

1 HB717
2 119320-1
3 By Representative DeMarco
4 RFD: Government Operations
5 First Read: 11-MAR-10

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8 SYNOPSIS: This bill would provide for mandatory
9 ethics training for public officials, public
10 employees, and lobbyists.

11
12 A BILL
13 TO BE ENTITLED
14 AN ACT
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16 To provide for mandatory ethics training for public
17 officials, public employees, and lobbyists.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. (a) At the beginning of each legislative
20 quadrennium, the State Ethics Commission shall provide for and
21 administer training programs on the State Ethics Law for
22 members of the Legislature, state constitutional officers,
23 cabinet officers, executive staff, municipal mayors, council
24 members and commissioners, county commissioners, and
25 lobbyists.

26 (1) The training program for legislators shall be
27 held at least once at the beginning of each quadrennium for

1 members of the Legislature. An additional training program
2 shall be held if any changes are made to Chapter 25, Title 36,
3 Code of Alabama 1975, and shall be held within three months of
4 the effective date of such changes. The time and place of the
5 training programs shall be determined by the Executive
6 Director of the State Ethics Commission and the Legislative
7 Council. Each legislator must attend the training programs.
8 The State Ethics Commission shall also provide a mandatory
9 program for any legislator elected in a special election
10 within three months of the date that such legislator assumes
11 office.

12 (2) The training program for the state
13 constitutional officers, cabinet members, and executive staff,
14 as determined by the Governor, shall be held within the first
15 30 days after the Governor has been sworn into office. An
16 additional training program shall be held if any changes are
17 made to Chapter 25, Title 36, Code of Alabama 1975, and shall
18 be held within three months of the effective date of such
19 changes. The specific date of the training program shall be
20 established by the Executive Director of the State Ethics
21 Commission with the advice of the Governor and other
22 constitutional officers.

23 (3) The training program for lobbyists shall be held
24 four times annually as designated by the Executive Director of
25 the State Ethics Commission. Each lobbyist must attend a
26 training program within 90 days of registering as a lobbyist.
27 A lobbyist who fails to attend a training program shall not be

1 allowed to lobby the Legislature, Executive Branch, Judicial
2 Branch, public officials, or public employees. After attending
3 one training program, a lobbyist shall not be required to
4 attend an additional training program unless any changes are
5 made to Chapter 25, Title 36, Code of Alabama 1975. Such
6 additional mandatory training program shall be held within
7 three months of the effective date of such changes.

8 (4) All municipal mayors, council members and
9 commissioners, and county commissioners in office as of the
10 effective date of this act shall obtain training within 120
11 days of such date. Thereafter, all municipal mayors, council
12 members and commissioners, and county commissioners shall
13 obtain training within 120 days of being sworn into office.
14 The scheduling of training opportunities for municipal mayors,
15 council members and commissioners, and county commissioners
16 shall be established by the Executive Director of the State
17 Ethics Commission with the advice and assistance of the
18 Alabama League of Municipalities and the Association of County
19 Commissions of Alabama.

20 (b) The curriculum of each session and faculty for
21 the training program shall be determined by the Executive
22 Director of the State Ethics Commission. The curriculum shall
23 include, but not be limited to, a review of the current law, a
24 discussion of actual cases and advisory opinions on which the
25 State Ethics Commission has ruled, and a question and answer
26 period for attendees. The faculty for the training program may
27 include the staff of the State Ethics Commission, members of

1 the faculties of the various law schools in the state, and
2 other persons deemed appropriate by the Executive Director of
3 the State Ethics Commission and shall include experts in the
4 field of ethics law, persons affected by the ethics law, and
5 members of the press and media.

6 (c) Except as provided herein, attendance at any
7 session of the training program shall be mandatory, except in
8 the event the person is suffering a catastrophic illness.

9 (d) This act shall not preclude the penalizing,
10 prosecution, or conviction of any member of the Legislature,
11 any public official, or public employee prior to such person
12 attending a mandatory training program.

13 Section 2. This act shall become effective
14 immediately following its passage and approval by the
15 Governor, or its otherwise becoming law.