^{383}\)

\(^{377}\) Id.
\(^{380}\) Id.
\(^{382}\) See Nev. Rev. Stat. § 281A.200(1).
Disciplinary Authority
If the commission determines that a violation has occurred, it may require the alleged violator to: comply with government ethics laws for a specified period without becoming the subject of another ethics complaint; attend and complete training; follow a remedial course of action; issue a public apology; or comply with conditions or limitations on future conduct.\footnote{See Nev. Rev. Stat. § 281A.785(1)(a).} The commission may also publicly admonish, reprimand, or censure the alleged violator.\footnote{See Nev. Rev. Stat. § 281A.785(1)(b).}

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.\footnote{See Nev. Rev. Stat. §§ 281A.240(f), 281A.290(1)(b), 281A.290(1).}

Creation
The commission was established by statute.\footnote{See Nev. Rev. Stat. § 281A.200.}

For more information, visit these websites:
- Commission on Ethics website: https://ethics.nv.gov
- Statute text: https://www.Legislaturestate.nv.us/nrs/nrs-281a.html
New Hampshire has two state government ethics oversight bodies: The Executive Branch Ethics Committee and the Legislative Branch Ethics Committee.

**Executive Branch Ethics Committee**

**Jurisdiction**
The Executive Branch Ethics Committee has jurisdiction over public officials and employees in the executive branch.\(^{388}\)

**Appointment**
The executive branch appoints commission members.\(^{389}\)

**Membership**
Public officials in the executive branch are prohibited from serving on the commission.\(^{390}\) Commission members may not have engaged in lobbying activity for a six-month period prior to their appointment.\(^{391}\)

Political party balance among commission members is required: Of the three members nominated by the Governor, one of whom shall be a member of the Democratic party, one of whom shall be a member of the Republican party, and one of whom shall have no political party affiliation.\(^{392}\) Of the two members nominated by the Secretary of State, one of whom shall be a member of the Democratic party and one of whom shall be a member of the Republican party.\(^{393}\) Of the two members nominated by the treasurer, one of whom shall be a member of the Democratic party and one of whom shall be a member of the Republican party.\(^{394}\) Commission members are prohibited from engaging in partisan political activity.\(^{395}\)

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\(^{391}\) Id.


Procedure
The commission must be composed of seven members.\textsuperscript{396} A quorum consists of four members.\textsuperscript{397} An affirmative vote of at least four members is required for the commission to take official action. A unanimous vote of all members present is required to dismiss a complaint.\textsuperscript{398}

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.\textsuperscript{399}

Disciplinary Authority
The commission has the authority to recommend discipline to the appropriate body.\textsuperscript{400} The commission may also refer the case to the Department of Justice for criminal prosecution.\textsuperscript{401}

Guidance
The commission issues advisory opinions and/or specific advice and can create and/or define rules within its jurisdiction.\textsuperscript{402}

Creation
The commission was established by statute.\textsuperscript{403}

For more information, visit these websites:
- Executive Branch Ethics Committee website: https://www.doj.nh.gov/ethics-committee

Legislative Ethics Committee

Jurisdiction
The Legislative Ethics Committee has jurisdiction over public officials and employees in the legislative branch.\textsuperscript{404}

\textsuperscript{398} Id.
\textsuperscript{401} Id.
Appointment
The legislative branch appoints all commission members.405

Membership
Four commission members must be sitting legislators, and at least one member must be an attorney licensed to practice in New Hampshire.406 Commission members may not have engaged in lobbying activity for a six-month period prior to their appointment.407

Procedure
The commission must be composed of seven members.408 An affirmative vote of at least four members is required for the commission to take official action.409

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.410

Disciplinary Authority
The commission has the authority to recommend discipline to the appropriate body.411

Guidance
The commission issues advisory opinions and/or specific advice and can create and/or define rules within its jurisdiction.412

Creation
The commission was established by statute.413

For more information, visit these websites:
- Commission website: http://gencourt.state.nh.us/ethics
- Statute text: http://gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-I-14-B.htm

405 Id.
406 Id.
NEW JERSEY

New Jersey has two state government ethics oversight commissions: The State Ethics Commission and the Joint Legislative Committee on Ethical Standards.

State Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive branch.414

Appointment
The executive branch appoints commission members.415

Membership
Three commission members must be public officials or employees.416 The remaining four members must be members of the public. Political party balance among commission members is required; no more than two of the four public members may be affiliated with the same political party.417

Procedure
The commission must be composed of seven members.418

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.419

Disciplinary Authority
If the commission determines that a violation has occurred, it may order the alleged violator to pay a fine of no less than five hundred dollars ($500) and no more than ten thousand dollars ($10,000) and suspend the alleged violator from office or employment of up to one year.420 The commission may also order: that the alleged violator be removed from

416 Id.
417 Id.
418 Id.
office or employment; that the alleged violator be barred from holding public office or employment for a period of up to five years; and/or restitution, demotion, censure, or reprimand.

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.\textsuperscript{421}

Creation
The commission was established by statute.\textsuperscript{422}

For more information, visit these websites:
- State Ethics Commission website: \url{https://www.nj.gov/ethics}
- Statute text: \url{https://www.nj.gov/ethics/statutes/conflicts/index.html}

\textbf{Joint Legislative Committee on Ethical Standards}

\textbf{Jurisdiction}
The Joint Legislative Committee on Ethical Standards has jurisdiction over public officials and employees in the legislative branch.\textsuperscript{423}

\textbf{Appointment}
The legislative branch appoints members to the commission.\textsuperscript{424}

\textbf{Membership}
No more than two members may be former legislators.\textsuperscript{425} One member may be a full-time faculty member of a State of New Jersey public institution of higher education having a doctoral degree and expertise in the areas of ethics, philosophy, and government with experience in state legislative organization and procedures.\textsuperscript{426}

Current public officials in the legislative branch, public employees, and lobbyists/principals are prohibited from serving on the commission.\textsuperscript{427} Political party balance among commission members is required; the

\textsuperscript{424} \textit{See} N.J. Stat. Ann. § 52:13D-22(b)
\textsuperscript{425} \textit{Id.}
\textsuperscript{426} \textit{Id.}
\textsuperscript{427} \textit{Id.}
chairman and vice chairman may not be members of the same political party. 428

Procedure
The commission must be composed of eight members. 429

Subpoena Authority
The commission does not have the authority to issue subpoenas.

Disciplinary Authority
If the commission determines that a violation has occurred, it may order the alleged violator to pay a fine of no less than five hundred dollars ($500) and no more than ten thousand dollars ($10,000). 430 The commission may also order: that the alleged violator be removed from office or employment; that the alleged violator be barred from holding public office or employment for a period of up to five years; and/or restitution, demotion, censure, or reprimand.

Guidance
The commission issues advisory opinions and/or specific advice. 431

Creation
The commission was established by statute. 432

For more information, visit these websites:
- Joint Legislative Committee on Ethical Standards website: https://www.njLegislaturestate.nj.us/committees/joint-committees

NEW MEXICO

State Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in
the executive and legislative branches.433 The commission also has
jurisdiction over lobbyists/principals.

Appointment
Appointments are split between the executive branch (one) and the
legislative branch (six).434

Membership
The Governor’s appointment must be a retired judge, who will chair the
commission.435 Commissions may not have been a public
official/candidate, public employee, lobbyist, political party official, or
government contractor for a two-year period prior to their
appointment.436 Political party balance among commission members is
required; no more than three members may be members of the same
political party.437 Cultural diversity and geographic representation
must be considered by the appointing authorities.438

Procedure
The commission must be composed of seven members.439 A quorum
consists of four members; two members must be members of the largest
political party in the state and two members must be members of the
second largest political party in the state.440 Approval of at least four
members, including at least two members of the largest political party
in the state and two members of the second largest political party in the
state, is required for the commission to take official action.441 Approval
of at least five members is required to initiate an investigation.442

441 Id.
Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.443

Disciplinary Authority
The commission has the authority to recommend discipline to the appropriate disciplining authority.444

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.445

Creation
The commission was established by state constitution and statute.446

For more information, visit these websites:
- Commission website: https://www.sec.state.nm.us

Commission on Ethics and Lobbying in Government

Jurisdiction
The commission, which replaced the Joint Commission on Public Ethics (JCOPE) as New York State's government oversight commission in 2022, has jurisdiction over public officials and employees in the executive and legislative branches. The commission also has jurisdiction over lobbyists/principals.

Appointment
Appointments are split between the executive branch (five) and legislative branch (six). An independent review committee, consisting of American Bar Association-accredited New York state law school deans or interim deans, reviews the qualifications of nominated candidates and approves or denies each candidate nominated.

Membership
Commission members may not have been public officials, public employees, political party officials, or lobbyists/principals for a two-year period prior to their appointment. Commission members are prohibited from making, or soliciting from other individuals, any contributions to candidates, political action committees, political parties or committees, newsletter funds, or political advertisements for election to the offices of governor, lieutenant governor, member of the assembly or the senate, attorney general or state comptroller.

Procedure
The commission must be composed of eleven members. A majority of the members (seven) constitutes a quorum. A majority vote of the total members is required for the commission to take official action.

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447 See N.Y. Exec. Law § 94(1)(a).
448 See N.Y. Exec. Law § 94(3)(a).
449 See N.Y. Exec. Law § 94(3)(b).
451 See N.Y. Exec. Law § 94(4)(e).
452 See N.Y. Exec. Law § 94(3)(a).
453 See N.Y. Exec. Law § 94(4)(h).
Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.454

Disciplinary Authority
If the commission determines that a violation has occurred, it has limited authority to issue civil discipline. The commission may order the alleged violator to pay a fine.455 The commission may also refer the matter to the appropriate law enforcement authority for criminal investigation.456 The commission is prohibited from imposing penalties upon officials/candidates in the legislative branch; instead, the commission must report its findings and recommendations to the legislative ethics commission.457

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.458

Creation
The commission was established by statute.459

For more information, visit these websites:
- Commission on Ethics and Lobbying in Government website: https://ethics.ny.gov

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454 See N.Y. Exec. Law § 94(5)(c).
455 See N.Y. Exec. Law §§ 94(10)(n)(i), 94(10)(n)(ii), 94(10)(n)(iii).
456 See N.Y. Exec. Law § 94(10)(n)(iv).
457 See N.Y. Exec. Law § 94(10)(p).
458 See N.Y. Exec. Law §§ 94(8), 94(7)(c), 94(5)(a)(i).
459 See N.Y. Exec. Law § 94.
NORTH CAROLINA

State Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive, legislative, and judicial branches.\textsuperscript{460} The commission also has jurisdiction over lobbyists/principals.

Appointment
Appointments are split between the executive branch (four) and legislative branch (four).\textsuperscript{461}

Membership
Current public officials/candidates, public employees, and political party officials are prohibited from serving on the commission.\textsuperscript{462} No member of the commission may have engaged in lobbying activities for a four-year period prior to their appointment.\textsuperscript{463} Political party balance among commission members is required. Of the four members appointed by the Governor, no more than two may be members of the same political party.\textsuperscript{464} The same requirement applies to the four members appointed by the General Assembly. Commission members are prohibited from engaging in partisan political activity.\textsuperscript{465}

Procedure
The commission must be composed of eight members.\textsuperscript{466} A quorum consists of five members.\textsuperscript{467}

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.\textsuperscript{468}

\textsuperscript{461} See N.C. Gen. Stat. § 138A-7(a).
\textsuperscript{463} See N.C. Gen. Stat. § 138A-7(e)(3).
\textsuperscript{464} See N.C. Gen. Stat. § 138A-7(a).
\textsuperscript{466} See N.C. Gen. Stat. § 138A-7(a).
\textsuperscript{468} See N.C. Gen. Stat. § 138A-12(s1).
Disciplinary Authority
If the commission determines that a violation has occurred, it may refer the matter to the appropriate disciplinary.\textsuperscript{469} The commission may issue a private admonishment to the alleged violator and notify the employing entity, if applicable.\textsuperscript{470} If the commission finds substantial evidence of an alleged violation of a criminal statute, it may refer the matter to the Attorney General and district attorney for investigation and possible prosecution.\textsuperscript{471}

Guidance
The commission supplies ethics materials and/or trainings and issues advisory opinions and/or specific advice.\textsuperscript{472}

Creation
The commission was established by statute.\textsuperscript{473}

For more information, visit these websites:
- State Ethics Commission website: https://ethics.nc.gov
- Statute text: https://www.ncleg.gov/Laws/GeneralStatuteSections/Chapter138A

\textsuperscript{469} See N.C. Gen. Stat. § 138A-12(m)(3).
\textsuperscript{471} See N.C. Gen. Stat. § 138A-12(m)(1).
NORTH DAKOTA

North Dakota Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches.  The commission also has jurisdiction over lobbyists/principals.

Appointment
Commission members are appointed by consensus agreement of the Governor, the Majority Leader of the Senate, and the Minority Leader of the Senate.

Membership
Public officials/candidates, political party officials, and lobbyists/principals are prohibited from serving on the commission.

Procedure
The commission must be composed of five members.

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.

Disciplinary Authority
If the commission determines that a violation has occurred, it may impose a civil penalty or refer the matter to the appropriate enforcement authority. The commission is not permitted to terminate the employment of a public official or remove a public official from office.

Guidance
The commission issues advisory opinions and/or specific advice and can create and/or define rules within its jurisdiction.

474 See N.D. Const. Art 14, § 3(2).
475 See N.D. Const. Art 14, § 3(3).
476 Id.
477 Id.
478 See N.D. Cent. Code § 54-66-08(3).
479 See N.D. Cent. Code § 54-66-09(2).
480 See N.D. Cent. Code § 54-66-09(3).
Creation
The commission was created by state constitution and statute.\textsuperscript{482}

For more information, visit these websites:
- North Dakota Ethics Commission website: https://www.ethicscommission.nd.gov
- Statute text: https://www.ndlegis.gov/cencode/t54c66.html

\textsuperscript{482} See N.D. Const. Art 14, § 3; N.D. Cent. Code § 54-66-04.
Ohio Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive branch.\textsuperscript{483}

Appointment
The executive branch appoints all commission members. \textsuperscript{484} Appointments require confirmation by the legislative branch.

Membership
Current public officials, public employees, and lobbyists/principals are prohibited from serving on the commission.\textsuperscript{485} Political party balance among commission members is required; three commission members should be members of each of the two major political parties in the state.\textsuperscript{486}

Procedure
The commission must be composed of six members.\textsuperscript{487} A majority of members (four) constitutes a quorum. A majority vote is required for the commission to take official action.

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.\textsuperscript{488}

Disciplinary Authority
If the commission determines that a violation has occurred, it must report its findings to the appropriate disciplinary authority.\textsuperscript{489}

Guidance
The commission issues advisory opinions and/or specific advice.\textsuperscript{490}

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{483} See Ohio Rev. Code Ann. § 102.01(F).
\item \textsuperscript{484} See Ohio Rev. Code Ann. § 102.05.
\item \textsuperscript{485} Id.
\item \textsuperscript{486} Id.
\item \textsuperscript{487} Id.
\item \textsuperscript{488} See Ohio Rev. Code Ann. § 102.06(D).
\item \textsuperscript{489} See Ohio Rev. Code Ann. § 102.06(C)(1)(a).
\item \textsuperscript{490} See Ohio Rev. Code Ann. § 102.08.
\end{itemize}
\end{footnotesize}
Creation
The commission was established by statute.491

For more information, visit these websites:
• Ohio Ethics Commission website: https://ethics.ohio.gov
• Statute text:
  https://ethics.ohio.gov/education/factsheets/ethicslaw.pdf

491 See Ohio Rev. Code Ann. § 102.05.
OKLAHOMA

Oklahoma Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches. 492 The commission also has jurisdiction over lobbyists/principals.493

Appointment
Appointments are split between the executive branch (two), legislative branch (two), and judicial branch (one).494

Membership
Current public officials/candidates and public employees are prohibited from serving on the commission. 495 Political party balance among commission members is required; no more than three commission members may be registered with the same political party.496 Parity in geographical representation is also required; no congressional district may be represented by more than one member.497

Procedure
The commission must be composed of five members.498 A majority of commission members constitutes a quorum.499

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.500

492 See Okla. Const. Art. 29, § 3.
496 See Okla. Const. Art. 29, § 1(B).
497 Id.
499 See Okla. Const. Art. 29, § 1(G).
Disciplinary Authority
If the commission determines that a violation has occurred, it may assess civil penalties.\textsuperscript{501} It may also prosecute in the District Court of the county in which the violation occurred.

Guidance
The commission supplies ethics materials and/or trainings and can create and/or define rules within its jurisdiction.\textsuperscript{502}

Creation
The commission was established by state constitution.\textsuperscript{503}

For more information, visit these websites:
- Oklahoma Ethics Commission website: https://www.ok.gov/ethics

\textsuperscript{502} See Okla. Ethics Commission, Annotated Ethics Rules, Rule 1.8 (2019); Okla. Const. Art. 29, § 3.
\textsuperscript{503} See Okla. Const. Art. 29, § 3.
Oregon Government Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches.\footnote{See generally Or. Rev. Stat. Ann. § 244.250.} The commission also has jurisdiction over lobbyists/principals.

Appointment
The executive branch appoints all commission members. The Governor selects eight members from a list of people recommended by the legislative branch, two each by the leadership of the Democratic and Republican parties in each house in the Legislature.\footnote{See Or. Rev. Stat. Ann. § 244.250(1).} The Governor appoints one member without leadership recommendation. Appointments require confirmation by the legislative branch.

Membership
Current public officials are prohibited from serving on the commission.\footnote{See Or. Rev. Stat. Ann. § 244.250(2).} Political party balance among commission members is required; no more than three members may be members of the same political party.\footnote{Id.}

Procedure
The commission must be composed of nine members.\footnote{See Or. Rev. Stat. Ann. § 244.250(1).} A quorum consists of five members.\footnote{See Or. Rev. Stat. Ann. § 244.250(2).} An affirmative vote of a majority of the members (five) is required for the commission to take an official action.

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.\footnote{See Or. Rev. Stat. Ann. § 244.250(6)(b).}

Disciplinary Authority
If the commission determines that a violation has occurred, it must report its findings to the appropriate disciplinary authority.\footnote{See Or. Rev. Stat. Ann. §§ 244.260(8), 244.270(2).}
commission determines that an appointed public official has violated government ethics laws, the commission has the authority to remove the official from office.512

**Guidance**
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.513

**Creation**
The commission was established by statute.514

For more information, visit these websites:
- Oregon Government Ethics Commission website: [https://www.oregon.gov/ogec/Pages/default.aspx](https://www.oregon.gov/ogec/Pages/default.aspx)
- Statute text: [https://www.oregonlegislature.gov/bills_laws/ors/ors244.html](https://www.oregonlegislature.gov/bills_laws/ors/ors244.html)

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512 “If the Oregon Government Ethics Commission finds that an appointed public official has violated any provision of this chapter or any rule adopted under this chapter, the finding is prima facie evidence of unfitness where removal is authorized for cause either by law or pursuant to section 6, Article VII (Amended) of the Oregon Constitution.” See Or. Rev. Stat. Ann. § 244.270(1).

513 See Or. Rev. Stat. Ann. §§ 244.320, 244.280(1), 244.290(2).

**Pennsylvania**

**State Ethics Commission**

**Jurisdiction**

**Appointment**
Appointments are split between the executive branch (three) and legislative branch (four).

**Membership**
Current public officials, public employees, and political party officials are prohibited from serving on the commission. See Pa. Cons. Stat. Ann. §§ 1006(d)(1), 1006(d)(5), 1006(d)(2). Political party balance among commission members is required; no more than two members appointed by the executive branch may be members of the same political party. See Pa. Cons. Stat. Ann. § 1106(a). Commission members are prohibited from engaging in partisan political activity.

**Procedure**
The commission must be composed of seven members. A quorum consists of four members. A majority vote of members present is required for the commission to take official action.

**Subpoena Authority**
The commission does not have the authority to issue subpoenas.

**Disciplinary Authority**
If the commission determines that a violation has occurred, it may levy a civil penalty upon the alleged violator, including restitution. The commission also can report its findings and recommendations to the appropriate disciplinary authority, including law enforcement.

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Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.\textsuperscript{523}

Creation
The commission was established by statute.\textsuperscript{524}

For more information, visit these websites:
- State Ethics Commission website: [https://www.ethics.pa.gov/Pages/default.aspx](https://www.ethics.pa.gov/Pages/default.aspx)
- Statute text: [https://www.ethics.pa.gov/Ethics-Act/Ethics-Act/Pages/Section-1101.aspx](https://www.ethics.pa.gov/Ethics-Act/Ethics-Act/Pages/Section-1101.aspx)

**PUERTO RICO**

**Office of Government Ethics**

**Jurisdiction**
The Office of Government Ethics has jurisdiction over public officials and employees in the executive and legislative branches. 525

**Appointment**
The executive branch appoints the Executive Director of the Office of Government Ethics from a list of at least three candidates provided by the judicial branch. 526 Appointments require confirmation by the legislative branch.

**Membership**
Current public officials/candidates are prohibited from serving in this role. 527 The Executive Director is prohibited from engaging in partisan political activity. 528

**Procedure**
The Office of Government Ethics is administered by an Executive Director. 529

**Subpoena Authority**
The Executive Director has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the Office of Government Ethics. 530

**Disciplinary Authority**
If the Office of Government Ethics determines that a violation has occurred, the Executive Director may take or direct disciplinary, administrative, or civil measures against the alleged violator. 531

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525 See P.R. Laws Ann. tit. 3, § 1855(a).
526 See P.R. Laws Ann. tit. 3, §§ 1855a(a), 1855(a)(d).
527 See P.R. Laws Ann. tit. 3, § 1855a(c).
528 Id.
529 See P.R. Laws Ann. tit. 3, § 1855(a).
530 See P.R. Laws Ann. tit. 3, § 1855b(i).
531 See P.R. Laws Ann. tit. 3, § 1855b(ii).
Guidance
The Office of Government Ethics supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.\(^{532}\)

Creation
The Office of Government Ethics was created by statute.\(^{533}\)

For more information, visit these websites:
- Office of Government Ethics Commission website: [https://www.eticapr.net/#:~:text=A%20la%20Oficina%20de%20%03%89tica%20Gubernamental%20Puerto%2C%20y%20preservar%20la%20integridad%20en%20el%20servicio%20p%03%89blico](https://www.eticapr.net/#:~:text=A%20la%20Oficina%20de%20%03%89tica%20Gubernamental%20Puerto%2C%20y%20preservar%20la%20integridad%20en%20el%20servicio%20p%03%89blico)
- Statute text: [https://bvirtualogp.pr.gov/ogp/Bvirtual/leyesreferencia/PDF/Y%20-%20Ingl%C3%A9s/1-2012.pdf](https://bvirtualogp.pr.gov/ogp/Bvirtual/leyesreferencia/PDF/Y%20-%20Ingl%C3%A9s/1-2012.pdf)

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\(^{532}\) See P.R. Laws Ann. tit. 3, §§ 1855b(a)(3), 1855b(e), 1855b(c).

\(^{533}\) See P.R. Laws Ann. tit. 3, § 1855.
RHODE ISLAND

Rhode Island Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches.534

Appointment
The executive branch appoints commission members. The Governor selects four individuals from lists provided by the legislative branch.535 The Governor appoints one individual without regard to the lists provided by the Legislature.

Membership
Current political party officials and lobbyists/principals are prohibited from serving on the commission.536 Commission members may not have been public officials or candidates for public office for a period of one year prior to their appointment.537 Commission members are prohibited from engaging in partisan political activity.538

Procedure
The commission must be composed of nine members.539 A quorum consists of five members.540 A majority vote of at least three commission members is required to determine the commission’s findings.541

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.542

Disciplinary Authority
The commission has the authority to issue civil penalties.543 If the commission determines that a violation has occurred, it may: require

539 See R.I. Gen. Laws § 36-14-8(a).
540 See R.I. Gen. Laws § 36-14-8(h).
541 See R.I. Gen. Laws § 36-14-13(c).
542 See R.I. Gen. Laws § 36-14-12(a).
that the alleged violator cease and desist the violating activity; require that the alleged violator file any report or other required documentation; require that the violator pay a civil penalty of no more than twenty-five thousand dollars ($25,000) for each violation; refer the record of its proceedings to the Attorney General; and/or remove the alleged violator from their office or position, provided the alleged violator is not subject to impeachment.\textsuperscript{544}

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.\textsuperscript{545}

Creation
The commission was established by state constitution and statute.\textsuperscript{546}

For more information, visit these websites:
- Rhode Island Ethics Commission website: https://ethics.ri.gov
- Statute text: https://ethics.ri.gov/code-ethics

\textsuperscript{544} See R.I. Gen. Laws § 36-14-13(d).
\textsuperscript{545} See R.I. Gen. Laws §§ 36-14-10, 36-14-11, 36-14-9(a)(3).
SOUTH CAROLINA

State Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches. The commission also has jurisdiction over lobbyists/principals.

Appointment
Appointments are split between the executive branch (four) and the legislative branch (four). Appointments require confirmation by the legislative branch.

Membership
Current public employees, family members of statewide elected officials, and individuals who have made contributions to the Governor within the previous four years are prohibited from serving on the commission. Commission members may not have been registered as a lobbyist within four years of being appointed to the commission. Commission members may not have been a member of the General Assembly for a period of eight years prior to their appointment to the commission.

Political party balance among commission members is required; no more than two members appointed by the executive branch may be affiliated with the same political party as the Governor. Of the two members each selected by the Senate and House, one must be recommended by the major political party and one must be recommended by the largest minor political party.

Procedure
The commission must be composed of eight members. A quorum consist of five members. A majority vote of the total membership of

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the commission (six members) is required to initiate an investigation.\textsuperscript{556} An affirmative vote of six members is required to determine the commission’s findings.\textsuperscript{557}

**Subpoena Authority**
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.\textsuperscript{558}

**Disciplinary Authority**
If the commission determines that a violation has occurred, it may require the alleged violator to pay a civil penalty of no more than two thousand dollars ($2,000) for each violation and/or forfeit gifts, receipts, or profits, or the value thereof, obtained through the violating activity.\textsuperscript{559}

**Guidance**
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.\textsuperscript{560}

**Creation**
The commission was established by statute.\textsuperscript{561}

**For more information, visit these websites:**
- State Ethics Commission website: https://ethics.sc.gov

\begin{flushright} \textsuperscript{556} See S.C. Code Ann. § 8-13-320(9)(a).  
\textsuperscript{561} See S.C. Code Ann. § 8-13-310. \end{flushright}
SOUTH DAKOTA

State Government Accountability Board

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive branch.\textsuperscript{562}

Appointment
The executive branch appoints commission members.\textsuperscript{563} Appointments require confirmation by the legislative branch.

Membership
Each commission member must be a former or retired circuit court judge or Supreme Court Justice.\textsuperscript{564} Current members of the Legislature are prohibited from serving on the commission.\textsuperscript{565} Political party balance among commission members is required; no more than two members may be affiliated with the same political party.\textsuperscript{566}

Procedure
The commission must be composed of four members.\textsuperscript{567} A majority vote is required to initiate an investigation.\textsuperscript{568} A majority vote is also required to determine the commission’s findings.\textsuperscript{569}

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.\textsuperscript{570}

\textsuperscript{562} See S.D. Codified Laws § 3-24-3.
\textsuperscript{563} See S.D. Codified Laws § 3-24-1.
\textsuperscript{564} Id.
\textsuperscript{565} Id.
\textsuperscript{566} Id.
\textsuperscript{567} Id.
\textsuperscript{568} “If a majority of the members of the board vote that there is sufficient information to believe that a statewide office holder or executive branch employee has engaged in misconduct related to any subdivision of § 3-24-3, the board shall conduct a contested case hearing according to chapter 1-26 to afford the accused person the opportunity to respond to the allegation.” See S.D. Codified Laws § 3-24-7.
\textsuperscript{569} See S.D. Codified Laws § 3-24-8.
\textsuperscript{570} See S.D. Codified Laws § 3-24-3.
Disciplinary Authority
If the commission determines that a violation has occurred, it may: issue a public or private reprimand; direct a person to engage in coursework or community service; or make a specific recommendation to the Governor regarding the violation.\textsuperscript{571} The board may also refer any information, report or complaint to the Division of Criminal Investigation.\textsuperscript{572}

Guidance
The commission does not provide guidance or training. The commission does not have the authority to create and/or define rules within its jurisdiction.

Creation
The commission was established by statute.\textsuperscript{573}

For more information, visit these websites:
- State Government Accountability Board website: https://atg.sd.gov/Legal/governmentaccountabilityboard.aspx
- Statute text: https://sdlegislature.gov/Statutes/Codified_Laws/2033690

\textsuperscript{571} See S.D. Codified Laws § 3-24-8.
\textsuperscript{572} See S.D. Codified Laws § 3-24-5.
\textsuperscript{573} See S.D. Codified Laws § 3-24-1.
TENNESSEE

Tennessee Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches. The commission also has jurisdiction over lobbyists/principals.

Appointment
Appointments are split between the executive branch (two) and the legislative branch (four). The majority and minority caucuses of the Senate and House of Representatives each submit a list of three candidates to the Speaker of the Senate and Speaker of the House of Representatives, respectively. Appointments require confirmation by the legislative branch.

Membership
Commission membership must include one Black member and one female member. Current public officials/candidates, public employees, political party officials, and lobbyists/principals are prohibited from serving on the commission. No person who has ever been convicted of a felony or who is a relative of a current public employee may serve on the commission. Political party balance among commission members is required; each appointing authority may appoint one member who is affiliated with the majority party and one member who is affiliated with the minority party. Commission members are prohibited from engaging in partisan political activity.

Procedure
The commission must be composed of six members. A quorum consists of four members. An affirmative vote from four members is required for the commission to take official action. The commission may

576 See Tenn. Code Ann. § 3-6-103(c)(1).
578 See Tenn. Code Ann. §§ 3-6-103(h)(1), 3-6-103(h)(2), 3-6-103(h)(3), 3-6-103(h)(6).
579 See Tenn. Code Ann. § 3-6-103(a)(2).
580 See Tenn. Code Ann. § 3-6-103(c)(1).
581 See Tenn. Code Ann. § 3-6-103(h)(5).
582 See Tenn. Code Ann. § 3-6-103(a)(1).
583 See Tenn. Code Ann. § 3-6-103(f).
584 Id.
initiate an investigation upon an affirmative vote that includes three members of the commission who are affiliated with the same political party or two members of the commission who are affiliated with different political parties.\textsuperscript{585}

**Subpoena Authority**
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.\textsuperscript{586}

**Disciplinary Authority**
If the commission determines that a violation has occurred, it may: assess and collect late filing fees as applicable; assess and collect a civil penalty; and/or seek injunctive relief in the chancery court of Davidson County to prevent continuing violations.\textsuperscript{587} The commission may also refer the matter to the appropriate law enforcement agency for investigation and prosecution.\textsuperscript{588}

**Guidance**
The commission supplies ethics materials and/or trainings and issues advisory opinions and/or specific advice.\textsuperscript{589}

**Creation**
The commission was established by statute.\textsuperscript{590}

**For more information, visit these websites:**
- Tennessee Ethics Commission website: https://www.tn.gov/tec.html
- Statute text: https://www.tn.gov/content/dam/tn/ethicscommission/documents/EthicsReformAct%202021April.pdf

\textsuperscript{585} See Tenn. Code Ann. § 3-6-201(d).
\textsuperscript{586} See Tenn. Code Ann. §§ 3-6-107(1), 3-6-204(a).
\textsuperscript{587} See Tenn. Code Ann. § 3-6-107.
\textsuperscript{588} See Tenn. Code Ann. § 3-6-109.
\textsuperscript{589} See Tenn. Code Ann. §§ 3-6-106(a)(8), 3-6-107(2).
\textsuperscript{590} See Tenn. Code Ann. § 3-6-102.
TEXAS

Texas Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches. The commission also has jurisdiction over lobbyists/principals.

Appointment
Appointments are split between the executive branch (six) and the legislative branch (two).

Membership
Current lobbyists/principals are prohibited from serving on the commission. Political party balance among commission members is required.

Procedure
The commission must be composed of eight members. A majority of the membership of the commission constitutes a quorum. An affirmative vote of a majority of the membership is required for the commission to take official action. An affirmative vote of a supermajority of the membership (six members) is required to initiate a preliminary review of a complaint. An affirmative vote of six or more

592 “The Texas Ethics Commission is a state agency consisting of the following eight members:
(1) two members of different political parties appointed by the governor from a list of at least 10 names submitted by the members of the house of representatives from each political party required by law to hold a primary;
(2) two members of different political parties appointed by the governor from a list of at least 10 names submitted by the members of the senate from each political party required by law to hold a primary;
(3) two members of different political parties appointed by the speaker of the house of representatives from a list of at least 10 names submitted by the members of the house from each political party required by law to hold a primary; and
(4) two members of different political parties appointed by the lieutenant governor from a list of at least 10 names submitted by the members of the senate from each political party required by law to hold a primary.” See Tex. Const. Art. III, 24a(a).
595 Id.
596 See Tex. Gov’t Code Ann. § 571.026(a).
597 See Tex. Gov’t Code Ann. § 571.026(c)(2).
598 See Tex. Gov’t Code Ann. § 571.124(b).
members is required for the commission to determine that a violation has occurred.\textsuperscript{599}

**Subpoena Authority**
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.\textsuperscript{600}

**Disciplinary Authority**
If the commission determines that a violation has occurred, it may impose a civil penalty of no more than five thousand dollars ($5,000) or triple the amount at issue under a law administered and enforced by the commission, whichever amount is higher.\textsuperscript{601}

**Guidance**
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.\textsuperscript{602}

**Creation**
The commission was established by State Constitution and statute.\textsuperscript{603}

For more information, visit these websites:
- Texas Ethics Commission website: https://www.ethics.state.tx.us
- Statute text: https://www.ethics.state.tx.us/statutes/ch571.php

\textsuperscript{599} See Tex. Gov’t Code Ann. § 571.132(b).
\textsuperscript{600} See Tex. Gov’t Code Ann. § 571.130.
\textsuperscript{601} See Tex. Gov’t Code Ann. § 571.173.
\textsuperscript{602} See Tex. Gov’t Code Ann. §§ 571.071, 571.091, § 571.062.
\textsuperscript{603} See Tex. Const. Art. III, § 24a; Tex. Gov’t Code § 571.021.
Utah has two state government ethics oversight bodies: The Executive Branch Ethics Commission and the Legislative Ethics Commission.

**Executive Branch Ethics Commission**

**Jurisdiction**
The commission has jurisdiction over public officials in the executive branch.604

**Appointment**
The executive branch appoints commission members.605

**Membership**
Current public officials, public employees, and lobbyists/principals are prohibited from serving on the commission.606 Commission members may not have served as elected officials in state government or in a management position in the state executive branch for a period of four years prior to their appointment.607

Two commission members must have previously served as elected officials.608 One member must have served, but no longer actively serves, as a state judge.609

**Procedure**
The commission must be composed of five members.610 A majority of the commission (three members) constitutes a quorum.611 A majority vote of a quorum present is required for the commission to take official action.612 A supermajority vote of the membership (four members) is required to determine that the allegation has merit.613

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604 See Utah Code Ann. § 63A-14-303(1).
608 Id.
609 Id.
Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.614

Disciplinary Authority
If the commission determines that the allegations have merit, it must submit its findings in writing to the legislative branch.615

Guidance
The commission does not provide guidance or training. The commission does not have the authority to create and/or define rules within its jurisdiction.

Creation
The commission was established by statute.616

For more information, visit these websites:
- Statute text: https://le.utah.gov/xcode/Title63A/Chapter14/63A-14.html

Legislative Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials in the legislative branch.617

Appointment
The legislative branch appoints commission members.618

Membership
Current public officials/candidates and lobbyists/principals are prohibited from serving on the commission. 619 Three commission members must have served as state judges, and two members must have served as public officials in the legislative branch. 620 Commission

615 See Utah Code Ann. § 63A-14-605(2)(b).
618 See Utah Leg. Rules § JR6-2-103.
619 See Utah Leg. Rules § JR6-2-103(3)(a); Utah Const. Art. VI, § 10(2).
620 See Utah Leg. Rules § JR6-2-103(2).
members may not have served as public officials in the legislative branch for a period of four years prior to their appointment.

**Procedure**
The commission must be composed of five members.\(^{621}\) A quorum consists of three members.\(^{622}\) An affirmative vote of four or more members is required to determine the commission’s findings.\(^{623}\)

**Subpoena Authority**
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.

**Disciplinary Authority**
If the commission determines that a violation has occurred, it must submit its findings in writing to the Senate Ethics Committee, if the respondent is a senator, or to the House Ethics Committee, if the respondent is a representative.\(^{624}\)

**Guidance**
The commission does not provide guidance or training. The commission does not have the authority to create and/or define rules within its jurisdiction.

**Creation**
The commission was established by State Constitution and rules of the Utah State Legislature.\(^{625}\)

**For more information, visit these websites:**
- Legislative Ethics Commission website: https://ethics.utah.gov/independent-legislative-ethics-commission

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\(^{621}\) See Utah Const. Art.VI, § 10(2).
\(^{622}\) See Utah Leg. Rules § JR6-2-104(2).
\(^{623}\) See Utah Leg. Rules § JR6-4-203(4)(a).
\(^{624}\) See Utah Leg. Rules § JR6-4-204(2)(b).
\(^{625}\) See Utah Const. Art.VI, § 10; Utah Leg. Rules § JR6-2-103.
VERMONT

State Ethics Commission

Jurisdiction
The commission has jurisdiction over public officials and employees in the executive and legislative branches.\textsuperscript{626}

Appointment
Appointments are split between the Chief Justice of the Supreme Court (one) and four civil organizations, including: The League of Women Voters of Vermont (one); the Board of Directors of the Vermont Society of Certified Public Accountants (one); the Board of Managers of the Vermont Bar Association (one); and the Board of Directors of the Society of Human Resource Management Vermont State Council (one).\textsuperscript{627} The civil organizations must select appointments from their respective membership.

Membership
Current public officials/candidates, public employees, political party officials, and lobbyists/principals are prohibited from serving on the commission.\textsuperscript{628}

Procedure
The commission must be composed of five members.\textsuperscript{629}

Subpoena Authority
The commission does not have the authority to issue subpoenas.

Disciplinary Authority
If the commission determines that a violation has occurred, it shall refer the complaint to the Attorney General or the State’s Attorney of jurisdiction, as appropriate.\textsuperscript{630}

Guidance
The commission supplies ethics materials and/or trainings and issues advisory opinions and/or specific advice.\textsuperscript{631}

Creation
The commission was established by statute.632

For more information, visit these websites:
- State Ethics Commission website: https://ethicscommission.vermont.gov
- Statute text: https://legislature.vermont.gov/statutes/fullchapter/03/031

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Virginia Conflict of Interest and Ethics Advisory Council

Jurisdiction
The commission has jurisdiction over officials and employees in the executive and legislative branches.633 The commission also has jurisdiction over lobbyists/principals.634

Appointment
Appointments are split between the executive branch (three) and legislative branch (six).635 Appointments require confirmation by the legislative branch.

Membership
Four commission members must be former legislators, two must be former judges, one must be a current executive branch employee, and two must be selected from lists submitted by the Virginia Association of Counties and the Virginia Municipal League.636 Political party balance among commission members is required.637

Procedure
The commission must be composed of nine members.638 A majority of the Council (five members) constitutes a quorum.639

Subpoena Authority
The commission does not have the authority to issue subpoenas.

Disciplinary Authority
If the commission determines that a violation has occurred, it shall notify the Attorney General.640

636 Id.
637 “In the appointment to the Council of members of the House of Delegates made by the Speaker and members of the Senate made by the Senate Committee on Rules, equal representation shall be given to each of the political parties having the highest and next highest number of members elected to their respective body.” Id.
638 Id.
Guidance
The commission supplies ethics materials and/or trainings and issues advisory opinions and/or specific advice.641

Creation
The commission was established by statute.642

For more information, visit these websites:
- Virginia Conflict of Interest and Ethics Advisory Council website: http://ethics.dls.virginia.gov
- Statute text: https://law.lis.virginia.gov/vacode/title30/chapter56

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WASHINGTON

Washington has two state government ethics oversight bodies: The Executive Ethics Board and the Legislative Ethics Board.

Executive Ethics Board

Jurisdiction
The commission has jurisdiction over officials and employees in the executive branch.643

Appointment
The executive branch appoints commission members.644

Membership
Current public officials/candidates, political party officials, and lobbyists are prohibited from serving on the commission.645 Commission members are prohibited from engaging in partisan political activity.646 Political party balance among commission members is required; no more than three members may be identified with the same political party.647

Procedure
The commission must be composed of five members.648

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.649

Disciplinary Authority
If the commission determines that a violation has occurred, it may order payment for damages sustained by the state caused by the alleged violation, a civil penalty of up to five thousand dollars per violation, and costs related to the investigation.650

643 See Wash. Code Rev. § 42.52.350(1).
644 Id.
645 See Wash. Code Rev. §§ 42.52.380(1)(a), 42.52.380(1)(b), 42.52.380(1)(d).
646 See Wash. Code Rev. § 42.52.380(1)(c).
647 See Wash. Code Rev. § 42.52.350(3).
648 See Wash. Code Rev. § 42.52.350(1).
649 See Wash. Code Rev. § 42.52.390.
650 See Wash. Code Rev. § 42.52.480(1).
Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.651

Creation
The commission was established by statute.652

For more information, visit these websites:
- Commission website: https://ethics.wa.gov
- Statute text: https://app.Legislaturewa.gov/RCW/default.aspx?cite=42.52

Legislative Ethics Board

Jurisdiction
The commission has jurisdiction over officials and employees in the legislative branch.653

Appointment
Appointments are split between the executive branch (four), legislative branch (four), and citizen members of the Legislative Ethics Board (one).654

Membership
Four commission members must be current legislators.655 Political party officials and lobbyists are prohibited from serving on the commission.656 No citizen member of the commission may hold or campaign for partisan elective office.657

Commission members are prohibited from engaging in partisan political activity. 658 Political party balance among commission members is required; no more than three of the public members may be identified with the same political party.659

651 See Wash. Code Rev. §§ 42.52.360(3)(a), 42.52.360(3)(c), 42.52.360(1)
652 See Wash. Code Rev. § 42.52.350.
653 See Wash. Code Rev. § 42.52.320.
654 See Wash. Code Rev. § 42.52.310(1).
655 Id.
656 See Wash. Code Rev. §§ 42.52.380(2)(b), 42.52.380(2)(d).
657 See Wash. Code Rev. § 42.52.380(2)(a).
658 See Wash. Code Rev. § 42.52.380(2)(c).
659 See Wash. Code Rev. § 42.52.310(3).
Procedure
The commission must be composed of nine members.660

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.661

Disciplinary Authority
If the commission determines that a violation has occurred, it may order payment for damages sustained by the state caused by the alleged violation, a civil penalty of up to five thousand dollars per violation, and costs related to the investigation.662

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.663

Creation
The commission was established by statute.664

For more information, visit these websites:
- Commission website: https://Legislaturewa.gov/LEB/Pages/default.aspx
- Statute text: https://app.Legislaturewa.gov/RCW/default.aspx?cite=42.52

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660 See Wash. Code Rev. § 42.52.310(1).
661 See Wash. Code Rev. § 42.52.320(3)(a).
662 See Wash. Code Rev. § 42.52.480(1).
663 See Wash. Code Rev. §§ 42.52.320(2)(a), 42.52.320(2)(b) 42.52.320(1).
664 See Wash. Code Rev. § 42.52.310.
WEST VIRGINIA

West Virginia Ethics Commission

Jurisdiction
The commission has jurisdiction over officials and employees in the executive and legislative branches. The commission also has jurisdiction over lobbyists/principals.

Appointment
The executive branch appoints commission members. Appointments require confirmation by the legislative branch.

Membership
Four commission members must be former public officials and four members must be selected from the general public. Current public officials/candidates, public employees, political party officials, and lobbyists are prohibited from serving on the commission. Commission members may contribute to political campaigns.

Political party balance among commission members is required; no more than five members may be affiliated with the same political party. Parity in geographical representation is also required; one member must be from a rural area and no more than two members may be from the same state senatorial district.

Procedure
The commission must be composed of nine members. Five members constitute a quorum. A Probable Cause Review Board of three members appointed by the governor must unanimously decide that there is probable cause in order for the commission to initiate an investigation.

672 See W. Va. Code § 6B-2-1(c).
674 See W. Va. Code §§ 6B-2-2a, 6B-2-4(g).
**Subpoena Authority**
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.\(^{675}\)

**Disciplinary Authority**
If the commission determines that a violation has occurred, it may impose one or more of the following sanctions: public reprimand; cease and desist orders; orders of restitution; fines not to exceed five thousand dollars ($5,000) per violation; or reimbursement to the commission for the costs of investigation and prosecution.\(^{676}\)

**Guidance**
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.\(^{677}\)

**Creation**
The commission was established by statute.\(^{678}\)

**For more information, visit these websites:**
- Commission website: [https://ethics.wv.gov/Pages/default.aspx](https://ethics.wv.gov/Pages/default.aspx)
- Statute text: [https://code.wvlegislature.gov/6B](https://code.wvlegislature.gov/6B)

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\(^{675}\) See W. Va. Code § 6B-2-2(c).

\(^{676}\) See W. Va. Code § 6B-2-4(s).


\(^{678}\) See W. Va. Code § 6B-2-1.
Wisconsin

Ethics Commission

Jurisdiction
The commission has jurisdiction over officials and employees in the executive and legislative branches.\textsuperscript{679} The commission also has jurisdiction over lobbyists/principals.\textsuperscript{680}

Appointment
Appointments are split between the executive branch (two) and legislative branch (four).\textsuperscript{681} require confirmation by the legislative branch.

Membership
Two members appointed by the governor must have previously served as judges.\textsuperscript{682} Current public officials and lobbyists are prohibited from serving on the commission.\textsuperscript{683} Political party balance among commission members is partially required.\textsuperscript{684}

Procedure
The commission must be composed of six members.\textsuperscript{685} There may be one additional member added from a third political party whose candidate for governor received at least 10 percent of the vote.\textsuperscript{686} An affirmative vote of at least two-thirds of the commission’s members is required for the commission to take official action.\textsuperscript{687}

Subpoena Authority
The commission has the authority to issue subpoenas for witness attendance/testimony and records related to matters under investigation by the commission.\textsuperscript{688}

\textsuperscript{679} See Wis. Stat. § 19.41.
\textsuperscript{680} See Wis. Stat. § 13.621(5).
\textsuperscript{681} See Wis. Stat. § 15.62(1)(a).
\textsuperscript{682} Id.
\textsuperscript{683} See Wis. Stat. § 15.62(2).
\textsuperscript{684} See Wis. Stat. § 15.62(1)(a).
\textsuperscript{685} Id.
\textsuperscript{686} See Wis. Stat. § 15.62(1)(a)(6).
\textsuperscript{687} See Wis. Stat. § 9.47(4).
\textsuperscript{688} See Wis. Stat. § 19.49(1)(a).
Disciplinary Authority
If the commission determines that a violation has occurred, it may prosecute alleged civil violations. It may also authorize its administrator to file a civil complaint against the alleged violator.

Guidance
The commission supplies ethics materials and/or trainings, issues advisory opinions and/or specific advice, and can create and/or define rules within its jurisdiction.

Creation
The commission was established by statute.

For more information, visit these websites:
- Commission website: https://ethics.wi.gov/Pages/home.aspx
- Statute text: https://docs.legis.wisconsin.gov/statutes/statutes/15/iii/62
- Regulatory text: https://docs.legis.wisconsin.gov/code/admin_code/eth

689 See Wis. Stat. § 19.49(2)(a).
692 See Wis. Stat. § 15.62.