

Sec. 1. 3 V.S.A. § 1223 is amended to read:

§ 1223. PROCEDURE FOR ACCEPTING AND REFERRING COMPLAINTS

Current:

(c) Consultation on unethical conduct. If the Executive Director refers a complaint under subsection (b) of this section, the Executive Director shall signify any likely unethical conduct described in the complaint. Any entity receiving a referred complaint, except those in subdivision (b)(5) of this section, shall consult with the Commission regarding the application of the State Code of Ethics to facts presented in the complaint. The consultation shall be in writing and occur within 60 days after an entity receives a referred complaint and prior to the entity making a determination on the complaint, meaning either closing a complaint without further investigation or issuing findings following an investigation.

Proposed:

(c) Consultation on unethical conduct. If the Executive Director refers a complaint under subsection (b) of this section, the Executive Director shall signify any likely unethical conduct described in the complaint. Any entity receiving a referred complaint, except those in subdivision (b)(5) of this section, shall consult with the Commission regarding the application of the State Code of Ethics to facts presented in the complaint. The consultation shall be in writing and occur within 60 days after an entity receives a referred complaint and prior to the entity making a determination on the complaint, meaning either closing a complaint without further investigation or issuing findings following an investigation. The Ethics Commission shall have 10 working days to respond to a consultation request. Any advice provided by the Commission during the consultation process is confidential and non-binding on the referral entity. The entities in subdivisions (b)(4)(A)-(B) shall only consult with the Executive Director regarding allegations that do not involve core legislative functions.