

# 2010 SESSION

## HOUSE SUBSTITUTE

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### HOUSE BILL NO. 617

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Rules  
on February 11, 2010)

(Patrons Prior to Substitute—Delegates Lohr, Abbott [HB 816], Armstrong [HB 643], and Plum [HB 330])  
*A BILL to amend and reenact § 30-114 of the Code of Virginia, relating to proceedings of the House and Senate Ethics Advisory Panels.*

#### **Be it enacted by the General Assembly of Virginia:**

#### **1. That § 30-114 of the Code of Virginia is amended and reenacted as follows:**

§ 30-114. Filing of complaints; procedures; disposition.

A. In response to the signed and sworn complaint of any citizen of the Commonwealth submitted to the Panel, the Panel shall inquire into any alleged violation of Articles 2 through 5 (§ 30-102 et seq.) of this chapter by any member of the respective house of the General Assembly in his current term or his immediate prior term. Complaints shall be filed with the Director of the Division of Legislative Services, who shall promptly submit the complaint to the chairman of the appropriate Panel. The Panel may use the Director of the Division of Legislative Services, and such additional staff as he may assign, to assist the Panel during its preliminary investigation.

B. If after such preliminary investigation as it may make, the Panel determines to proceed with an inquiry into the conduct of any legislator, the Panel shall immediately notify in writing the individual as to the fact of the inquiry and the charges against him and shall schedule one or more hearings on the matter. The legislator shall have the right to present evidence, cross-examine witnesses, face and examine the accuser, and be represented by counsel at any hearings. In its discretion, the Panel may grant the legislator any other rights or privileges not specifically enumerated in this subsection, and, in addition, may hold hearings in closed session. However, the legislator whose conduct is under inquiry, by written request filed with the Panel, may require that all hearings before the Panel concerning the legislator be public.

C. *Once the Panel determines to proceed with an inquiry into the conduct of any legislator, the Panel shall complete its investigations and dispose of the matter as provided in § 30-116 notwithstanding the resignation of the legislator from the General Assembly during the course of the Panel's proceedings.*

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