

**BEFORE THE BOARD OF ETHICAL CONDUCT
OF THE
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
TENNESSEE**

Murray J. Philip)
)
Complainant)
v.)
)
Jamie R. Hollin)
)
Respondent)
_____)

ORDER

This matter came to be heard before the Board of Ethical Conduct (“Board”) of the Metropolitan Government of Nashville and Davidson County on May 19, 2022, pursuant to a Complaint filed by Murray J. Philip (“Complainant”), against Jamie R. Hollin, a registered lobbyist (“Respondent”).

Complainant filed this matter pursuant to the procedures set out in section 2.196.110 of the Lobbyist Registration and Disclosure Chapter of the Metropolitan Code (“New Lobbyist Code”). The New Lobbyist Code took effect on January 1, 2021. Second Substitute Ordinance BL2020-147 deleted the Old Lobbyist Code in its entirety and replaced it with the New Lobbyist Code.

Complainant alleged in the Complaint that Respondent violated the provisions of the Old Lobbyist Code, which was in effect through December 31, 2020, by: (i) failing to disclose gifts and expenditures on his 2019 and 2020 calendar year Lobbying Activities Reports; and (ii) failing to file his 2020 calendar year Lobbying Activities Report in a timely manner.

Pursuant to the provisions of Metropolitan Code § 2.196.110(A)(5), the Department of Law evaluated the allegations of the Complaint for the purpose of determining whether the

facts as alleged, if proven true, would give rise to a violation of the New Lobbyist Code. Upon completing its evaluation, the Department of Law concluded that:

- (i) the allegations in the Complaint, if true, would give rise to a violation of the Old Lobbyist Code;
- (ii) the Metropolitan Clerk, rather than the Board of Ethical Conduct, was vested with authority to enforce the Old Lobbyist Code;
- (iii) the Board of Ethical Conduct is tasked with adjudication of violations of the New Lobbyist Code, which took effect on January 1, 2021; and
- (iv) the New Lobbyist Code does not apply retroactively to activities and transactions of lobbyists pertaining to the 2019 and 2020 calendar years.

Therefore, the Department of Law recommended that the Complaint filed against the Respondent be dismissed as the Complaint does not allege violations for which the Board has jurisdiction or authority to address.

The Board, after receiving the recommendations of the Department of Law, in an open meeting, considered the allegations against the Respondent. Following Board deliberation, a motion was made and properly seconded that the Complaint against the Respondent be dismissed for the reasons set forth by the Department of Law. The Board voted (4-0) in favor of the motion to dismiss the Complaint. Board member John Spragens recused himself from this matter and did not take part in the consideration of this Complaint.

IT IS THEREFORE ORDERED BY THE BOARD OF ETHICAL CONDUCT, that the Complaint filed by Complainant Murray J. Philip against Respondent Jamie R. Hollin, concerning violations of the Old Lobbyist Code, is hereby dismissed.

Entered, this the 1st day of June, 2022.

signature on file

Diane DiIanni, Chairperson
Metropolitan Board of Ethical Conduct

cc: Complainant, Mr. Murray J. Philip
Respondent, Mr. Jamie R. Hollin