

WITH DELETIONS AND CHANGES NECESSARY TO PROTECT THE LEGISLATOR'S IDENTITY, SHALL BE FILED WITH THE PRESIDING OFFICE OF THE LEGISLATOR'S BRANCH OF THE LEGISLATURE FOR RECORDATION WITH THE CLERK OF THE HOUSE OF DELEGATES OR SECRETARY OF THE SENATE; AND THE ADVISORY OPINION SHALL BE KEPT AND INDEXED IN RELATION TO THE SUBJECT MATTER FOR THE PURPOSE OF BUILDING A BODY OF CASE LAW.

[[101]] 108. FILING CHARGE OF CONFLICT OF INTERESTS. ANY PERSON MAY FILE WITH THE COMMITTEE A WRITTEN STATEMENT, ACCOMPANIED BY AN AFFIDAVIT, CHARGING A VIOLATION OF THE RULES IN THIS SUBHEADING. THE STATEMENT IS CONFIDENTIAL, AND NEITHER ITS CONTENTS NOR THE FACT THAT IT HAS BEEN FILED MAY BE MADE PUBLIC, UNLESS A REPORT THEREON IS MADE PURSUANT TO RULE 103.

[[102]] 109. PRELIMINARY INVESTIGATION BY COMMITTEE. THE COMMITTEE SHALL MAKE A PRELIMINARY INVESTIGATION OF THE CHARGES IN THE STATEMENT.

[[103]] 110. FURTHER PROCEEDINGS.

(A) NO VIOLATION. IF THE COMMITTEE DETERMINES AFTER THE PRELIMINARY INVESTIGATION THAT THERE HAS BEEN NO VIOLATION OF THIS SUBHEADING, THE MATTER IS CLOSED; AND THE PROCEEDINGS SHALL NOT BE MADE PUBLIC UNLESS THE LEGISLATOR, IN WRITING, SO REQUESTS.

(B) POSSIBLE VIOLATION. IF THE COMMITTEE DETERMINES AFTER THE PRELIMINARY INVESTIGATION THAT POSSIBLY THERE WAS A VIOLATION OF THIS SUBHEADING, THE LEGISLATOR SHALL BE NOTIFIED OF THE STATEMENT AND ALLOWED 15 DAYS TO FILE A WRITTEN ANSWER TO THE CHARGES IN THE STATEMENT.

(C) COMMITTEE ACTION. UPON RECEIVING THE LEGISLATOR'S ANSWER, THE COMMITTEE MAY EITHER (1) DISMISS THE CHARGES, IN WHICH CASE THE MATTER IS CLOSED, AND THE PROCEEDINGS SHALL NOT BE MADE PUBLIC UNLESS THE LEGISLATOR, IN WRITING, SO REQUESTS; OR (2) SCHEDULE A FORMAL HEARING ON THE CHARGES, WITHIN TWENTY DAYS AFTER GIVING NOTICE TO THE PERSON WHO FILED THE STATEMENT AND TO THE LEGISLATOR.

(D) HEARING. THE HEARING SHALL NOT BE OPEN TO THE PUBLIC. THE LEGISLATOR MAY PRESENT EVIDENCE, CROSS-EXAMINE WITNESSES, FACE AND EXAMINE HIS ACCUSER, AND BE REPRESENTED BY COUNSEL.

[[104]] 111. LEGISLATIVE ACTION.

(A) REPORT TO GENERAL ASSEMBLY. IF AFTER A FORMAL HEARING THE COMMITTEE DETERMINES THAT SUFFICIENT GROUNDS EXIST FOR A QUESTION OF SUBSTANTIAL CONFLICT OF INTERESTS, THE COMMITTEE SHALL REPORT ITS FINDINGS TO THE BRANCH OF THE LEGISLATURE OF WHICH THE LEGISLATOR IS A MEMBER, ACCOMPANIED BY A REQUEST THAT AN INVESTIGATING COMMITTEE BE ESTABLISHED TO DETERMINE IF A VIOLATION OF THIS SUBHEADING HAS OCCURRED.