

From the Milwaukee County Ethics Board recommending amendments to Sections 9.03 and 9.04 of the Milwaukee County Code of General Ordinances to remove the requirement for individuals to file a notarized Affidavit with their Statement of Economic Interests form and replace it with a declaration item at the end of the Statement of Economic Interests form, by recommending adoption of the following:

### **A RESOLUTION/ORDINANCE**

WHEREAS, the Code of Ethics (Ethics Code), contained in Chapter 9 of the Milwaukee County Code of General Ordinances (the Code), requires all Milwaukee County (the County) elected and appointed officials, candidates for elected County offices, and certain County employees (filers) to file a Statement of Economic Interests (SEI) form upon declaring their candidacy or entering County service as well as annually with the office of the County Ethics Board; and

WHEREAS, Section 9.03(5) of the Code requires SEI filers also file a sworn Affidavit regarding their compliance with the Ethics Code; and

WHEREAS, said requirement creates an undue burden for the filer to locate and obtain notary services (potentially at personal expense), which has been exacerbated by the ongoing public health crisis; and

WHEREAS, the language of the Affidavit can be incorporated into the SEI form as part of a "declaration item" where individuals can confirm their compliance with the Ethics Code and complete their submission; and

WHEREAS, eliminating the Affidavit requirement brings the County's Ethics Code closer in line with the Codes of Ethics for the City of Milwaukee and the State of Wisconsin, neither of which require an Affidavit be filed with an individual's financial disclosures; and

WHEREAS, eliminating the Affidavit requirement allows the Ethics Board's office to streamline the filing process as it migrates to a digital portal; and

WHEREAS, the Committee on Judiciary, Safety, and General Services, at its meeting of December 2, 2021, recommended adoption of File No. 21-1034 (vote 5-0) now, therefore,

BE IT RESOLVED, the Milwaukee County Ethics Board and its Executive Director recommend that the Milwaukee County Board of Supervisors hereby amend Chapter 9 of the Milwaukee County Code of General Ordinances, by adopting the following language:

46 **AN ORDINANCE**

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48 The County Board of Supervisors of the County of Milwaukee does ordain as follows:

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50 **SECTION 1.** Section 9.03 of the Milwaukee County Code of General Ordinances is  
51 hereby amended as follows:

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53 9.03 – Financial disclosure.

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55 ~~**(5) Affidavit of compliance: Within thirty (30) days after the close of each**~~  
56 ~~**calendar year, all county employees and public officials referred to in**~~  
57 ~~**subsection 9.03(1) shall file with the ethics board a sworn affidavit regarding**~~  
58 ~~**compliance with statements of economic interests provisions found in this**~~  
59 ~~**chapter. The sworn affidavit shall be a form provided by the ethics board as**~~  
60 ~~**approved by the county board and shown as appendix A to this chapter.**~~

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62 ~~**(6)**~~ **(5) Updating recommended list of individuals covered:** Each department head  
63 in the service of the county shall submit to the executive director of the ethics  
64 board an updated list of the job titles and position numbers of those incumbents  
65 within his/her jurisdiction. He/she shall indicate on the list whom, in his/her  
66 opinion, should be required to file statements of economic interests and sworn  
67 affidavits.

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69 **SECTION 2.** Section 9.04 of the Milwaukee County Code of General Ordinances is  
70 hereby amended as follows:

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72 9.04 – Form of statement.

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74 **(2) The person filing a statement of economic interests, as required under**  
75 **this chapter, shall complete a declaration item at the end of the form**  
76 **affirming their understanding and compliance with the provisions of this**  
77 **chapter.**

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80 **SECTION 3.** The provisions of this Ordinance will be effective upon passage and  
81 publication.

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86 S:\Committees\2021\Dec\JSGS\Resolution\21-1034 Ordinance amending Sections 9.03 and 9.04 Code of Ethics  
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