

1 AN ACT relating to legislative ethics.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 6.661 is amended to read as follows:

- 4 (1) The **co-chairs of the Legislative Research Commission**~~[commission]~~ may employ
 5 an executive director **and other necessary staff and contract personnel for the**
 6 **Legislative Ethics Commission** who shall serve at the pleasure of the **co-chairs of**
 7 **the Legislative Research Commission**~~[commission]~~.
- 8 (2) The executive director shall ~~;~~
 9 ~~(a)~~ administer the daily business of the **Legislative Ethics** Commission and
 10 perform the duties assigned by the **Legislative Ethics** Commission~~;~~ ~~and~~
 11 ~~(b)~~ ~~Employ and remove other personnel as necessary to carry out the provisions~~
 12 ~~of this code~~.
- 13 (3) The **co-chairs of the Legislative Research Commission**~~[commission]~~ shall fix the
 14 compensation of **staff and contract personnel for the Legislative Ethics**
 15 **Commission**~~[its staff]~~, and the compensation shall be commensurate with that paid
 16 to executive branch officials with a similar level of responsibilities.
- 17 (4) The staff of the **Legislative Ethics** Commission shall be exempt from the provisions
 18 of KRS 18A.005 to 18A.202.
- 19 (5) A member of the staff **or contract personnel** of the **Legislative Ethics** Commission
 20 during his **or her** term of employment shall be subject to **removal by the co-chairs**
 21 **of the Legislative Research Commission at any time**~~[the provisions of KRS~~
 22 ~~6.651(8)]~~.

23 ➔Section 2. KRS 6.686 is amended to read as follows:

- 24 (1) (a) The commission shall have jurisdiction to investigate and proceed as to any
 25 violation of this code upon the filing of a complaint. The complaint shall be a
 26 written statement alleging a violation against one (1) or more named persons
 27 and stating the essential facts constituting the violation charged. The

1 complaint shall be made under oath and signed by the complaining party
2 before a person who is legally empowered to administer oaths. The
3 commission shall have no jurisdiction in the absence of a complaint. A
4 member of the commission may file a complaint.

5 (b) Within ten (10) days of the filing of a complaint, the commission shall cause a
6 copy of the complaint to be served by certified mail upon the person alleged
7 to have committed the violation.

8 (c) Within twenty (20) days of service of the complaint the person alleged to have
9 committed the violation may file an answer with the commission. The filing
10 of an answer is wholly permissive, and no inferences shall be drawn from the
11 failure to file an answer.

12 (d) 1. After the commission receives the answer, or the time expires for the
13 filing of an answer, the commission may dismiss the matter for failure to
14 state a claim of an ethics violation, or otherwise shall determine upon
15 the affirmative vote of at least five (5) members, at either the next
16 regularly scheduled meeting or a teleconference meeting called upon the
17 chair's oral or written notice to all members of the commission, whether
18 there is reason to believe the person named in the complaint has
19 committed or is about to commit an ethics violation.

20 2. If the commission determines that there is reason to believe the person
21 named in the complaint has committed or is about to commit a violation
22 of this code, upon an affirmative vote of at least five (5) members, the
23 commission shall initiate a preliminary inquiry into the alleged
24 violations pursuant to subsections (3) to (5) of this section. A
25 determination by the commission under this subparagraph:

26 a. Means that the commission believes that the alleged violation
27 merits further inquiry, and the commission shall proceed with its

- 1 inquiry and investigation; and
- 2 b. Is not a finding that a person named in a complaint has violated
- 3 this code.
- 4 3. If the commission fails to determine by an affirmative vote of at least
- 5 five (5) members that there is reason to believe the respondent has
- 6 committed or is about to commit a violation of this code, the complaint
- 7 shall be dismissed.
- 8 (e) Within thirty (30) days of the commencement of the inquiry, the commission
- 9 shall give notice of the status of the complaint and a general statement of the
- 10 applicable law to the person alleged to have committed a violation.
- 11 (f) A complaint may be filed against a former legislator, a former legislative
- 12 agent, or a former employer of a legislative agent within one (1) year of the
- 13 date he or she left office or terminated lobbying registration. The one (1) year
- 14 limitation shall not apply if a complaint alleges a violation of KRS 6.757.
- 15 (g) The applicable criminal statutes of limitation shall not apply to ethical
- 16 misconduct under KRS 6.601 to 6.849.
- 17 (2) All commission proceedings, including the complaint and answer and other records
- 18 relating to a preliminary inquiry, shall be confidential until a final determination is
- 19 made by the commission, except:
- 20 (a) The commission may turn over to the Attorney General, the United States
- 21 Attorney, Commonwealth's attorney, or county attorney of the jurisdiction in
- 22 which the offense allegedly occurred, evidence which may be used in criminal
- 23 proceedings; and
- 24 (b) If the complainant or alleged violator publicly discloses the existence of a
- 25 preliminary inquiry, the commission may publicly confirm the existence of
- 26 the inquiry and, in its discretion, make public any documents which were
- 27 issued to either party.

- 1 (3) The commission shall afford a person who is the subject of a preliminary inquiry an
2 opportunity to appear in response to the allegations in the complaint. The person
3 shall have the right to be represented by counsel, to appear and be heard under oath,
4 and to offer evidence in response to the allegations in the complaint.
- 5 (4) If the commission determines by the answer or in the preliminary inquiry that the
6 complaint does not allege facts sufficient to constitute a violation of this code, the
7 commission shall immediately terminate the matter and notify in writing the
8 complainant and the person alleged to have committed a violation. The commission
9 may confidentially inform the alleged violator of potential violations and provide
10 information to ensure future compliance with the law. If the alleged violator
11 publicly discloses the existence of such action by the commission, the commission
12 may confirm the existence of the action and, in its discretion, make public any
13 documents that were issued to the alleged violator.
- 14 (5) If the commission, during the course of the preliminary inquiry, finds probable
15 cause to believe that a violation of this code has occurred, the commission shall
16 notify the alleged violator of the finding, and the commission may, upon majority
17 vote:
- 18 (a) Due to mitigating circumstances such as lack of significant economic
19 advantage or gain by the alleged violator, lack of significant economic loss to
20 the state, or lack of significant impact on public confidence in government,
21 confidentially reprimand, in writing, the alleged violator for potential
22 violations of the law and provide a copy of the reprimand to the presiding
23 officer of the house in which the alleged violator serves, or the alleged
24 violator's employer, if the alleged violator is a legislative agent. The
25 proceedings leading to a confidential reprimand and the reprimand itself shall
26 remain confidential except that, if the alleged violator publicly discloses the
27 existence of such an action, the commission may confirm the existence of the

1 action and, in its discretion, make public any documents which were issued to
2 the alleged violator; or

3 (b) Initiate an adjudicatory proceeding to determine whether there has been a
4 violation.

5 (6) (a) Any person who knowingly files with the commission a false complaint of
6 misconduct on the part of any legislator or other person shall be guilty of a
7 Class A misdemeanor.

8 (b) 1. If the commission determines that a complaint:

9 a. Is frivolous;

10 b. Was filed for an improper purpose, including but not limited to
11 harassment, embarrassment, or the purpose of influencing or
12 affecting the vote or official action of a legislator; or

13 c. Contains factual allegations which lack any evidentiary support;
14 the commission may impose appropriate sanctions on any person
15 responsible for the filing of the complaint.

16 2. Sanctions may include the assessment of a monetary penalty or an
17 order requiring the offending person to pay part or all of the
18 reasonable attorney's fees and other costs incurred by the person
19 against whom the complaint was filed.

20 ➔Section 3. Subsection (6)(b) of Section 2 of this Act applies retroactively to
21 January 2, 2026.