ANALYSIS

This ordinance calls for a special election to be held on November 3, 2026, for the purpose of voting upon an amendment to the Charter of the County of Los Angeles (County) that would:

- Amend Article III-D of the Los Angeles County Charter (Charter), by repealing Sections 11.68 and 11.70 and adding Sections 11.67.00, 11.67.50, 11.68.00, 11.68.50, 11.69.00, 11.69.50, and 11.70.00, to:
    - Provide greater independence and structure for the County of Los Angeles Ethics Commission and Office of Ethics Compliance, including requirements and procedures concerning appointment, qualifications, restrictions, terms, removal, and vacancy;
    - Provide meeting, quorum, compensation and expense reimbursement requirements for the Ethics Commission and its members;
    - Provide the duties, responsibilities, scope of investigative and enforcement authority and enforcement procedures of the Ethics Commission and the 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; and
    - Establish annual funding requirements for the Ethics Commission and the Office of Ethics Compliance.
- Renumber Article III, Section 11, Subsection (8) of the Charter to Article XII, Section 51-1/4 and amend to address the County's new governance structure.

DAWYN R. HARRISON
County Counsel

By:
EVA CHU
Senior Deputy County Counsel
Government Services Division

EC:eg

Requested: 06/30/26
Revised: 07/14/26

HOA.106013976.14

ORDINANCE NO. _____________

An ordinance calling a special election to be held on November 3, 2026, throughout the County of Los Angeles for the purpose of voting upon an amendment to the Charter of the County of Los Angeles and directing the consolidation of the election with the statewide general election to be held on the same day.

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

SECTION 1. **Call of Election and Purpose.**

Pursuant to California Constitution, Art. XI, sections 3(a) and 3(b) and Articles 2 and 3 (commencing at section 23720) of Chapter 5, Division 1, Title 3 of the Government Code, a special election is hereby called, proclaimed, and ordered to be consolidated with the statewide general election to be held on Tuesday, November 3, 2026, for the purpose of submitting to the eligible registered voters of the County of Los Angeles a proposed amendment to the Charter of the County of Los Angeles.

SECTION 2. **Form of Measure.**

The exact form of the measure as it is to appear on the ballot and the complete text of the proposed Charter amendment is as follows:

<table>
<tr><td rowspan="2"><u>PROPOSED COUNTY CHARTER AMENDMENT.</u>
COUNTY OF LOS ANGELES ETHICS COMMISSION AND COMMUNITY INVESTMENT CHARTER AMENDMENT. Shall the measure, amending the Los Angeles County Charter to provide greater independence and structure for the County of Los Angeles Ethics Commission, Office of Ethics Compliance, and Ethics Compliance Officer, including appointment processes, qualifications, term, duties, and responsibilities, and to continue uninterrupted the County's commitment to community investment and alternatives to incarceration, as specified in the charter amendment ordinance, be adopted?</td><td>YES</td><td></td></tr>
<tr><td>NO</td><td></td></tr>
</table>

MEASURE _____________

This measure (XXXXX) will become effective only if submitted to the voters at the election held on November 3, 2026, and only after approval by a majority of the qualified voters voting in the election on the issues.

The Charter amendment will take effect as provided for in sections 23713 and 23714 of the Government Code.

SECTION 3. Article III-D, Section 11.67.00 is hereby added to read as follows:

<u>11.67.00 The County of Los Angeles Ethics Commission.</u>

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, free from the influence of the Board of Supervisors or the County Executive.

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.

C. **Appointment.**

(1) Members shall be nominated to serve on the Commission as follows:

(a) The Governance Reform Task Force, 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.

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

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

(d) The Commission 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 (1) member nominated by the Commission shall be a resident of an unincorporated area. 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.

(2) 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.

(3) Within forty-five (45) days of a person being nominated to serve on the Commission, the Board of Supervisors shall schedule a meeting to appoint or reject the nominee by a majority vote of the Board. Notwithstanding any other provision of this Charter, if the Board does not act on a nomination within forty-five (45) days, the nominee shall be deemed appointed.

D. **Terms of Office.**

(1) 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.

(2) Notwithstanding Subsection (1), to create staggered terms, the initial terms of members of the Commission shall be as follows:

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

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

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

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

(e) 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 (1).

(3) 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.

E. **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:

(1) A County elected official;

(2) A spouse, registered domestic partner, parent, sibling, or child of a County elected official;

(3) An employee of, or paid consultant to, a County elected official;

(4) A candidate for a County elected office;

(5) 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;

(6) An officer or paid employee of a political party;

(7) A County registered lobbyist; or

(8) 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) to one (1) or more candidates for County elected office.

F. **During and Post-Service Restrictions.** Unless preempted or prohibited by law, no member of the Commission, nor the Ethics Compliance Officer, shall:

(1) Seek election to a Los Angeles 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 Los Angeles County during the member's tenure.

(2) 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.

(3) Serve as an officer or employee of a political party during the member's tenure.

(4) 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.

(5) 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.

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

G. **Removal.** Notwithstanding any other provision of this Charter, a member of the Commission may be removed by a minimum of five (5) votes of the other Commissioners. Removal shall be for cause for substantial neglect of duty, gross misconduct in office, inability to discharge the powers and duties of office, or violation of this Article, after the member is provided with written notice of the grounds on which removal is sought and an opportunity for a reply.

H. **Vacancies.**

(1) 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.

(2) 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.

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

(4) 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.

I. **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.).

J. **Quorum.**

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

(2) Notwithstanding Subsection (1) 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.

K. **Officers.** The Commission shall select a President and Vice President annually.

L. **Compensation; Expenses.** Members of the Commission shall be compensated $250 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 State law, County Code and policies.

SECTION 4. Article III-D, Section 11.67.50 is hereby added to read as follows:

11.67.50. 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 Los Angeles County Ethics Commission and to accomplish the Commission's duties and objectives. The Commission shall oversee the Office of Ethics Compliance and adopt policies and regulations to govern 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. Notwithstanding any other provision of this Charter, the Commission shall appoint and has the authority to discharge the Ethics Compliance Officer, who shall act in accordance with Commission policies and regulations and with applicable law. The Ethics Compliance Officer shall serve at the will of the Commission and shall not be subject to civil service provisions. Notwithstanding any other provision of this Charter, the Commission shall establish a salary range for the Ethics Compliance Officer consistent with other County of Los Angeles executive officers, considering similar duties and responsibilities, and shall annually set or adjust the salary for the Ethics Compliance Officer from within that range.

C. Notwithstanding any other provision of this Charter, the Ethics Compliance Officer may appoint an Enforcement Chief, Chief Counsel, 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 civil service provisions. The Ethics Compliance Officer has the authority to discharge personnel appointed under this Subsection.

D. The Ethics Compliance Officer may appoint and has the authority to discharge such appointed personnel of the Office of Ethics Compliance subject to applicable civil service provisions.

E. 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.

SECTION 5. Article III-D, Section 11.68 is hereby repealed and replaced with Section 11.68.00 to read as follows:

~~**11.68 The Los Angeles County Ethics Commission.**~~

~~A. By 2026, there shall be an independent Los Angeles County Ethics Commission that shall have the powers, duties and responsibilities set forth in this Charter and provided by ordinance in the County Code. The Commission shall:~~

~~(1) Investigate allegations of misconduct by County officials;~~

~~(2) Monitor and enforce laws in coordination with other agencies related to governmental ethics, including, but not limited to, campaign finance, conflicts of interest, lobbying, post-government employment, government contracts, and land use developer conflicts;~~

~~(3) Regularly review the County Code and make recommendations to the Board of Supervisors for updates regarding governmental ethics including, but not limited to, campaign finance, conflicts of interest, lobbying, post-government employment, government contracts, and land use developer conflicts;~~

~~(4) Develop and/or implement additional updates and features to enable searchable public data portals related to 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.~~

~~B. The Board of Supervisors, and the County Executive upon establishment of the office of County Executive, shall provide reasonable funding and staffing for the Commission.~~

11.68.00. 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 financing, lobbying, conflicts of interest, and governmental ethics, and other related laws as provided by the County Charter or County Code.

It shall be the function and duty of the Ethics 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 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 Los Angeles County, violations of the Ethics Code ordinance.

M. Regularly review the County Code and make recommendations to the Board of Supervisors for updates regarding campaign finance, lobbying, conflicts of interest, and 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 to the President of the Commission, shall be agendized for consideration and potential action by the full Board within one hundred eighty (180) days.

N. Commencing in 2030, and if permitted by State law, the Commission may, by a vote of at least five (5) members of the Commission, submit directly to the voters for consideration at the next general election any ordinance which the Supervisors are empowered to pass relating to campaign financing, lobbying, conflicts of interest, and governmental ethics, but not more than once per decade.

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

SECTION 6. Article III-D, Section 11.68.50 is hereby added to read as follows:

11.68.50 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 Section 11.69.00.

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.

SECTION 7. Article III-D, Section 11.69.00 is hereby added to read as follows:

11.69.00 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 of a County Code relating to campaign finance, lobbying, conflicts of interest, or 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, 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 Section 11.68.00, Subsections C through D, 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 (90) day 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) Notwithstanding Article VI, Section 21 of this Charter, 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 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 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) for each violation, adjusted annually by the Commission to reflect changes to the Consumer Price Index for the Los Angeles area, or three (3) times the amount which the person failed to report properly or unlawfully contributed, expended, gave, or received, whichever is greater. 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 Article 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) Notwithstanding Article VI, Section 21 of this Charter and in lieu of administrative enforcement, the 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 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.

SECTION 8. Article III-D, Section 11.69.50 is hereby added to read as follows:

11.69.50 Legal Services.

Notwithstanding Article VI, Section 21 of this Charter, the Office of Ethics Compliance shall appoint a Chief Counsel, and may appoint other attorneys or hire outside counsel in the sole discretion of the Ethics Compliance Officer, to represent and provide legal assistance and services to the Office or Commission.

SECTION 9. Article III-D, Section 11.70 is hereby repealed and replaced with Section 11.70.00 to read as follows:

~~**11.70 Office of Ethics Compliance.**~~

~~By 2026, there shall be an Office of Ethics Compliance established to support the Los Angeles County Ethics Commission and to accomplish the Commission's duties and objectives. The Office of Ethics Compliance shall be led by an Ethics Compliance Officer, who shall perform duties as provided in this Charter and by ordinance in the County Code.~~

11.70.00 Appropriation and Expenditures.

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

B. Starting with the 2027-2028 fiscal year budget, the Board of Supervisors shall appropriate a minimum of $14.3 million dollars for the Commission's 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 (CPI) 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's and Office of Ethics Compliance's annual operating budget is not required if four-fifths (seven-ninths after January 1, 2032) of the Board of Supervisors finds that exigent circumstances exist such that an increase should not be made for that fiscal year.

C. The appropriated 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's and Office's budget. The Commission and Office 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 freezes when operating within the Commission and Office's budget.

SECTION 10. Article III, Section 11, Subsection (8) is hereby renumbered to Article XII, Section 51-1/4 and amended to read as follows:

Section 11.

It shall be the duty of the Board of Supervisors:

(1) To appoint all County officers other than elective officers, and all officers, assistants, deputies, clerks, attaches and employees whose appointment is not provided for by this Charter.

…

~~(8) To allocate, in compliance with all laws and regulations, the County's locally generated unrestricted revenues in the general fund as follows:~~

~~A. Set aside a baseline minimum threshold of at least ten percent (10%) of the County's locally generated unrestricted revenues in the general fund (Net County Cost), as determined annually in the budget process or as otherwise set forth in the County Code or regulations, to be allocated on an annual basis, after input from, among others, the public and County departments at a public hearing, for the following primary purposes:~~

~~i. Direct Community Investment.~~

~~1. Community-based youth development programs.~~

~~2. Job training and jobs to low-income residents focusing on jobs that support the implementation of the "Alternatives to Incarceration" workgroup recommendations as presented to the County Board of Supervisors on March 10, 2020, especially construction jobs for the expansion of affordable and supportive housing, restorative care villages, and a decentralized system of care.~~

~~3. Access to capital for small minority-owned businesses, with a focus on Black-owned businesses.~~

~~4. Rent assistance, housing vouchers and accompanying supportive services to those at-risk of losing their housing, or without stable housing.~~

~~5. Capital funding for transitional housing, affordable housing, supportive housing, and restorative care villages with priority for shovel-ready projects.~~

~~ii. Alternatives to Incarceration.~~

~~1. Community-based restorative justice programs.~~

~~2. Pre-trial non-custody services and treatment.~~

~~3. Community-based health services, health promotion, counseling, wellness and prevention programs, and mental health and substance use disorder services.~~

~~4. Non-custodial diversion and reentry programs, including housing and services.~~

~~B. The set aside shall not be used for any carceral system or law enforcement agencies, including the Los Angeles County Sheriff's Department, Los Angeles County District Attorney's Office, Los Angeles County Superior Courts, or Los Angeles County Probation Department, including any redistribution of funds through those entities. This restriction does not extend to State law requiring the County to fund court facilities and expenditures, including, but not limited to, the Trial Court Facilities Act of 2002 (2002 Senate Bill No. 1732) and Lockyer-Isenberg Trial Court Funding Act of 1997 (1997 Assembly Bill No. 233), other mandatory fines and fees, or any other County commitments to the extent required by law.~~

~~C. The unrestricted revenues that are set aside shall phase in over a three-year period, beginning July 1, 2021, and incrementally grow to the full set-~~

~~aside by June 30, 2024, pursuant to the procedures codified in the County Budget Act in the Government Code.~~

~~D. The set aside cannot supplant monies otherwise allocated for the same categories listed in Subsection (8)(A), as defined and set forth in the County Code or regulations.~~

~~E. The Board of Supervisors shall establish an inclusive and transparent process on the allocation of funds set aside by this Subsection (8).~~

~~F. Notwithstanding this Subsection (8), the Board of Supervisors may, by a four-fifths vote, reduce the set-aside in the event of a fiscal emergency, as declared by the Board of Supervisors, that threatens the County's ability to fund mandated programs.~~

Section 51-1/4.

It shall be the duty of the Board of Supervisors and the County Executive to allocate, in compliance with all laws and regulations, the County's locally generated unrestricted revenues in the general fund as follows:

A. Set aside a baseline minimum threshold of at least ten percent (10%) of the County's locally generated unrestricted revenues in the general fund (Net County Cost), as determined annually in the budget process or as otherwise set forth in the County Code or regulations, to be allocated on an annual basis, after input from, among others, the public and County departments at a public hearing, for the following primary purposes:

i. Direct Community Investment.

1. Community-based youth development programs.

2. Job training and jobs to low-income residents focusing on jobs that support the implementation of the "Alternatives to Incarceration" workgroup recommendations as presented to the County Board of Supervisors on March 10, 2020, especially construction jobs for the expansion of affordable and supportive housing, restorative care villages, and a decentralized system of care.

3. Access to capital for small minority-owned businesses, with a focus on Black-owned businesses.

4. Rent assistance, housing vouchers and accompanying supportive services to those at-risk of losing their housing, or without stable housing.

5. Capital funding for transitional housing, affordable housing, supportive housing, and restorative care villages with priority for shovel-ready projects.

ii. Alternatives to Incarceration.

1. Community-based restorative justice programs.

2. Pre-trial non-custody services and treatment.

3. Community-based health services, health promotion, counseling, wellness and prevention programs, and mental health and substance use disorder services.

4. Non-custodial diversion and reentry programs, including housing and services.

B. The set aside shall not be used for any carceral system or law enforcement agencies, including the Los Angeles County Sheriff's Department, Los Angeles County District Attorney's Office, Los Angeles County Superior Courts, or Los Angeles County Probation Department, including any redistribution of funds through those entities. This restriction does not extend to State law requiring the County to fund court facilities and expenditures, including, but not limited to, the Trial Court Facilities Act of 2002 (2002 Senate Bill No. 1732) and Lockyer-Isenberg Trial Court Funding Act of 1997 (1997 Assembly Bill No. 233), other mandatory fines and fees, or any other County commitments to the extent required by law.

C. The unrestricted revenues that are set aside shall phase in over a three-year period, beginning July 1, 2021, and incrementally grow to the full set-aside by June 30, 2024, pursuant to the procedures codified in the County Budget Act in the Government Code.

D. The set aside cannot supplant monies otherwise allocated for the same categories listed in Subsection A herein, as defined and set forth in the County Code or regulations.

E. The Board of Supervisors shall establish an inclusive and transparent process on the allocation of funds set aside by this Section.

F. Notwithstanding this Section, the Board of Supervisors may, by a four-fifths vote, reduce the set-aside in the event of a fiscal emergency, as declared by the Board of Supervisors, that threatens the County's ability to fund mandated programs.

G. The set aside shall not be subject to veto by the County Executive.

SECTION 11. Legal Effect of Inoperative Provisions.

In the event that the amendment to the Charter of the County of Los Angeles contained in this measure is rendered inoperative because of the actions of any court, legislative or other body, or for any other reason, the provisions of the County Charter in effect on November 2, 2026, will remain in full force and effect.

SECTION 12. Legal Effect of Invalid Provisions.

If any section, subsection, subparagraph, sentence, clause, phrase, or word of this measure is for any reason held to be invalid or unenforceable, such invalidity or unenforceability will not affect the validity or enforceability of the remaining sections, subsections, subparagraphs, sentences, clauses, phrases, or words of the Charter of the County of Los Angeles. The voters of the County declare that they would have independently adopted each section, subsection, subparagraph, sentence, clause, phrase, or word of this measure irrespective of the fact that any one or more other sections, subsections, subparagraphs, sentences, clauses, phrases, or words are declared invalid or unenforceable.

SECTION 13. Consolidation.

Pursuant to Part 3 (commencing at section 10400) of Division 10 of the Elections Code, the special election to amend the County Charter to be held in the County of Los Angeles on November 3, 2026, shall be and is hereby ordered consolidated with the statewide general election to be held on November 3, 2026. Within the County of Los Angeles, the election precincts and vote centers therein and precinct board members and election officers for each such precinct for the special election hereby called shall be the same as those provided for the statewide general election to be held November 3, 2026, and said election shall be held in all respects as if there were only one election and one form of ballot, namely the form of ballot used as such statewide general election shall be used.

SECTION 14. Proclamation.

Pursuant to section 12001 of the Elections Code, the Board of Supervisors of the County hereby PROCLAIMS that a special Countywide election will be held on Tuesday, November 3, 2026, to vote upon the Charter amendment described in Section 2 of this ordinance. For the purposes of such consolidation, the ballot label (which may be abbreviated on the ballot pursuant to Elections Code section 13247) shall appear on the ballot substantially as set forth in Section 2 of this ordinance.

SECTION 15. Effective Date.

This ordinance will take effect pursuant to section 9141(a) of the Elections Code and section 25123(a) of the Government Code.

SECTION 16. Authority.

This ordinance is adopted pursuant to sections 23720, 23730, and 23731 of the Government Code, and sections 9141, 10402, 10403, and 12001 of the Elections Code.

SECTION 17. Publications.

This ordinance must be published once before the expiration of fifteen (15) days after its passage in a daily newspaper of general circulation, printed, published, and circulated in the County pursuant to section 25124 of the Government Code.

The Executive Officer of the Board of Supervisors is ordered to file a copy of this ordinance with the Los Angeles County Registrar-Recorder/County Clerk at least eighty-eight (88) days prior to the day of the election.

[ARTCIIIDSECC]