

Summary of Changes to the Arkansas Ethics Commission's Rules of Practice and Procedure

§VI(3) – This section was changed with regard to investigation procedure to clarify that the Commission's staff (and not the complainant) shall be responsible for conducting an investigation.

§VI(8) – This section was changed with regard to the dismissal of a complaint to clarify that upon receipt of a written request for a finding as to whether or not the complaint filed was frivolous, a copy shall be furnished to the complainant and he or she shall have ten (10) calendar days to submit a written response. As part of that response, the complainant may request a hearing on the issue of whether or not the complaint was frivolous. At such a hearing, both the respondent and the complainant shall have the right to be represented by counsel. If no hearing is requested, the question of whether or not the complaint filed was frivolous shall be decided on the written submission(s).

§VI(14) – This section was changed with regard to consideration of the issue of probable cause to clarify that the respondent and the complainant may choose to attend and/or be represented by counsel. The respondent may offer testimony and other evidence at the meeting at which the complaint is considered for a probable cause determination. The complainant may address the Commission but shall not be responsible for presenting any evidence. Such responsibility rests with the Commission's staff.

§VII(3), (4) and (8) – This section was changed with regard to a public hearing to clarify that written notice of a public hearing is a public document; the complainant shall have the right to appear in person before the Commission at the public hearing, to be represented by counsel, and to address the Commission but the complainant shall not be responsible for presenting any evidence because such responsibility rests with the Commission's staff; and following the presentation of all evidence, the Commission may convene to executive session for the purpose of conducting its deliberations, provided that, upon completion of the executive session, the Commission shall convene in public to vote upon the final action.

§XI and Appendix – Pursuant to Act 2006 of 2005, this section and the appendix were changed to add the following reporting forms: County Political Party Committee Registration Form; County Political Party Committee Quarterly Reporting Form; and County Political Party Committee Notice of Termination.