

ANALYSIS

This ordinance amends Title 2 – Administration of the Los Angeles County Code, by adding Chapter 2.55 that would:

- Establish a County Ethics Commission and County Office of Ethics Compliance;
- Direct the methods of appointment, qualifications, and terms for Commissioners of the Ethics Commission;
- Prohibit Commissioners and the Ethics Compliance Officer from engaging in certain activities during and for a period of time after their tenure, unless prohibited or preempted by law;
- Create procedures to remove Commissioners from the Ethics Commission and to fill vacancies on the Ethics Commission;
- Establish meeting, quorum, compensation and expense reimbursement requirements for the Ethics Commission and its members;
- Establish the Office of Ethics Compliance as an entity that will support the Ethics Commission in its mission; the Ethics Compliance Officer as the chief executive of the Office of Ethics Compliance; the manner in which the Ethics Compliance Officer may be hired or removed, and the authority of the Ethics Compliance Officer;
- State the duties, responsibilities, and scope of enforcement authority of the Ethics Commission and Office of Ethics Compliance;

- Authorize the Ethics Commission to adopt, amend, and rescind rules and regulations relevant to the Ethics Commission's purpose and authority under the County Charter and Code;
- Provide the Ethics Commission's and Office of Ethics Compliance's authorities and procedures with respect to investigations and enforcement proceedings;
- Establish minimum annual funding requirements for the Ethics Commission and the Office of Ethics Compliance; and
- Mandate that County officials employees must cooperate and assist with an investigation into an alleged violation of a law enforced by the Ethics Commission and establish protections against retaliation for those who act in good faith to provide information to the Commission or the Office of Ethics Compliance regarding a violation of a law or regulation over which the Ethics Commission has authority.

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ORDINANCE NO. _____

An ordinance amending Title 2 – Administration of the Los Angeles County Code, to add Chapter 2.55 – County Ethics Commission, relating to the establishment of the County of Los Angeles Ethics Commission and the Los Angeles County Office of Ethics Compliance.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Chapter 2.55 is hereby added to read as follows:

CHAPTER 2.55 COUNTY ETHICS COMMISSION

2.55.010 Created.

2.55.020 Appointment.

2.55.030 Terms of Office.

2.55.040 Qualifications.

2.55.050 During and Post-Service Restrictions.

2.55.060 Removal.

2.55.070 Vacancies.

2.55.080 Meetings.

2.55.090 Quorum.

2.55.100 Officers.

2.55.110 Compensation; Expenses.

2.55.120 Office of Ethics Compliance, Ethics Compliance Officer;

Office of Ethics Compliance Staff and Delegation of Authority.

2.55.130 Duties and Responsibilities of the Ethics Commission

and Office of Ethics Compliance.

2.55.140 Rules, Regulations and Policies.

2.55.150 Investigations and Enforcement Proceedings.

2.55.160 Appropriation and Expenditures.

2.55.170 Protection Against Retaliation.

2.55.180 Duty to Assist.

2.55.010 Created.

A. Establishment. There shall be a County of Los Angeles Ethics Commission (Commission), which shall set policy for and oversee the Los Angeles County Office of Ethics Compliance (Office of Ethics Compliance), and which may adjudicate and impose penalties for violations of the laws the Commission enforces. The Commission and the Office of Ethics Compliance shall operate as a single independent department within County government.

B. Members. The Commission shall have seven (7) members. Members shall exercise their independent judgment in all matters relating to their service on the Commission and shall not serve as the representative of any County elected official, including any elected official involved in their nomination or appointment.

2.55.020 Appointment.

A. Members shall be nominated to serve on the Commission as follows:

1. The Governance Reform Task Force (and later the County Executive), following a public recruitment and application process, shall nominate one

(1) member who has a background in public information and public meetings, community outreach and engagement, or using technology as relates to open government. Beginning on January 1, 2029, this member shall instead be nominated by the elected County Executive.

2. The Chair of the Board shall nominate one (1) member who has a background in public policy or public law.

3. The Assessor shall nominate one (1) member who has a background in campaign finance, accounting, auditing, and compliance with ethics laws in the public or private sector, or protection of whistleblowers.

4. Once the above three (3) nominees are appointed, the Commissioners shall nominate the remaining four (4) members at a public meeting following a public recruitment and application process which should include outreach to communities that are underrepresented in the County's political process. The Commission's nominees shall be broadly representative of the general public and at least one member nominated by the Commission shall be a resident of an unincorporated area.

B. The nominating authorities shall value lived experience, community leadership, traditional and non-traditional expertise, and working class accessibility. A member of the Commission shall not communicate with a County elected official, or an agent of a County elected official, about whom the Commission should nominate to serve on the Commission, except that a County elected official or agent of a County

elected official may provide comment on potential nominees at a Commission meeting.

A Commission-nominated member may vote to nominate their successor.

C. A nominator shall nominate a person to serve on the Commission, and the Board shall consider such a nomination, based on the nominee's relevant analytical skills, ability to be impartial, and appreciation for the County's diverse demographics, to the extent feasible and permissible by law.

D. Within forty-five (45) days of a person being nominated to serve on the Commission, the Board shall schedule a meeting to appoint or reject the nominee by a majority vote of the Board. If the Board does not act on a nomination within forty-five (45) days, the nominee shall be deemed appointed.

E. Nominees provided by the Governance Reform Task Force, Chair of the Board, and Assessor shall be submitted to the Board within forty-five (45) days of the effective date of the ordinance adding this Subsection D.

2.55.030 Terms of Office.

A. The members of the Commission shall serve staggered five (5) year terms beginning on July 1 and ending on June 30. No member who has served a complete five (5) year term shall be eligible for reappointment.

B. Notwithstanding Subsection A, to create staggered terms, the initial terms of members of the Commission shall be as follows:

1. The term of the member nominated by the Assessor shall expire on June 30, 2027.

2. The term of two (2) members nominated by the Commission shall expire on June 30, 2028.

3. The term of the member nominated by the Governance Reform Task Force (and subsequently the County Executive) shall expire on June 30, 2029.

4. The term of the member nominated by the Chair of the Board shall expire on June 30, 2030.

5. The term of two (2) members nominated by the Commission shall expire on June 30, 2031. After the completion of these initial terms, each subsequent term shall be for a period of five (5) years, as provided in Subsection A.

C. In the event a member's replacement has not been appointed by the conclusion of the member's term, that member may continue to serve as a member of the Commission during the following term in a holdover capacity until a new member is appointed for a period not to exceed one (1) year.

2.55.040 Qualifications.

Each member of the Commission shall be a resident of the County. A person is ineligible to be appointed to the Commission if that person, in the two (2) years preceding their appointment, has been any of the following:

- A. A County elected official;
- B. A spouse, registered domestic partner, parent, sibling, or child of a County elected official;
- C. An employee of, or paid consultant to, a County elected official;
- D. A candidate for a County elected office;

- E. An employee of, or paid consultant to, a candidate running for a County elected office, or a campaign committee controlled by a County elected official;
- F. An officer or paid employee of a political party;
- G. A County registered lobbyist; or
- H. A person who qualified as a major donor as provided under the Political Reform Act of 1974 (Government Code section 81000 et seq.), as amended, and as supplemented from time to time by the Regulations of the Fair Political Practices Commission (Title 2, Division 6 of the California Code of Regulations), or who contributed, in the aggregate, more than one thousand dollars (\$1,000.00) to one (1) or more candidates for County elected office.

2.55.050 During and Post-Service Restrictions.

Unless preempted or prohibited by law, no member of the Commission, nor the Ethics Compliance Officer, shall:

- A. Seek election to a County elected office during the member's tenure and for two (2) years thereafter, or seek election to any other elected office in a jurisdiction that intersects with the geographic boundaries of County during the member's tenure.
- B. Endorse, support, oppose, contribute to, or volunteer or work on behalf of, any candidate or ballot measure in a County election, or any County elected official running for any elected office, during the member's tenure.
- C. Serve as an officer or employee of a political party during the member's tenure.

D. Employ or be employed as a person required to register as a County lobbyist during the member's tenure and for one (1) year thereafter.

E. Have an employment or contractual relationship with a County elected official, or receive a gift or other compensation from such officials, during the member's tenure and for one (1) year thereafter.

F. Receive a no-bid contract from the County during the member's tenure and for one (1) year thereafter.

2.55.060 Removal.

The Commission may recommend to the Board removal of a Commission member for substantial neglect of duty, gross misconduct in office, inability to discharge the powers and duties of office, or violation of this Chapter, after the member is provided with written notice of the grounds on which removal is sought and an opportunity for a reply. Recommendation for removal under this Section requires an affirmative vote by at least five (5) members of the Commission.

2.55.070 Vacancies.

A. A vacancy on the Commission will exist whenever a member dies, resigns, ceases to be a resident of the County, is removed from the Commission, is convicted of a felony during the member's term, or is absent from three (3) consecutive regular Commission meetings without written permission from the President of the Commission.

B. The Ethics Compliance Officer shall notify the nominator responsible for nominating a replacement within seven (7) days of a vacancy occurring. An appointment to fill a vacancy shall be for the unexpired term.

C. If the Chair of the Board, County Executive, or Assessor fails to nominate a person to fill a vacancy they are responsible for filling within one hundred twenty (120) days after the seat became vacant, or fails to nominate a new person within one hundred twenty (120) days after the Board rejected their previous nominee, the Commission shall instead nominate a candidate to fill that seat for the remainder of the term by the affirmative vote of at least four (4) members for the Board's consideration for appointment.

Any nominee proposed by the Commission shall meet the same background qualifications required of a nominee of the original nominator. This Subsection shall take effect on January 1, 2027.

D. For purposes of this Subsection, a seat held by a member serving in a holdover capacity shall be deemed vacant upon expiration of the member's prior term.

2.55.080 Meetings.

The Commission shall adopt a calendar of regular Commission meetings for the calendar year which shall be posted to the Commission's website. The Commission shall meet a minimum of six (6) times per calendar year. The Commission's meetings shall comply with the Ralph M. Brown Act (Government Code section 54950 et seq.).

2.55.090 Quorum.

A. Four (4) members shall constitute a quorum, and the concurring vote of at least four (4) members shall be required to take any action.

B. Notwithstanding Subsection A of this Section, if the Commission has fewer than four (4) appointed members, quorum shall be reduced to a majority of appointed members. In such cases, the Commission may meet for the sole purpose of nominating new Commissioners by majority vote of appointed members in a public meeting.

2.55.100 Officers.

The Commission shall select a President and Vice President annually.

2.55.110 Compensation; Expenses.

Members of the Commission shall be compensated two hundred fifty dollars (\$250.00) per meeting. The members of the Commission shall be reimbursed for reasonable expenses incurred in the performance of their official duties in accordance with applicable County Code and policies.

2.55.120 Office of Ethics Compliance, Ethics Compliance Officer; Office of Ethics Compliance Staff and Delegation of Authority.

A. There shall be an Office of Ethics Compliance to support the Commission and to accomplish the Commission's duties and objectives. The Commission shall oversee the monitoring and enforcement duties of the Office of Ethics Compliance and adopt policies and regulations to govern the duties of the Office of Ethics Compliance.

B. The Ethics Compliance Officer shall be the chief executive of the Office of Ethics Compliance and shall have all the powers provided for department heads. The Commission shall nominate one or more candidates for consideration for appointment

by the entity or office with authority to appoint the Ethics Commission Officer. Prior to assumption of office of the first elected County Executive, the Board shall have the authority to appoint the Ethics Compliance Officer. Commencing on the date the first elected County Executive assumes office, the County Executive shall have the authority to appoint the Ethics Compliance Officer.

C. The Commission may recommend the removal of the Ethics Compliance Officer to the entity or office with authority to remove the Ethics Compliance Officer. If the Commission recommends removal, the entity or office with authority to remove the Ethics Compliance Officer shall consider the recommendation within forty-five (45) days.

D. Prior to assumption of office of the first elected County Executive, the Board may, by a four-fifths vote conducted in accordance with the Brown Act, remove the Ethics Compliance Officer from their position. Commencing on the date the first elected County Executive assumes office, the County Executive may remove the Ethics Compliance Officer from their position. If the County Executive removes the Ethics Compliance Officer, the removal of the Ethics Compliance Officer shall be agendaized for consideration by the Board within forty-five (45) days.

E. The Ethics Compliance Officer shall appoint and has the authority to discharge the Enforcement Chief, other chief deputies, and assistant chief deputies of the Office of Ethics Compliance, who shall serve at the will of the Ethics Compliance Officer and shall not be subject to the County's civil service due process provisions.

F. The Ethics Compliance Officer shall appoint and has the authority to discharge other employees of the Office of Ethics Compliance subject to applicable civil service provisions.

G. The Ethics Compliance Officer shall act on behalf of the Commission between meetings of the Commission. This includes the power to perform all administrative duties of the Office of Ethics Compliance, to oversee and manage investigations into violations of the laws the Commission enforces, and to dismiss matters that do not warrant further investigation or enforcement because they do not constitute a violation of the laws the Commission enforces or as otherwise provided in the Commission's complaint procedures. The Commission retains sole authority to adopt rules and regulations, issue formal opinions, and make final adjudicatory decisions on cases that have been set for an administrative hearing or that impose a penalty on a respondent.

2.55.130 Duties and Responsibilities of the Ethics Commission and Office of Ethics Compliance.

The purpose of the Commission and Office of Ethics Compliance shall be to promote fairness, openness, honesty, and integrity in County government. The Commission and Office of Ethics Compliance shall have responsibility for the impartial and effective administration and implementation of the provisions of the County Charter, statutes, and ordinances concerning campaign finance, lobbying, conflicts of interest, and governmental ethics, and other related laws as provided by the County Charter or this Code.

It shall be the function and duty of the Commission and Office of Ethics

Compliance to do all of the following:

A. Develop a robust education program to promote understanding of, and compliance with, State and County campaign finance, lobbying, conflicts of interest, and governmental ethics laws, and other laws the Commission enforces, including, but not limited to, conducting trainings for persons subject to the jurisdiction of the Commission and creating a manual that summarizes, in simple, non-technical language, ethics laws and reporting requirements applicable to County officers and employees.

B. Investigate allegations of misconduct by County officials, County employees, candidates, campaign committees, lobbyists, contractors, and other persons subject to the laws the Commission enforces.

C. Monitor and enforce laws, and coordinate with other agencies if appropriate or necessary, related to campaign finance, lobbying, conflicts of interest, and governmental ethics, including:

1. Chapters 2.160, 2.175, 2.180, 2.190, and 2.195 of Division 4 of Title 2 of the County Code;
2. Sections 2.165.040 and 2.165.060 of Chapter 2.165 of Division 4 of Title 2 of the County Code;
3. Sections 2.55.170 and 2.55.180 of Division 3 of Title 2 of the County Code;
4. Subsections A and B of Section 5.02.060 of Chapter 5.02 of Title 5 of the County Code;

5. Sections 5.44.020 and 5.44.170 of Chapter 5.44 of Title 5 of the County Code; and

6. Other laws as provided by the County Charter or County Code.

D. No later than January 1, 2028, serve as the filing officer and receive and retain documents required to be filed pursuant to, and to otherwise administer, the provisions of Chapter 2.160 of the County Code, in lieu of the Executive Officer of the Board of Supervisors.

E. No later than January 1, 2028, to the extent permissible by State law, serve as the filing officer and receive and retain the original or a copy of the following forms created by the Fair Political Practices Commission and which must be filed with the County under the Political Reform Act of 1974 (Government Code section 81000 et seq.), as amended:

1. Form 700 (Statement of Economic Interest) for county officers and employees;

2. Form 801 (Payments to Agency Report); and

3. Form 802 (Agency Report of Ceremonial Role Events and Ticket Distributions).

For other Fair Political Practices Commission forms that State law requires be filed with a separate entity of the County, including as examples State campaign finance forms (including Form 460) and Form 803 (Behested Payment Report), the Office shall have access to the same versions of such filings, including any unredacted filings, and shall be granted the same level of electronic or administrative access to any filing

system as is available to the filing officer for purposes of administering, reviewing, or enforcing applicable laws.

F. Develop and/or implement additional updates and features to enable searchable public data portals with sortable and downloadable data related to campaign finance, lobbying, conflicts of interest, and governmental ethics, including, but not limited to, all lobbying activities such as registration, activity, contributions, and expenditures, to be updated in real time, or as close to real time as practicable.

G. Issue informal oral and written advice and, in the Commission's discretion, formal written opinions concerning the laws the Commission enforces. Formal written opinions shall only be adopted by vote of the Commission. A person who acts in good faith based upon a formal opinion issued to that person by the Commission shall not be enforced against by the Commission for so acting, provided that the material facts are as stated in the opinion request.

H. Create and require the use of forms that enable the Office of Ethics Compliance or Commission to administer or enforce laws within its jurisdiction. This includes, but is not limited to, forms for complaints, investigations, administrative hearings, reports, financial statements, notices, or other documents relating to the County Charter, County Code, or other laws administered or enforced by the Commission. The Office of Ethics Compliance or Commission may determine the format, content, and manner of submission for such forms and may require that they be filed electronically, unless a paper filing option is required by law. The Office of Ethics

Compliance or Commission may require that any such form, statement, or submission be executed under penalty of perjury.

I. Publish an annual public report summarizing the Commission's activities in the prior calendar or fiscal year, including complaints received, investigations opened, enforcement actions completed, and penalties imposed.

J. Assist departments in developing their conflict of interest codes as required by State law.

K. Receive grants and appropriations to support the Commission's or Office of Ethics Compliance's functions, in compliance with all applicable laws. The Commission shall adopt guidelines related to applying for and accepting grants.

L. Submit by December 31, 2027, a draft Ethics Code ordinance, enforceable by the Commission, for consideration by the Board of Supervisors. In the Commission's discretion, the Ethics Code may make violations of chapter 4 (Campaign Disclosure) and chapter 7 (Conflicts of Interest) of title 9 of the Government Code, article 4 (Prohibitions Applicable to Specified Officers) of chapter 1 of division 4 of title 1 of the Government Code, and sections 8314, 84308, and 89503 of the Government Code, as these provisions relate to the County, violations of the Ethics Code ordinance.

M. Regularly review the County Code and make recommendations to the Board for updates regarding laws related to campaign finance, lobbying, conflicts of interest, governmental ethics, and other laws the Commission is responsible for administering or enforcing. The Commission may propose amendments to any law it enforces or administers which, upon request by the President of the Commission, shall

be agendaized for consideration and potential action by the Board within one hundred eighty (180) days.

N. Perform such other functions and duties as may be prescribed by the County Charter or County Code.

2.55.140 Rules, Regulations and Policies.

A. The Commission may adopt, amend, and rescind rules and regulations, to carry out the purposes and provisions of the County Charter and County Code that the Commission enforces or administers, and may adopt rules, regulations, or policies to govern procedures of the Commission and the Office of Ethics Compliance. A rule or regulation adopted by the Commission shall have the force of law and may be enforced by the Commission as provided in this Chapter.

B. Prior to the meeting at which a rule or regulation is adopted, the Commission shall hold a public hearing concerning the matter.

C. The Commission shall transmit to the Board of Supervisors rules and regulations adopted by the Commission within three (3) days of their adoption. A rule or regulation adopted by the Commission shall become effective sixty (60) days after the date of its adoption unless, before the expiration of this sixty (60) day period, two-thirds of all members of the Board of Supervisors vote to veto the rule or regulation.

2.55.150 Investigations and Enforcement Proceedings.

The Commission and Office of Ethics Compliance shall conduct investigations of alleged violations of State law, the County Charter, and County Code relating to

campaign finance, lobbying, conflicts of interest, governmental ethics, and other laws enforced by the Commission.

Any person who violates any provision of the County Charter or the County Code relating to campaign finance, lobbying, conflicts of interest, governmental ethics, or any other law enforced by the Commission, or who causes any other person to violate any such provision, or who aids and abets any other person in such a violation, shall be liable under the provisions of this Section.

A. Enforcement Authority. The Ethics Commission and Office of Ethics Compliance are authorized to:

1. Conduct investigations;
2. Conduct audits of compliance with disclosure requirements of laws enforced by the Commission, including campaign finance and lobbyist disclosure statements;
3. Conduct administrative hearings as provided by the Commission's complaint procedures or other law. If the Commission decides to schedule a hearing, the Commission shall decide whether to sit as a hearing panel or to delegate its authority to gather and hear evidence to one or more of its members or to an independent hearing officer, which may include a County hearing officer;
4. Issue subpoenas to compel the production of books, papers, records and documents and take testimony on any matter under investigation by the Office of Ethics Compliance or pending before the Commission. The Compliance Officer or Commission may seek a contempt order as provided by the general law of the State

for a person's failure or refusal to appear, to testify, or to produce required books, papers, records and documents;

5. Administer oaths and affirmations;

6. Impose penalties, remedies and fines for a violation of any law specified in Subsections C and L of Section 2.55.130, or any rule or regulation adopted to implement such law, by a vote of the Commission. The Commission's decision to impose penalties, remedies, or fines for violation of any law, rule, or regulation over which the Commission has enforcement authority shall be appealable to the Los Angeles County Superior Court by filing a petition for writ of mandamus. The ninety-day (90) statute of limitations contained in Code of Civil Procedure section 1094.6 shall apply to judicial review of enforcement decisions made pursuant to this Section;

7. Submit referrals to other enforcement authorities, including, but not limited to, the Los Angeles County District Attorney, California Fair Political Practices Commission, and California Attorney General;

8. Seek remedial relief for violations and injunctive relief; and

9. Perform other functions as authorized by law.

B. Final Enforcement Action. Final enforcement action by the Commission on a matter, including the imposition of fines, approval of a settlement, or dismissal of a case that has been set for an administrative hearing, shall be made by an affirmative vote of at least four (4) members.

C. Confidentiality. Records and information obtained by the Office of Ethics Compliance or Commission during the preliminary review and investigation of a matter

shall be confidential and exempt from public disclosure to the extent permitted by law, except as provided in its complaint procedures.

Nothing in this Section limits the ability of the Office of Ethics Compliance or Commission to disclose such records or information when charging, prosecuting, closing, or dismissing an investigation or complaint into alleged violations of the laws under its jurisdiction. This Section does not prevent the Office of Ethics Compliance or Commission from applying any other exemption from disclosure that may be available under County or State public records disclosure laws. Disclosure of records or information in the course of making a referral to other enforcement authorities, or divulging evidence of possible unlawful conduct by County officials or employees to a government agency with authority to discipline that unlawful conduct, shall not constitute a waiver of the confidentiality protections under this Section.

D. Complaint Procedures. The Commission shall adopt and publish on a website the complaint procedures by rule or regulation to establish the administrative process for the investigation and enforcement of violations of the laws within the Commission's jurisdiction to enforce. These procedures shall include, but are not limited to, the process for receiving, initiating, and reviewing complaints, conducting investigations and audits, providing notice of an administrative hearing to the respondent, and resolving cases prior to an administrative hearing.

E. Penalty Guidelines and Enforcement Discretion. The Commission shall adopt by rule or regulation penalty guidelines setting forth standards for imposing penalties and exercising enforcement discretion. Office of Ethics Compliance staff shall

adhere to the penalty guidelines when recommending penalties. The penalty guidelines shall establish a diversion program as an option to allow for education of respondents who commit minor violations, in lieu of monetary penalties, pursuant to criteria and considerations established by the Commission.

F. Administrative Hearings, Orders, and Penalties. After an accusation is issued and served on a respondent, the Commission shall cause a public evidentiary hearing to be held to determine if a violation has occurred. When the Commission determines on the basis of substantial evidence presented at the hearing that a violation has occurred, it shall issue an order which may require the violator to:

1. Cease and desist the violation;
2. File any reports, statements, or other documents or information required by law; and/or
3. Pay a monetary penalty to the General Fund of the County of up to fifteen thousand dollars (\$15,000.00) for each violation, adjusted annually by the Commission to reflect changes to the Consumer Price Index for the Los Angeles area, or three times the amount which the person failed to report properly or unlawfully contributed, expended, gave, or received, whichever is greater. The annually adjusted penalty amounts will be published publicly on a website.
4. When the Commission determines that no violation has occurred, it shall publish a declaration so stating.

G. Ex Parte. In any administrative proceeding, Commission members shall follow the ex parte rules provided in Government Code section 11430.10, unless the

Commission adopts different procedures, consistent with the requirements of due process, pursuant to Subsection D of this Section.

H. Represented Employees. A represented County employee may, upon request, have a union representative present during a formal investigatory interview conducted by Office of Ethics Compliance enforcement staff when the employee reasonably believes the interview may result in disciplinary action.

I. Other County Enforcement Entities.

1. Except as provided in Subparagraph 2 of this Subsection, nothing in this Chapter shall preclude other County officials, agencies, boards, or commissions from exercising enforcement authority heretofore or hereafter granted to them.

2. Notwithstanding any other law, once the Commission by motion certifies that it is able to administratively and civilly enforce some or all of the laws under its jurisdiction, other county officials, agencies, boards, or commissions shall be precluded from bringing administrative or civil enforcement actions as to those laws, provided that this Subsection shall not be interpreted to preclude or terminate any pending administrative or civil enforcement action when the certification is made.

J. Civil Enforcement.

1. In lieu of administrative enforcement, the Ethics Compliance Officer may determine that a civil action by the Commission is more appropriate and may refer the matter to the Commission. The Commission shall consider the matter and determine whether to authorize such an action.

2. The penalties specified in Subsection F of this Section may be sought and recovered in any civil action brought pursuant to this Subsection.

3. If the Commission authorizes and commences a civil action to recover monetary penalties pursuant to this Subsection, it may not thereafter initiate an administrative enforcement proceeding seeking monetary penalties based on the same allegations against the same respondent. The commencement of a civil action by the Commission or Office of Ethics Compliance solely seeking injunctive relief or penalties for contempt shall not preclude the Commission from initiating or maintaining an administrative enforcement proceeding based on the same allegations.

2.55.160 Appropriation and Expenditures.

A. The Board, and the County Executive upon establishment of the office of County Executive, shall provide reasonable funding and staffing for the Commission and Office of Ethics Compliance.

B. Starting with the 2027-2028 fiscal year budget, the Board shall appropriate a minimum of \$14.3 million dollars for the Commission and Office of Ethics Compliance's annual operating budget. Each year, the minimum operating budget appropriation amount shall be increased from the amount appropriated in the prior fiscal year (excluding any one-time appropriations) based on the greater of either:

1. The percentage change in the cost of living in the Los Angeles area, as determined by the twelve (12) month Annual Percentage Change in the Consumer Price Index for all items as published by the U.S. Department of Labor Statistics; or

2. The percentage change in California per capita personal income, as determined by the California State Department of Finance and shown in the Price Factor and Population Information Report issued annually.

However, increases to the Commission and Office of Ethics Compliance's annual operating budget is not required if four-fifths (seven-ninths after January 1, 2032) of the Board finds that exigent circumstances exist such that an increase should not be made for that fiscal year.

C. The expenditures of the Commission and Office of Ethics Compliance shall not require prior approval of County offices or personnel where the expenditures are within the Commission and Office of Ethics Compliance's budget. The Commission and Office of Ethics Compliance shall comply with applicable requirements, procedures, and laws relating to the expenditures.

D. The Commission and Office of Ethics Compliance are not subject to hiring or promotional freezes when operating within the Commission and Office of Ethics Compliance's budget.

2.55.170 Protection Against Retaliation.

A. No officer or employee of the County shall use or threaten to use any official authority or influence to effect any action as a reprisal against any person for acting in good faith to report or otherwise bring to the attention of the Commission, Office of Ethics Compliance, or other appropriate government agency, information regarding the violation of any law or regulation over which the Commission has authority.

B. No officer or employee of the County shall use or threaten to use any official authority or influence to discourage, restrain, or interfere with any other person for the purpose of preventing such person from acting in good faith to report or otherwise bring to the attention of the Commission, Office of Ethics Compliance, or other appropriate government agency, information regarding the violation of any law or regulation over which the Commission has authority.

2.55.180 Duty to Assist.

Upon the request by the Office of Ethics Compliance, a County official or employee shall cooperate and assist with an investigation into an alleged violation of a law enforced by the Commission. This requirement shall not be construed as requiring the identification of a confidential whistleblower. Failure by an employee to cooperate with an investigation conducted by the Office of Ethics Compliance pursuant to this Chapter may be a basis for discipline by the employee's appointing authority, up to and including discharge.

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ANALYSIS

This ordinance amends Title 2 – Administration and Title 5 – Personnel of the Los Angeles County Code, relating to the authority of the County Ethics Commission (Ethics Commission), by:

- Adding Section 2.160.151 to clarify the Ethics Commission's administrative enforcement, civil enforcement, and rulemaking authority for Chapter 2.160, and the Ethics Commission's role as the filing officer for documents required to be filed pursuant to Chapter 2.160 of the County Code;
- Adding Section 2.165.090 to clarify the Ethics Commission's administrative enforcement, civil enforcement, and rulemaking authority for Sections 2.165.040 and 2.165.060;
- Adding Section 2.175.050 to clarify the Ethics Commission's administrative enforcement, civil enforcement, and rulemaking authority for Chapter 2.175 of the County Code;
- Amending Section 2.180.010 to clarify the Ethics Commission's administrative and civil enforcement authority for Section 2.180.010;
- Adding Section 2.190.157 to clarify the Ethics Commission's administrative enforcement, civil enforcement, and rulemaking authority for Chapter 2.190 of the County Code;

- Adding Section 2.195.061 to clarify the Ethics Commission's administrative and civil enforcement authority for Chapter 2.195 of the County Code;
- Amending Section 5.02.060 to clarify the Ethics Commission's administrative and civil enforcement authority for Subsections A and B of Section 5.02.060;
- Amending Section 5.44.020 to clarify the Ethics Commission's administrative and civil enforcement authority of Section 5.44.020; and
- Amending Section 5.44.170 to clarify the Ethics Commission's administrative and civil enforcement authority of Section 5.44.170.

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Requested: 6/8/2026
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ORDINANCE NO. _____

An ordinance amending Title 2 – Administration and Title 5 – Personnel of the Los Angeles County Code, to clarify the Ethics Commission's administrative enforcement, civil enforcement, and rulemaking authority for violations of certain County ethics-related ordinances.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 2.160.151 is hereby added to read as follows:

2.160.151 Ethics Commission Authority.

A. Notwithstanding any other law, once the County of Los Angeles Ethics Commission (Ethics Commission) established pursuant to Chapter 2.55 of this Code has certified that it is able to administratively and civilly enforce this Chapter:

1. Any other County officials, agencies, boards, or commissions authorized to bring an administrative or civil action to enforce the provisions of this Chapter shall be precluded from bringing future administrative or civil enforcement actions as of the date of the Ethics Commission's certification, as set forth in Chapter 2.55 of this Code.

2. Any violations of this Chapter shall be subject to the administrative and civil penalties set forth in Chapter 2.55 of this Code.

B. Subsection A shall not be interpreted to preclude or terminate any pending administrative or civil enforcement actions at the time the Ethics Commission's certification is made. Administrative or civil enforcement actions pending at the time the

Ethics Commission's certification is made shall be subject to the penalties applicable to this Chapter.

C. Following its certification, the Ethics Commission shall have the sole authority to adopt, amend, or rescind rules for this Chapter pursuant to and in the manner set forth in Chapter 2.55 of this Code. Any rules, regulations, or policies adopted by the Ethics Commission governing this Chapter, and not vetoed by the Board of Supervisors, shall supersede any rules, regulations, or policies adopted pursuant to Section 2.160.150 upon the Ethics Commission's certification that it is able to administratively and civilly enforce this Chapter.

D. Notwithstanding any other law, commencing on or before January 1, 2028, the Ethics Commission shall serve as the filing officer and receive and retain documents required to be filed pursuant to, and to otherwise administer, the provisions of this Chapter, in lieu of the Executive Officer of the Board of Supervisors.

SECTION 2. Section 2.165.090 is hereby added to read as follows:

2.165.090 Ethics Commission Authority.

A. Notwithstanding any other law, once the County of Los Angeles Ethics Commission (Ethics Commission) established pursuant to Chapter 2.55 of this Code has certified that it is able to administratively and civilly enforce Sections 2.165.040 and 2.165.060 of this Chapter:

1. Any other County officials, agencies, boards, or commissions authorized to bring an administrative or civil action to enforce Sections 2.165.040 and 2.165.060 of this Chapter shall be precluded from bringing future administrative or civil

enforcement actions as of the date of the Ethics Commission's certification, as set forth in Chapter 2.55 of this Code.

2. Any violations of Sections 2.165.040 and 2.165.060 of this Chapter shall be subject to the administrative and civil penalties set forth in Chapter 2.55 of this Code.

3. Reports required by Section 2.165.040 shall be filed with the Ethics Commission and the Ethics Commission shall provide a report listing all tax agents semi-annually to the Registrar-Recorder as set forth in Section 2.165.040.B.

4. Following its certification, the Ethics Commission shall have the sole authority to adopt, amend, or rescind rules for Sections 2.165.040 and 2.165.060 pursuant to and in the manner set forth in Chapter 2.55 of this Code. Any rules, regulations, or policies adopted by the Ethics Commission governing Sections 2.165.040 and 2.165.060, and not vetoed by the Board of Supervisors, shall supersede any rules, regulations, or policies governing those Sections adopted pursuant to Section 2.165.180 upon the Ethics Commission's certification that it is able to administratively and civilly enforce Sections 2.165.040 and 2.165.060.

C. Subsection A shall not be interpreted to preclude or terminate any pending administrative or civil enforcement actions at the time the Ethics Commission's certification is made. Administrative or civil enforcement actions pending at the time the Ethics Commission's certification is made shall be subject to the penalties applicable to this Chapter.

SECTION 3. Section 2.175.050 is hereby added to read as follows:

2.175.050 Ethics Commission Authority.

A. Notwithstanding any other law, once the County of Los Angeles Ethics Commission (Ethics Commission) established pursuant to Chapter 2.55 of this Code has certified that it is able to administratively and civilly enforce this Chapter:

1. Any other County officials, agencies, boards, or commissions authorized to bring an administrative or civil action to enforce the provisions of this Chapter shall be precluded from bringing future administrative or civil enforcement actions as of the date of the Ethics Commission's certification, as set forth in Chapter 2.55 of this Code.

2. Any violations of this Chapter shall be subject to the administrative and civil penalties set forth in Chapter 2.55 of this Code.

B. Subsection A shall not be interpreted to preclude or terminate any pending administrative or civil enforcement actions at the time the Ethics Commission's certification is made. Administrative or civil enforcement actions pending at the time the Ethics Commission's certification is made shall be subject to the penalties applicable to this Chapter.

C. Following its certification, the Ethics Commission shall have the sole authority to adopt, amend, or rescind rules for this Chapter pursuant to and in the manner set forth in Chapter 2.55 of this Code. Any rules, regulations, or policies adopted by the Ethics Commission governing this Chapter, and not vetoed by the Board of Supervisors, shall supersede any rules, regulations, or policies adopted pursuant to

Section 2.175.040 upon the Ethics Commission's certification that it is able to administratively and civilly enforce this Chapter.

SECTION 4. Section 2.180.010 is hereby amended to read as follows:

2.180.010 Certain contracts prohibited.

A. Notwithstanding any other section of this eCode, the eCounty shall not contract with, and shall reject any bid or proposal submitted by, the persons or entities specified below, unless the bBoard of sSupervisors finds that special circumstances exist which justify the approval of such contract:

1. Employees of the eCounty or of public agencies for which the bBoard of sSupervisors is the governing body;
2. Profit-making firms or businesses in which employees described in subdivision 1 of sSubsection A serve as officers, ~~principals~~, partners or major shareholders;
3. Persons who, within the immediately preceding 12 months, came within the provisions of subdivision 1 of sSubsection A, and who:
 - a. Were employed in positions of substantial responsibility in the area of service to be performed by the contract; or
 - b. Participated in any way in developing the contract or its service specifications; and
4. Profit-making firms or businesses in which the former employees, described in subdivision 3 of sSubsection A, serve as officers, principals, partners or major shareholders.

B. The prohibition of this sSection 2.180.010 shall not apply to a contract with an individual who was formerly employed by the eCounty as a physician resident or fellow.

C. Contracts submitted to the bBoard of sSupervisors for approval or ratification shall be accompanied by an assurance by the department ~~submitting~~, district or agency submitting that the provisions of this sSection have not been violated.

D. Once the County of Los Angeles Ethics Commission established pursuant to Chapter 2.55 of this Code has certified that it is able to administratively and civilly enforce this Section, a violation of this Section shall be subject to the administrative and civil penalties set forth in Chapter 2.55 of this Code.

SECTION 5. Section 2.190.157 is hereby added to read as follows:

2.190.157 Ethics Commission Authority.

A. Notwithstanding any other law, once the County of Los Angeles Ethics Commission (Ethics Commission), established pursuant to Chapter 2.55 of this Code, has certified that it is able to administratively and civilly enforce this Chapter:

1. Any other County officials, agencies, boards, or commissions authorized to bring an administrative or civil action to enforce the provisions of this Chapter shall be precluded from bringing future administrative or civil enforcement actions as of the date of the Ethics Commission's certification, as set forth in Chapter 2.55 of this Code.

2. Any violations of this Chapter shall be subject to the administrative and civil penalties set forth in Chapter 2.55 of this Code.

B. Subsection A shall not be interpreted to preclude or terminate any pending administrative or civil enforcement actions at the time the Ethics Commission's certification is made. Administrative or civil enforcement actions pending at the time the Ethics Commission's certification is made shall be subject to the penalties applicable to this Chapter.

C. Following its certification, the Ethics Commission shall have the sole authority to adopt, amend, or rescind rules for this Chapter pursuant to and in the manner set forth in Chapter 2.55 of this Code. Any rules, regulations, or policies adopted by the Ethics Commission governing this Chapter, and not vetoed by the Board of Supervisors, shall supersede any rules, regulations, or policies adopted pursuant to Section 2.190.140 upon the Ethics Commission's certification that it is able to administratively and civilly enforce this Chapter.

SECTION 6. Section 2.195.061 is hereby added to read as follows:

2.195.061 Ethics Commission Authority.

Once the County of Los Angeles Ethics Commission established pursuant to Chapter 2.55 of this Code has certified that it is able to administratively and civilly enforce this Chapter, the Ethics Commission shall be solely responsible for the administration of this Chapter, including investigating alleged violations and imposing fines and penalties as set forth in Chapter 2.55 of this Code.

SECTION 7. Section 5.02.060 is hereby amended to read as follows:

5.02.060 Retaliation for reporting fraud, waste or misuse of County resources prohibited.

A. No officer or employee of the eCounty of Los Angeles shall use or threaten to use any official authority or influence to restrain or prevent any other person, acting in good faith and upon reasonable belief, from reporting or otherwise bringing to the attention of the eCounty auditor-controller or other appropriate agency, office or department of the eCounty of Los Angeles any information which, if true, would constitute: a work-related violation by a eCounty officer or employee of any law or regulation; gross waste of eCounty funds; gross abuse of authority; a specific and substantial danger to public health or safety due to an act or omission of a eCounty official or employee; use of a eCounty office or position or of eCounty resources for personal gain; or a conflict of interest of a eCounty officer or employee.

B. No officer or employee of the eCounty of Los Angeles shall use or threaten to use any official authority or influence to effect any action as a reprisal against a eCounty officer or employee who reports or otherwise brings to the attention of the auditor-controller or other appropriate agency, office or department of the eCounty of Los Angeles any information regarding subjects described in sSubsection A of this sSection.

C. Any person who believes that he or she has been subjected to any action prohibited in sSubsections A or B of this section may file a complaint with the director of personnel. The director shall investigate the complaint and thereafter prepare a report thereon which shall be forwarded to the bBoard of sSupervisors.

D. Any officer or employee of the eCounty of Los Angeles who knowingly engages in conduct prohibited by this sSection shall be disciplined, including but not

limited to discharge, in accordance with the personnel rules and regulations of the eCounty of Los Angeles, in addition to the administrative and civil penalties set forth in Subsection E of this Section.

E. Once the County of Los Angeles Ethics Commission established pursuant to Chapter 2.55 of this Code has certified that it is able to administratively and civilly enforce Subsections A and B of this Section, a violation of Subsections A and B of this Section shall be subject to the administrative and civil penalties set forth in Chapter 2.55 of this Code.

SECTION 8. Section 5.44.020 is hereby amended to read as follows:

5.44.020 Officers or employees—No extra fees allowed for County services.

A. No officer or employee of the eCounty shall charge, request or receive for ~~his~~their own use any fee, reward or payment of any kind from any person, firm or corporation other than the eCounty of Los Angeles for any services rendered by ~~him~~them as such officer or employee, or render during ~~his~~their office hours or hours of work for the eCounty any service to anyone other than such services as ~~he~~their is employed by the county to render; provided, however, that officers and employees of the eCounty are authorized, and it is made their duty, to make and furnish copies of public records to private persons during office hours and to charge and collect the fees prescribed by law, or to charge and collect a reasonable fee not exceeding the actual cost of providing such copies, whichever is less. All such fees and charges shall be paid

into the eCounty treasury, and no officer or employee of the eCounty shall retain any such fee or charge for histheir own use.

B. No officer or employee of the eCounty shall make copies of public records outside of office hours and make a charge therefore; nor shall any eCounty officer or employee make a charge or retain for histheir own use any compensation for permitting any person other than a eCounty employee to make or furnish copies of any public records.

C. Nothing in this sSection is intended to preclude any officer or employee of the eCounty from participating in and benefiting from a federal, state, or privately sponsored student loan repayment program or scholarship program which establishes, as a condition for receiving loan repayment program or scholarship benefits, that the individual provide services, either at the time of the award or in the future, as an employee of a qualified entity or site. A qualified entity or site may include a eCounty facility.

D. Once the County of Los Angeles Ethics Commission established pursuant to Chapter 2.55 of this Code has certified that it is able to administratively and civilly enforce this Section, a violation of this Section shall be subject to the administrative and civil penalties set forth in Chapter 2.55 of this Code.

SECTION 9. Section 5.44.170 is hereby amended to read as follows:

5.44.170 Outside Employment for the Board of Supervisors.

A. A member of the County of Los Angeles Board of Supervisors shall not receive any compensation for services they provide other than that compensation provided for by the County Charter.

B. A member of the County of Los Angeles Board of Supervisors shall not: (1) receive compensation for affiliating with or being employed by a firm, partnership, association, corporation, or other entity that provides professional services involving a fiduciary relationship; or (2) permit that member's name to be used by any such firm, partnership, association, corporation, or other entity. For purposes of this section, "fiduciary" denotes an obligation to act in another person's best interests or for that person's benefit, or a relationship of trust that one relies on the integrity, fidelity, and judgment of another. Professional services involving a "fiduciary relationship" may include legal, real estate, consulting and advising, insurance, medicine, architecture, or financial services.

C. Once the County of Los Angeles Ethics Commission established pursuant to Chapter 2.55 of this Code has certified that it is able to administratively and civilly enforce this Section, a violation of this Section shall be subject to the administrative and civil penalties set forth in Chapter 2.55 of this Code.

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