

1 SB33  
2 115189-1  
3 By Senator Means  
4 RFD: Economic Expansion and Trade  
5 First Read: 12-JAN-10  
6 PFD: 11/16/2009

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: Under existing law, there is no requirement  
9 for a training program on the Ethics Law for state  
10 officials and employees who are covered under the  
11 ethics law.

12 This bill would require the Ethics  
13 Commission to conduct a mandatory training program  
14 on the Ethics Law for members of the Legislature,  
15 state constitutional officers, cabinet officers,  
16 executive staff, municipal mayors, council members  
17 and commissioners, and county commissioners.

18  
19 A BILL  
20 TO BE ENTITLED  
21 AN ACT  
22

23 To require the Ethics Commission to conduct a  
24 mandatory training program on the Ethics Law for members of  
25 the Legislature, state constitutional officers, cabinet  
26 officers, executive staff, municipal mayors, council members  
27 and commissioners, and county commissioners.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. (a) The State Ethics Commission shall  
3 provide for and administer training programs as provided  
4 herein on the State Ethics Law for members of the Legislature,  
5 state constitutional officers, cabinet officers, executive  
6 staff, municipal mayors, council members and commissioners,  
7 and county commissioners.

8 (1) The training program for legislators shall be  
9 held at least once at the beginning of each quadrennium for  
10 members of the Legislature. An additional training program  
11 shall be held if any changes are made to Chapter 25, Title 36,  
12 Code of Alabama 1975, and shall be held within three months of  
13 the effective date of such changes. The time and place of the  
14 training programs shall be determined by the Executive  
15 Director of the State Ethics Commission and the Legislative  
16 Council. Each legislator must attend the training programs.  
17 The State Ethics Commission shall also provide a mandatory  
18 program for any legislator elected in a special election  
19 within three months of the date that such legislator assumes  
20 office.

21 (2) The training program for the state  
22 constitutional officers, cabinet members, and executive staff,  
23 as determined by the Governor, shall be held within the first  
24 30 days after the Governor has been sworn into office. An  
25 additional training program shall be held if any changes are  
26 made to Chapter 25, Title 36, Code of Alabama 1975, and shall  
27 be held within three months of the effective date of such

1 changes. The specific date of the training program shall be  
2 established by the Executive Director of the State Ethics  
3 Commission with the advice of the Governor and other  
4 constitutional officers.

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

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

1 the State Ethics Commission and shall include experts in the  
2 field of ethics law, persons affected by the ethics law, and  
3 members of the press and media.

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

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

11 Section 2. This act shall become effective on the  
12 first day of the third month following its passage and  
13 approval by the Governor, or its otherwise becoming law.