

PRELIMINARY STAFF MEASURE SUMMARY

House Committee On Consumer Protection and Government Effectiveness

Fiscal: May have fiscal impact, but no statement yet issued

Revenue: May have revenue impact, but no statement yet issued

Action Date:

Action:

Meeting Dates:

Prepared By: Victoria Cox, Committee Administrator

WHAT THE MEASURE DOES:

Authorizes Legislative Assembly to request appointment of independent counsel by joint resolution. Declares emergency, effective on passage

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

House Bill 4138 empowers the Legislative Assembly by joint resolution to request that the Attorney General investigate allegations of violations of ethics or criminal laws by the Executive Branch. Upon determination of reasonable grounds for further investigation, the Attorney General is directed to apply to the circuit court for the appointment of an independent counsel. The independent counsel appointed thusly will have all the powers of a district attorney including the power to subpoena, to employ local law enforcement or special investigators and to empanel a grand jury. The independent counsel may also pursue civil action for alleged violations of ethics laws.