

## HOUSE RESOLUTION NO. 1

1 BE IT RESOLVED, that the Rules of the House of Representatives of the  
2 One Hundredth General Assembly, and all amendments thereto, be the  
3 temporary Rules of the House of Representatives, One Hundred First  
4 General Assembly, until or unless otherwise ordered, with the  
5 following amendments:

## 6 Ethics Committee

## 7 Complaints of Ethical Misconduct

8 Rule 37. (1) (a) The Speaker shall appoint a Committee on Ethics  
9 and name the committee's chair. The Minority Floor Leader shall name  
10 the committee's vice chair and minority members. The committee shall  
11 have an equal number of members of the majority and minority party.

12 (b) The committee may consider and report upon complaints  
13 referred to it relating to a member of the House involving the  
14 commission of a crime, misconduct, willful neglect of duty, corruption  
15 in office, or other complaints relating to the ethical conduct of a  
16 member, which may include actions that occurred prior to the member's  
17 term of office or prior to the current general assembly. The  
18 committee is authorized to sit and act at any time or place within the  
19 State of Missouri during the recess and adjournment periods of the  
20 House, administer oaths, and take testimony, either orally or by sworn  
21 written statement.

22 (c) No later than January 31<sup>st</sup> of the first regular session of  
23 each general assembly, the Committee on Ethics shall adopt Rules of  
24 Procedure for the investigation of complaints of ethical misconduct  
25 referred to it involving a member of the House. The proposed Rules of  
26 Procedure shall be filed by the committee in the form of a House  
27 Resolution with the Clerk of the House, reported in the Journal, and  
28 automatically placed on the House Resolutions Calendar without further  
29 referral.

30 (d) Upon receipt of a complaint, in writing and under oath, of  
31 ethical misconduct by a member of the House made by another member,  
32 the Speaker shall refer the same, within fourteen calendar days,  
33 without discussion, to the Committee on Ethics. Upon referral of a  
34 complaint to the committee, the Speaker shall deliver a memorandum to  
35 the Clerk of the House documenting the date of referral. The  
36 complaint shall be confidential. The Committee shall examine the  
37 sufficiency of the complaint pursuant to the Committee's Rules of  
38 Procedure.

39 (e) At the conclusion of the investigation, the Committee shall  
40 report its findings, conclusions, and recommendations to the House,  
41 whereupon the House shall act by resolution to sustain or reject the  
42 Committee recommendations. The Committee may recommend that the House  
43 expel, or otherwise punish, the member as provided in Article III,  
44 Section 18 of the Missouri Constitution.

45 (f) All rules that pertain to regular or special standing  
46 committees shall apply to the Committee on Ethics to the extent

1 consistent with this rule and any rules of procedure adopted pursuant  
2 to this rule.

3 (2) In any instance of a complaint of sexual harassment made  
4 either by or against a member, the Chief Clerk of the House shall  
5 contract with outside legal counsel for the purpose of investigating  
6 the complaint. All complaints shall be kept confidential. The Chief  
7 Clerk shall ensure the complaint and any results of an investigation  
8 shall be referred within fourteen calendar days of receipt of the  
9 complaint to the chair and ranking vice chair of the Committee on  
10 Ethics; except that, the fourteen-day referral requirement may be  
11 extended for good cause for a period no longer than thirty days. Each  
12 member of the Committee on Ethics, the alleged victim, complainant(s),  
13 and the respondent shall be allowed to review the results of any  
14 investigation or report written by outside legal counsel. The  
15 Committee on Ethics may redact any of the names and identifying  
16 information of the parties mentioned in the report or provide a  
17 summary of the report. If the complaint proceeds to a preliminary  
18 hearing, an unredacted report shall be provided to the alleged victim,  
19 complainant(s), and the respondent. The Committee on Ethics Rules of  
20 Procedure and the House policy handbook shall be harmonized with the  
21 Rules of the House for the investigation of sexual harassment  
22 complaints.

23 (3) Unfinished business before or reported from the Committee on  
24 Ethics of a previous general assembly may be resumed during a  
25 subsequent general assembly.

26 Further amend said Rules by amending the intersectional references  
27 accordingly.

28 Introduced By: (Sponsor) \_\_\_\_\_  
29 Signature Dist. #

30 REMINDER: Co-sponsors must sign onto a house bill or resolution electronically through a  
31 house computer or the house WEB Portal (home.house.mo.gov). Please call the office of the  
32 Assistant Chief Clerk at (573) 751-4503 if you have questions.