

State of Rhode Island and Providence Plantations

**Rhode Island Ethics Commission
40 Fountain Street
Providence, RI 02903
(401) 222-3790**

Public Notice of Proposed Rule-Making

Pursuant to the provisions of R.I. Const., art. III, sec. 8 and R.I. Gen. Laws § 36-14-9, and in accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-3, the Rhode Island Ethics Commission hereby gives notice of its intent to consider, and potentially adopt, Regulation 36-14-1001.1 – Limitations Period on Filing of Complaint.

The purpose of this amendment is to establish a time period within which a Complaint alleging a violation of the Rhode Island Code of Ethics in Government must be filed with the Ethics Commission.

The proposed regulations and concise summaries thereof are available for public inspection on the Secretary of State's website, at the Ethics Commission's website at <http://www.ethics.ri.gov>, in person at the above address, or by calling Katherine D'Arezzo, Senior Staff Attorney, at (401) 222-3790.

In the development of the proposed amendments, consideration was given to: (1) alternative approaches; and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach, duplication, or overlap was identified upon available information.

All interested parties are invited to submit written comments concerning the proposed regulations by May 29, 2013, to the Ethics Commission at the above address, or via email to comment@ethics.ri.gov. A public hearing to consider the proposed amendments shall be held as part of the Ethics Commission's regular open meeting on **Tuesday, June 4, 2013, at 9:00 a.m.** at the above address, at which time and place all persons interested therein will be heard. The room is accessible to the disabled and interpreter services for the hearing impaired will be provided if requested 48 hours prior to the hearing. Requests for this service can be made in writing or by calling (401) 222-3790 or through Rhode Island Relay at 1-800-RI5-5555.

STATE OF RHODE ISLAND

RHODE ISLAND ETHICS COMMISSION

OPTION A

PROPOSED REGULATION 1001.1 –
LIMITATIONS PERIOD ON FILING OF COMPLAINT.

(Hearing: June 4, 2013)

1 **Regulation 1001.1 - Limitations Period on Filing of Complaint.**

2 Any Complaint shall be filed with the Ethics Commission no later than ten (10) years
3 from the date of the alleged violation of the Rhode Island Code of Ethics.

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10 **CONCISE SUMMARY OF PROPOSED REGULATION**

11 This regulation establishes a strict limitations period for the filing of a Complaint with the
12 Ethics Commission.

STATE OF RHODE ISLAND

RHODE ISLAND ETHICS COMMISSION

OPTION B

PROPOSED REGULATION 1001.1 –
LIMITATIONS PERIOD ON FILING OF COMPLAINT.

(Hearing: June 4, 2013)

1 **Regulation 1001.1 - Limitations Period on Filing of Complaint.**

2 Any Complaint shall be filed with the Ethics Commission no later than ten (10) years
3 from the date of the alleged violation of the Rhode Island Code of Ethics, but no more
4 than two (2) years following the last date on which the Respondent was subject to the
5 Code of Ethics.

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10 **CONCISE SUMMARY OF PROPOSED REGULATION**

11 This regulation establishes a limitations period for the filing of a Complaint with the
12 Ethics Commission. It further limits the time during which a Complaint may be filed
13 with the Ethics Commission after the Respondent no longer holds a public office or
14 position governed by the provisions of the Code of Ethics.

STATE OF RHODE ISLAND

RHODE ISLAND ETHICS COMMISSION

OPTION C

PROPOSED REGULATION 1001.1 –
LIMITATIONS PERIOD ON FILING OF COMPLAINT.

(Hearing: June 4, 2013)

1 **Regulation 1001.1 - Limitations Period on Filing of Complaint.**

2 Any Complaint shall be filed with the Ethics Commission no later than ten (10) years
3 from the date of the alleged violation of the Rhode Island Code of Ethics, or from the
4 date that the alleged violation should, in the exercise of reasonable diligence, have been
5 discovered. In no case shall any Complaint be filed with the Ethics Commission more
6 than two (2) years following the last date on which the Respondent was subject to the
7 Code of Ethics.

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10 CONCISE SUMMARY OF PROPOSED REGULATION

11 This regulation establishes a limitations period for the filing of a Complaint with the
12 Ethics Commission and includes a discovery provision. It further limits the time during
13 which a Complaint may be filed with the Ethics Commission after the Respondent no
14 longer holds a public office or position governed by the provisions of the Code of Ethics.