

Senate Resolution No. 45

Introduced by Senators Steinberg and De León

Relative to the Standards of Conduct of the Senate

WHEREAS, Public office is a public trust; and

WHEREAS, That trust is eroded by actions that appear to place the private interests of public officials above the public good; and

WHEREAS, The proper operation of democratic government requires that public officials be independent and impartial, that government policy and decisions be made through the established processes of government, that public officials not use public office to obtain personal benefits, that public officials avoid actions that create the appearance of using public office to obtain a personal benefit, and that the public have confidence in the integrity of its government and public officials; and

WHEREAS, In pursuit of these goals; now, therefore, be it

Resolved by the Senate of the State of California, That the Standards of Conduct of the Senate are as follows:

First—Each Senator shall conduct himself or herself so as to justify the high trust reposed in him or her by the people and to promote public confidence in the integrity of the Senate.

Second—A Senator or officer or employee of the Senate shall not engage in unethical conduct or tolerate such conduct by others. Each Senator and each officer or employee of the Senate has a responsibility to report any apparent and substantial violation of these standards and to consult with the Senate Committee on Legislative Ethics or, at the option of the individual, the Senate ombudsperson regarding the propriety of any conduct that may violate these standards. Moreover, a Senator or officer or employee of the Senate shall not retaliate against a person who reports a possible violation of these standards or consults about conduct that may violate these standards, or against a person who the Senator, officer, or employee believes made such a report.

Third—Each Senator and each officer or employee of the Senate has an obligation to exercise his or her independent judgment on behalf of the people of California, rather than for personal gain or private benefit.

(a) A Senator or officer or employee of the Senate shall not seek or accept anything from anyone that would interfere with the exercise of his or her independent judgment.

(b) A Senator or officer or employee of the Senate shall not accept outside employment that is inconsistent with the conscientious performance of his or her duties.

(c) A Senator shall not use the prestige of his or her office, and an officer or employee of the Senate shall not use the status of his or her position, for material or financial gain or private benefit.

Fourth—Each Senator has an obligation to provide energetic and diligent representation, and each officer or employee of the Senate has an obligation to provide energetic and diligent service on behalf of the Senate, with due consideration for the interests of all of the people of California.

(a) Each Senator and each officer or employee of the Senate has an obligation to be informed and prepared, recognizing all sides of an issue.

(b) Each Senator and each officer or employee of the Senate, when intervening on behalf of a constituent with any governmental agency, shall make every effort to ensure that decisions affecting any constituent are made on their merits and in a fair and equitable manner.

(c) Each Senator shall be accessible to all constituents, making a special effort to attend to the concerns of those who might not otherwise be heard.

(d) Each Senator shall fairly characterize the issues confronting the Legislature and accurately inform the public regarding the conduct of his or her office.

Fifth—Each Senator and each officer or employee of the Senate has an obligation to the public and to his or her colleagues to be informed about, and abide by, the rules that govern the proceedings of the Senate and the Legislature.

(a) Each Senator shall perform his or her duties with courtesy and respect for both colleagues and those who may appear before the Senate.

(b) In exercising the power of confirmation, each Senator shall act with due regard for the general welfare of the people of California.

(c) Each Senator and each officer or employee of the Senate, when exercising oversight functions with respect to any governmental agency, shall act in an informed fashion, with attention to the underlying policies being implemented and with due respect for the independence of the agency.

Sixth—Each Senator, and each officer or employee of the Senate, acting in a position of leadership shall exercise his or her power and carry out his or her responsibility so as to enhance reasoned and visible decisionmaking by the Senate.

Seventh—Each Senator has an obligation to treat each officer or employee of the Senate with fairness and without discrimination, and to ensure that each officer or employee performs only those tasks for which there is a legislative or governmental purpose.

Eighth—Each officer or employee of the Senate has an obligation to perform his or her properly assigned duties using his or her best judgment with diligence and a duty of loyalty to the Senate as an institution.

Ninth—Each Senator and each officer or employee of the Senate has an obligation to make proper use of public funds.

(a) A Senator or an officer or employee of the Senate shall not use state resources for personal or campaign purposes.

(b) Each officer or employee of the Senate is free to volunteer for, and participate in, campaign activities on his or her own time, but an officer or employee of the Senate shall not be intimidated, coerced, or compelled, as a condition of continued appointment or employment, to either volunteer time or contribute money to a candidate or campaign.

(c) A Senator or an officer or employee of the Senate shall not discuss legislative business of any kind while attending or hosting an event at which campaign funds or contributions are solicited, provided, or discussed.

Tenth—Each Senator and each officer or employee of the Senate shall uphold the Constitution of California and the Constitution of the United States, and shall adhere to the spirit and the letter of the laws, rules, and regulations governing officeholder conduct.

Eleventh—Each Senator and each officer or employee of the Senate shall conduct himself or herself in the performance of his or her duties in a manner that does not discredit the Senate.

Twelfth—Each Senator and each officer or employee of the Senate is expected to report to the proper authority any apparent and substantial violation of these standards or related statutes, regulations, or rules, and to consult with the Senate ombudsperson, the Senate Committee on

Legislative Ethics, or any other appropriate governmental agency regarding the propriety of any conduct that may violate these standards.

Senate Resolution No. 45 read and adopted by the Senate June 9, 2014.

Attest: _____
Secretary of the Senate