

1 Introduced by Committee on Government Operations

2 Date:

3 Subject: Executive; governmental ethics; State Ethics Commission; State Code  
4 of Ethics; advisory opinions

5 Statement of purpose of bill as introduced: This bill proposes to clarify the  
6 duties of the State Ethics Commission in regard to creating and maintaining the  
7 State Code of Ethics and to issuing advisory opinions.

8 An act relating to clarifying the duties of the State Ethics Commission

9 It is hereby enacted by the General Assembly of the State of Vermont:

10 Sec. 1. 3 V.S.A. § 1202 is amended to read:

11 § 1202. STATE CODE OF ETHICS

12 The Ethics Commission, in consultation with the Department of Human  
13 Resources, shall create and maintain the State Code of Ethics that sets forth  
14 general principles of governmental ethical conduct. These general principles  
15 are not enforceable but shall be maintained for officers and employees of State  
16 government as a resource to help guide their own ethical decision-making.

1 Sec. 2. 3 V.S.A. § 1225 is amended to read:

2 § 1225. EXECUTIVE DIRECTOR GUIDANCE AND ADVISORY

3 OPINIONS

4 (a) Guidance.

5 (1) The Executive Director may issue to an Executive officer or other  
6 State employee, upon his or her request, guidance regarding any provision of  
7 this chapter or any issue related to governmental ethics.

8 (2) The Executive Director may consult with members of the  
9 Commission and the Department of Human Resources in preparing this  
10 guidance.

11 (3) Guidance issued under this subsection shall be exempt from public  
12 inspection and copying under the Public Records Act and shall be kept  
13 confidential unless the receiving entity has publicly disclosed it.

14 (b) Advisory opinions.

15 (1) The Executive Director may issue advisory opinions that provide  
16 general advice or interpretation regarding this chapter or any issue related to  
17 governmental ethics. An advisory opinion shall not be issued in response to  
18 the request or act of any specific person and shall not contain any personal  
19 identifying information but shall generally educate the public about frequently  
20 asked questions regarding governmental ethical conduct.

1           (2) The Executive Director may consult with members of the  
2 Commission and the Department of Human Resources in preparing these  
3 advisory opinions.

4           (3) The Executive Director shall post on the Commission’s website any  
5 advisory opinions that he or she issues.

6 Sec. 3. EFFECTIVE DATE

7           This act shall take effect on passage.