



# Virginia General Assembly

House Select Committee on  
Standards of Conduct

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# Purpose and Scope

## **Purpose**

Inform the committee on how Virginia House standards of conduct compare with other state chambers

## **Scope**

Standards of conduct and codes of conduct from the Virginia House and other selected state chambers

# Virginia House of Delegates - Standards of Conduct

## Overview of Existing Standards

### **Rule 23 – Subcommittee on Standards of Conduct**

- Subcommittee of House Committee on Rules
- Composition: 4 members (2 majority caucus, 2 non-majority caucus), appointed by the chair
- Responsibilities:
  - Annual review of members' economic interest statements
  - Issue advisory opinions on propriety of current or proposed conduct

### **Rule 23(a) – Harassment Policy**

- House Committee on Rules must adopt by majority vote, a formal policy for:
  - Training, reporting, investigating and resolving harassment issues
  - Committee on Rules may amend policy as needed
  - Policy distributed to all members, employees, pages and interns

### **Rule 24 – Privileges and Elections Committee**

- Receives and investigates complaints against members
- Recommends enforcement actions to the full House

# Standards of Conduct in State Legislatures

## Common Elements in Other States

### **Formal Codes of Conduct**

States adopt formal ethics codes through rules or statutes to define expected conduct

### **Mandatory Training**

Ethics and civility training is required for legislators, staff and third parties

### **Complaint Reporting and Enforcement**

Clear complaint reporting and enforcement procedures ensure violations are addressed effectively

### **Transparency Requirements**

Disclosure of conflicts of interest, gifts and financial holdings promotes transparency

# Comparisons with Other States

## Washington State Legislature

### **Where Code of Conduct Language is Found**

- Legislative Code of Conduct policy on the legislature's website, not found in chamber rules
- Respectful Workplace Policy

### **Key Elements**

- Professional and respectful conduct required at all times
- Prohibits harassment, discrimination, bullying, hostile or unlawful behavior
- Applies to all members, staff, and legislative community, on and off campus

# Comparisons with Other States

## Washington State Legislature

### **Respectful Workplace Policy**

- Detailed provisions on prohibited conduct, complaint process, investigations, corrective and disciplinary actions, appeals and reporting requirements
- Expands on language in Legislative Code of Conduct

### **Enforcement**

- Investigations may involve outside counsel
- Chief Clerk and House Counsel determine need for outside investigator
- Violations may result in public release of investigatory report
- Disciplinary actions: limits on access to resources, removal from leadership or committee assignments, censure or expulsion by chamber vote

# Comparisons with Other States

## Hawaii House of Representatives

### **Where Code of Conduct Language is Found**

- House Rules, specifically Rule 62 (Standards of Conduct)
- Rules for Select Committee on Standards of Conduct (pages 57–76 of House Rules)
  - 3 majority + 3 minority, appointed by the Speaker
  - Investigates misconduct, conflicts of interest or violations of ethics law or House rules

### **Key Elements**

- Emphasizes respect, impartiality, accountability
- Bipartisan Select Committee investigates misconduct, conflicts of interest, ethics violations
- Language focused on legislator conduct



# Comparisons with Other States

## Hawaii House of Representatives

### **Harassment Policy**

- Mandatory ethics and harassment training for all members and staff
- Explicit language on respectful treatment and impartiality

### **Enforcement**

- Select Committee investigates and recommends discipline (censure, suspension, expulsion)
- Adjudicatory review or outside counsel possible
- Committee may refer violations of law to state/local authorities
- Should not infringe on jurisdiction of Ethics Commission

# Comparisons with Other States

## Wisconsin State Assembly

### **Where Code of Conduct Language is Found**

- Assembly Rule 6m (Mandatory anti-harassment and ethics training)
- Assembly Rule 21 (Special Committee on Ethics and Standards of Conduct)

### **Key Elements**

- Mandatory anti-harassment and ethics training at start of each biennial session
- Special committee (3 majority, 3 minority) investigates resolutions to reprimand, censure or expulsion
- Due process: written charges, defense preparation, counsel, testimony, cross-examination

# Comparisons with Other States

## Wisconsin State Assembly

### **Harassment Policy**

- Mandatory training for all members, officers and employees
- Chief Clerk implements anti-harassment and ethics trainings

### **Enforcement**

- Public hearings by special committee
- Written report and recommendation to Assembly
- Assembly votes on discipline; committee discharged after action

# Comparisons with Other States

## Utah Legislature

### **Where Code of Conduct Language is Found**

- Legislative Rules: JR6-1-102 (Code of Official Conduct)
- Utah State Legislature Workplace Discrimination and Harassment Policy (separate PDF on website)

### **Key Elements**

- Focus on ethics: conflicts of interest, undue influence, abuse of position, gifts, procurement, independence of judgment
- Disclosure of conflicts required
- Prohibits paid lobbying/consulting, undue influence, abuse of office

# Comparisons with Other States

## Utah Legislature

### **Harassment Policy**

- Not included in Code of Official Conduct
- Separate workplace discrimination and harassment policy exists (not integrated into rules)

### **Enforcement**

- Senate and House Ethics Committees judge violations
- Sanctions: reprimand, censure, expulsion, removal from assignments
- Violations may be a class B misdemeanor under state law



# Conclusion



- **Virginia is similar to other states**
- **Differences from other states:**
  - Annual mandatory training
  - Integration of harassment policy language
  - Formalized complaint reporting and investigation procedures
  - Dedicated ethics committee for enforcement



# Thank you for joining today!

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