

A RESOLUTION

**Proposed
Resolution
20-97**

To declare the existence of an emergency with respect to the need to allow the District of Columbia Board of Ethics and Government Accountability to issue advisory opinions upon its own initiative and expand the range of penalties that may be imposed for a violation of the Code of Conduct.

**See Emergency
Act
D.C. Act 20-24
20 DCSTAT 483**

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Board of Ethics and Government Accountability Emergency Declaration Resolution of 2013”.

**Board of
Ethics and
Government
Accountability
Emergency
Declaration
Resolution of
2013**

Sec. 2. (a) There exists an emergency regarding the authority of the District of Columbia Board of Ethics and Government Accountability (the “Ethics Board”) to issue advisory opinions upon its own initiative.

(b) Although section 219 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.19), grants the Ethics Board the authority to issue advisory opinions, that authority only extends to circumstances in which an application is made by an employee or public official for such an opinion.

(c) The Ethics Board has requested clarification as to whether it may issue advisory opinions upon its own initiative.

(d) Expressly granting the Ethics Board authority to issue advisory opinions upon its own initiative would allow it to provide prospective guidance on the laws over which it has jurisdiction and would better inform the public of the District’s ethics standards.

(e) In addition, expanding the range of penalties that may be imposed for a violation of the Code of Conduct allows the Ethics Board to impose a penalty commensurate with the seriousness of the violation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Board of Ethics and Government Accountability Emergency Amendment Act of 2013 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.