

Regulation 1023 - Procedure for Complaints Relating to Financial Disclosure.

Complaints which solely relate to alleged violations of the Code of Ethics regarding either delinquent or deficient financial disclosure statements, shall be processed pursuant to the procedures set forth in this Regulation, unless otherwise determined by the Commission.

- (a) The Commission shall adopt, by a majority vote, a schedule of fines and penalties to which a Respondent shall be subject if he or she consents to the entry of a finding of a violation for failure to file a financial disclosure statement which complies with the requirements of the Code of Ethics, in violation thereof. Such schedule shall not apply to any adjudicative hearing as described in subparagraph (e) of this Regulation.
- (b) Whenever records of the Commission reveal that a person required to file a financial disclosure statement has not complied with the requirements of the Code of Ethics, the Executive Director or designee may file a Complaint against said person, accompanied by an affidavit specifying the basis upon which the Respondent is required to file such statement, and setting forth in detail any non-compliance.
- (c) Upon the filing of any Complaint described above in Regulation 1023(b), a copy of the Complaint and copies of all documents supporting such Complaint shall be mailed to the Respondent by certified mail, along with a copy of the Code of Ethics, Commission Regulations, waiver of right to appear, stipulation and agreement, and the schedule of fines and penalties adopted pursuant to this Regulation.
- (d) If the Respondent agrees to the waiver of his or her right to appear and pays the appropriate fine as determined by the above-described schedule, and properly files any delinquent or deficient financial disclosure statement, and stipulation and agreement, no hearing on the matter will be required.
- (e) If the Respondent contests the Complaint described above in Regulation 1023(b), the Commission shall conduct a proceeding regarding probable cause, pursuant to Regulation 1006, and, should a Finding of Probable Cause issue, the Commission shall conduct a hearing thereupon, pursuant to Regulation 1015.