

AMENDMENTS TO THE CODE OF ETHICS



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On June 14, 2023, the City Council approved several amendments to the City of Dallas Code of Ethics. The major changes are summarized here.

Article I. Declaration of Policy and Definitions.

- Clarified the meaning of monetary gain within the definition of benefit (§ 12A-2(4)). Added a definition of information (§ 12A-2(20)).

Article II. Code of Conduct; Actions of Others; and Ethics Commitments.

- Deleted the prohibition against criticizing a city employee's performance in public and admonishing city employees (§ 12A-4(b)(4)).

Article III. Conflicts of Interest.

- Clarified that the exceptions to the general rule on gifts are not reportable gifts (§ 12A-12b).
- Clarified that personal benefit requires benefit exchanged for official action (§ 12A-13(c)(1)).
- Added that City officials and employees must recuse where a substantial interest in a business or real property exists (§ 12A-13.1).
- Added that it is a class C misdemeanor to disclose confidential information (§ 12A-17(d)).
- Added that disclosures must be made by certain participants in campaigns before a meeting where they represent another interest and at least one councilmember is present (§ 12A-18(a)(4)).
- Removed section exempting members of a municipal management district board from the general rule for representation of private interests (§ 12A-18(a)).
- Added that the restrictions on prohibited interests in contracts do not apply to advisory bodies, or committees, or task forces formed by boards or commissions (§ 12A-22(c)).
- Added an exception to recusal of a city official where the majority of the members file a similar conflict of interest report (§ 12A- 24(c)).

Article IV. Former City Officials and Employees.

- Added a one-year time limitation that former city officials and employees prohibiting from representation of others in litigation adverse to the city (§ 12A-26(c)).
- Added an exception for volunteers on a committee or task force formed by a board or commission to the having a financial interest in discretionary city contracts or sales within one year of service (§ 12A-27(d)).

Article V. Lobbyists.

- Removed the restriction that campaign managers or treasurers for an elected city councilmember may not lobby a councilmember for one year after the election (§ 12A-35(h)).

Article VI. Reporting Requirements.

- Removed the exemption of the mayor, councilmembers, the city attorney, the city manager, and candidates for city council from the financial disclosure report (§ 12A-40(a)(2)).
- Amended the filing requirement so that the financial disclosure report is filed with the city secretary and not the Office of the Inspector General (§ 12A-40(f)).
- Added that certain city officials, the mayor, councilmembers, the city attorney, and the city manager must file a quarterly gift report regardless of whether gifts were received (§ 12A-42(c)).
- Added a chart summarizing the reporting requirements (§ 12A-45.1).





Article VII. Legal Counsel.

- Clarified the inspector general's subpoena process for investigations (§ 12A-47(b)(2)).
- Added that an inspector general investigation shall be postponed when there is pending civil or criminal litigation regarding the subject matter under investigation (§ 12A-47(b)(3)).
- Clarified that a respondent to a filed information may retain an independent outside attorney and the fees will be evaluated for reasonableness by the Ethics Advisory Commission (EAC) (§ 12A-48(b)(1) and (2)).
- Added that complaints filed against an employee of the Inspector General Division shall be investigated by an independent outside attorney (§ 12A-48(c)).

Article VIII. Ethics Advisory Commission.

- Clarified the process for formation of an EAC evidentiary hearing panel (§ 12A-49(b)).
- Added a tolling provision to the statute of limitations for investigations delayed by pending civil or criminal litigation (§ 12A-50(b)).
- Clarified the EAC subpoena process for the attendance of witnesses and the production of testimony and evidence (§ 12A-50(e)).
- Amended the standard from probable cause to credible allegation for determining if a complaint should move to an evidentiary hearing (§ 12A-52).
- Clarified the process related to settlement agreements made by the inspector general (§ 12A-52(b)(3)).
- Clarified that a respondent is notified of a complaint once it is substantiated by the inspector general (§ 12A-52(b)(4)).
- Amended the burden of proof at evidentiary hearings from clear and convincing to preponderance of the evidence (§ 12A-53(c)).

Article X. Enforcement, Culpable Mental State, and Penalties.

- Removed the section providing for appeal to a trial board for employees when no appeal process exists otherwise (§ 12A-58((b)).
- Amended the burden of proof for an allegation of vexatious complainant from clear and convincing to preponderance of the evidence (§ 12A-63(l)).



If you have any questions, please contact [Baron Eliason](mailto:baron.eliason@Dallas.gov), Chief Integrity Officer for clarification at baron.eliason@Dallas.gov