

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

JOINT RESOLUTION

TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF
AMENDMENT TO THE CONSTITUTION OF THE STATE (ETHICS COMMISSION)

Introduced By: Senators E O'Neill, Cote, Raptakis, Jabour, and Algieri

Date Introduced: January 13, 2016

Referred To: Senate Judiciary

1 RESOLVED, That a majority of all members elected to each house of the general
2 assembly voting therefore, the following amendment to the Constitution of the state be proposed
3 to the qualified electors of the state in accordance with the provisions of Article XIV of the
4 Constitution for their approval and the following sections are hereby amended, effective on
5 January 1, 2017, to read as follows:

6 ARTICLE III

7 OF QUALIFICATION FOR OFFICE

8 **Section 8. ~~Ethics commission—Code of ethics.~~ Ethics commission – Code of ethics --**
9 **Jurisdiction.** – The general assembly shall establish an independent non-partisan ethics
10 commission which shall adopt a code of ethics including, but to limited to, provisions on conflicts
11 of interest, confidential information, use of position, contracts with government agencies and
12 financial disclosure. All elected and appointed officials of state and local government, of boards,
13 commissions and agencies shall be subject to the code of ethics and the jurisdiction of the ethics
14 commission. The ethics commission shall have the jurisdiction and authority to investigate and
15 adjudicate all alleged violations of the code of ethics, including acts otherwise protected by
16 Article VI, Section 5, and to impose penalties, as provided by law; and the commission shall have
17 the power to remove from office officials who are not subject to impeachment.

18 ARTICLE VI

19 OF THE LEGISLATIVE POWER

1 **Section 5. Immunities of General Assembly members.** – The persons of all members
2 of the general assembly shall be exempt from arrest and their estates from attachment in any civil
3 action, during the session of the general assembly, and two days after the termination thereof, and
4 all process served contrary hereto shall be void. For any speech in debate in either house, no
5 member shall be questioned in any other place, [except by the ethics commission as set forth in](#)
6 [Article III, Section 8 of the Constitution.](#)

7 RESOLVED, That the said proposition of amendment shall be submitted to the electors
8 for their approval or rejection at the next statewide general election. The voting places in the
9 several cities and towns shall be kept open during the hours required by law for voting therein for
10 general officers of the state; and be it further

11 RESOLVED, That the secretary of state shall cause the said proposition of amendment to
12 be published as a part of this resolution in the newspapers of the state prior to the date of the said
13 meetings of the said electors; and the said proposition shall be inserted in the warrants or notices
14 to be issued previous to said meetings of the electors for the purpose of warning the town, ward,
15 or district meetings, and said proposition shall be read by the town, ward, or district meetings to
16 be held as aforesaid; and be it further

17 RESOLVED, That the town, ward, and district meetings to be held aforesaid shall be
18 warned, and the list of voters shall be canvassed and made up, and the said town, ward, and
19 district meetings shall be conducted in the same manner as now provided by law for the town,
20 ward, and district meetings for the election of general officers of the state.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

J O I N T R E S O L U T I O N

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- 1 This amendment to the Constitution of the State, if adopted, would provide that the Ethics
- 2 Commission would have jurisdiction over the members of the General Assembly notwithstanding
- 3 the "speech in debate" provisions of Article VI, Section 5 of the Constitution.

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