



General Assembly

Amendment

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LCO No. 7332

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Offered by:

SEN. LOONEY, 11th Dist.

SEN. DEFRONZO, 6th Dist.

To: Subst. House Bill No. 6592

File No. 795

Cal. No. 531

**"AN ACT CONCERNING IMPLEMENTATION AND
ADMINISTRATION OF THE "HELP AMERICA VOTE ACT"."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective January 1, 2004*) As used in sections 501 to
4 516, inclusive, of this act, unless the context otherwise requires:

5 (1) "Administrative action" means any action or nonaction of any
6 agency of a municipality with respect to the proposal, drafting,
7 development, consideration, amendment, adoption or repeal of any
8 rule, regulation, ordinance, referendum, budget or utility rate, and any
9 action or nonaction of any agency, regarding a contract, grant, award,
10 purchasing agreement, loan, bond, certificate, license, permit or any
11 other matter which is within the official jurisdiction or cognizance of
12 such an agency.

13 (2) "Business organization" means a sole proprietorship,

14 corporation, limited liability company, association, firm or partnership,
15 other than a client lobbyist, which is owned by, or employs one or
16 more individual lobbyists.

17 (3) "Candidate for municipal office" means any person who has filed
18 a declaration of candidacy or a petition to appear on the ballot for
19 election as a municipal official, or who has raised or expended money
20 in furtherance of such candidacy, or who has been nominated for
21 appointment to serve as a municipal official.

22 (4) "Client lobbyist" means a lobbyist on behalf of whom lobbying
23 takes place and who makes expenditures for lobbying and in
24 furtherance of lobbying.

25 (5) "Commission" means the State Ethics Commission established
26 under section 1-80 of the general statutes.

27 (6) "Communicator lobbyist" means a lobbyist who communicates
28 directly or solicits others to communicate with an official or such
29 official's staff in a municipality for the purpose of influencing
30 legislative or administrative action.

31 (7) "Compensation" means any value received or to be received by a
32 person acting as a lobbyist, whether in the form of a fee, salary or
33 forbearance.

34 (8) "Expenditure" means any advance, conveyance, deposit,
35 distribution, transfer of funds, loan, payment, unless expressly
36 excluded; any payments for telephone, mailing, postage, printing and
37 other clerical or office services and materials; any paid
38 communications, costing fifty dollars or more in any calendar year,
39 disseminated by means of any printing, broadcasting or other
40 medium, provided such communications refer to pending
41 administrative or legislative action; any contract, agreement, promise
42 or other obligation; any solicitation or solicitations, costing fifty dollars
43 or more in the aggregate for any calendar year, of other persons to
44 communicate with a municipal official or municipal employee for the

45 purpose of influencing any legislative or administrative act and any
46 pledge, subscription of money or anything of value. "Expenditure"
47 shall not include the payment of a registrant's fee pursuant to section
48 506 of this act, any expenditure made by any club, committee,
49 partnership, organization, business, union, association or corporation
50 for the purpose of publishing a newsletter or other release to its
51 members, shareholders or employees, or contributions, membership
52 dues or other fees paid to associations, nonstock corporations or tax-
53 exempt organizations under Section 501(c) of the Internal Revenue
54 Code of 1986, or any subsequent corresponding internal revenue code
55 of the United States, as from time to time amended.

56 (9) "Gift" means anything of value, which is directly and personally
57 received, unless consideration of equal or greater value is given in
58 return. "Gift" shall not include:

59 (A) A political contribution otherwise reported as required by law
60 or a donation or payment described in subdivision (9) or (10) of
61 subsection (b) of section 9-333b of the general statutes;

62 (B) Services provided by persons volunteering their time;

63 (C) A commercially reasonable loan made on terms not more
64 favorable than loans made in the ordinary course of business;

65 (D) A gift received from (i) the individual's spouse, fiance or fiancée,
66 (ii) the parent, brother or sister of such spouse or such individual, or
67 (iii) the child of such individual or the spouse of such child;

68 (E) Goods or services (i) which are provided to a municipality (I) for
69 use on municipal property, or (II) to support an event or the
70 participation by a municipal official or municipal employee at an
71 event, and (ii) which facilitate municipal action or functions. As used
72 in this subdivision, "municipal property" means property owned or
73 leased by the municipality;

74 (F) A certificate, plaque or other ceremonial award costing less than

75 one hundred dollars;

76 (G) A rebate, discount or promotional item available to the general
77 public;

78 (H) Printed or recorded informational material germane to
79 municipal action or functions;

80 (I) Food or beverage or both, costing less than fifty dollars in the
81 aggregate per recipient in a calendar year, and consumed on an
82 occasion or occasions at which the person paying, directly or
83 indirectly, for the food or beverage, or the person's representative, is in
84 attendance;

85 (J) A gift, including but not limited to, food or beverage or both,
86 provided by an individual for the celebration of a major life event;

87 (K) Gifts costing less than one hundred dollars in the aggregate or
88 food or beverage provided at a hospitality suite at a meeting or
89 conference of an interstate municipal association, by a person who is
90 not a registrant or is not doing business with the state of Connecticut;

91 (L) Admission to a charitable or civic event, including food and
92 beverage provided at such event, but excluding lodging or travel
93 expenses, at which a municipal official or municipal employee
94 participates in such official's or employee's official capacity, provided
95 such admission is provided by the primary sponsoring entity;

96 (M) Anything of value provided by an employer of (i) a municipal
97 official, (ii) a municipal employee, or (iii) a spouse of a municipal
98 official or municipal employee, to such official, employee or spouse,
99 provided such benefits are customarily and ordinarily provided to
100 others in similar circumstances; or

101 (N) Anything having a value of not more than ten dollars, provided
102 the aggregate value of all things provided by a donor to a recipient
103 under this subdivision in any calendar year shall not exceed fifty
104 dollars.

105 (10) "Immediate family" means any spouse, dependent children or
106 dependent relatives who reside in the individual's household.

107 (11) "Individual" means a natural person.

108 (12) "Legislative action" means introduction, sponsorship,
109 consideration, debate, amendment, passage, defeat, approval, veto,
110 overriding of a veto or any other official action or nonaction with
111 regard to any rule, regulation, ordinance, referendum, budget,
112 measure, resolution, amendment, nomination, appointment, report, or
113 any other matter pending or proposed in a legislative body of a
114 municipality, or any matter which is within the official jurisdiction or
115 cognizance of such legislative body.

116 (13) "Lobbying" means communicating directly or soliciting others
117 to communicate with any official or such official's staff in a
118 municipality, for the purpose of influencing any legislative or
119 administrative action except that the term "lobbying" does not include
120 (A) communications by or on behalf of a party to, or an intervenor in, a
121 contested case, as defined in regulations adopted by the commission in
122 accordance with the provisions of chapter 54 of the general statutes,
123 before a municipality, (B) communications by a representative of a
124 vendor or by an employee of the client lobbyist which representative
125 or employee acts as a salesperson and does not otherwise engage in
126 lobbying regarding any administrative action, (C) communications by
127 an attorney made while engaging in the practice of law and regarding
128 any matter other than legislative action or the proposal, drafting,
129 development, consideration, amendment, adoption or repeal of any
130 rule, regulation, ordinance, referendum or budget, or (D) other
131 communications exempted by regulations adopted by the commission
132 in accordance with the provisions of chapter 54 of the general statutes.

133 (14) "Lobbyist" means a person who in lobbying and in furtherance
134 of lobbying, with regard to a single municipality, makes or agrees to
135 make expenditures, or receives or agrees to receive compensation,
136 reimbursement, or both, and such compensation, reimbursement or

137 expenditures for a single municipality are two thousand dollars or
138 more in any calendar year or the combined amount thereof for a single
139 municipality is two thousand dollars or more in any such calendar
140 year. Lobbyist shall not include:

141 (A) A municipal official or municipal employee, or such official's or
142 employee's designee other than an independent contractor, who is
143 acting within the scope of such official's, employee's or designee's
144 authority or employment;

145 (B) A publisher, owner or an employee of the press, radio or
146 television while disseminating news or editorial comment to the
147 general public in the ordinary course of business;

148 (C) An individual representing such individual or another person
149 before the municipality other than for the purpose of influencing
150 legislative or administrative action;

151 (D) Any individual or employee who receives no compensation or
152 reimbursement specifically for lobbying and who limits such
153 individual's or employee's activities solely to formal appearances to
154 give testimony before public sessions of the legislative body of a
155 municipality and who, if such individual or employee testifies,
156 registers such individual's or employee's appearance in the records of
157 the legislative body;

158 (E) A member of an advisory board acting within the scope of such
159 member's appointment;

160 (F) Any person who receives no compensation or reimbursement
161 specifically for lobbying and who spends no more than five hours
162 lobbying or in furtherance of lobbying, unless such person, exclusive
163 of salary, receives compensation or makes expenditures, or both, of
164 two thousand dollars or more in any calendar year for lobbying or the
165 combined amount thereof is two thousand dollars or more in any such
166 calendar year;

167 (G) A communicator lobbyist who receives or agrees to receive
168 compensation, reimbursement, or both, the aggregate amount of which
169 is less than two thousand dollars from each client in any calendar year;

170 (H) A public official or state employee, as defined in section 1-79 of
171 the general statutes, other than an independent contractor, who is
172 acting within the scope of his or her authority or employment; or

173 (I) A senator or representative in Congress acting within the scope
174 of such senator's or representative's office.

175 (15) "Member of an advisory board" means any person appointed by
176 a municipal official as an advisor or consultant or member of a
177 committee, commission or council established to advise, recommend
178 or consult with a municipal official or a branch of municipal
179 government or a committee thereof and who receives no public funds
180 other than per diem payments or reimbursement for such person's
181 actual and necessary expenses incurred in the performance of such
182 person's official duties and who has no authority to expend any public
183 funds or to exercise the power of a municipality.

184 (16) "Municipal official" means any elected municipal officer or any
185 person appointed to any office of a municipality.

186 (17) "Municipal employee" means any employee of a municipality,
187 whether in the classified or unclassified service and whether full or
188 part-time.

189 (18) "Municipality" means any city, town, borough, municipal
190 corporation, municipal authority, school district, regional district,
191 metropolitan district or other district.

192 (19) "Person" means an individual, a business, corporation, limited
193 liability company, union, association, firm, partnership, committee,
194 club or other organization or group of persons.

195 (20) "Political contribution" has the same meaning as in section 9-
196 333b of the general statutes except that for purposes of sections 501 to

197 516, inclusive, of this act, the provisions of subsection (b) of section 9-
198 333b of the general statutes shall not apply.

199 (21) "Registrant" means a person who is required to register
200 pursuant to section 505 of this act.

201 (22) "Reimbursement" means any money or thing of value received
202 or to be received in the form of payment for expenses as a lobbyist, not
203 including compensation.

204 Sec. 502. (NEW) (*Effective January 1, 2004*) The State Ethics
205 Commission shall:

206 (1) Adopt regulations in accordance with chapter 54 of the general
207 statutes to carry out the purposes of sections 501 to 516, inclusive, of
208 this act. The commission shall adopt regulations which further clarify
209 the meaning of the terms "directly and personally received" and "major
210 life event", as used in section 501 of this act;

211 (2) Compile and maintain an index of all reports and statements
212 filed with the commission under the provisions of sections 501 to 516,
213 inclusive, of this act and advisory opinions issued by the commission
214 with regard to the requirements of said sections, to facilitate public
215 access to such reports, statements and advisory opinions promptly
216 upon the filing or issuance thereof;

217 (3) Prepare quarterly and annual summaries of statements and
218 reports filed with the commission and advisory opinions issued by the
219 commission;

220 (4) Preserve advisory opinions permanently and preserve
221 memoranda filed under subsection (f) of section 504 of this act,
222 statements and reports filed by and with the commission for a period
223 of five years from the date of receipt;

224 (5) Upon the concurring vote of four of its members, issue advisory
225 opinions with regard to the requirements of this part, upon the request
226 of any person, subject to the provisions of sections 501 to 516,

227 inclusive, of this act, and publish such advisory opinions in the
228 Connecticut Law Journal. Advisory opinions rendered by the
229 commission, until amended or revoked, shall be binding on the
230 commission and shall be deemed to be final decisions of the
231 commission for purposes of section 514 of this act. Any advisory
232 opinion concerning any person subject to the provisions of sections 501
233 to 516, inclusive, of this act who requested the opinion and who acted
234 in reliance thereon, in good faith, shall be binding upon the
235 commission, and it shall be an absolute defense in any criminal action
236 brought under the provisions of said sections that the accused acted in
237 reliance upon such advisory opinion;

238 (6) Report annually, prior to February fifteenth, to the Governor
239 summarizing the activities of the commission concerning sections 501
240 to 516, inclusive, of this act;

241 (7) Employ necessary staff within available appropriations to carry
242 out the purposes of sections 501 to 516, inclusive, of this act.

243 Sec. 503. (NEW) (*Effective January 1, 2004*) (a) (1) Upon the complaint
244 of any person on a form prescribed by the State Ethics Commission,
245 signed under penalty of false statement, or upon its own complaint,
246 the commission shall investigate any alleged violation of sections 501
247 to 516, inclusive, of this act. Not later than five days after the receipt or
248 issuance of such complaint, the commission shall provide notice of
249 such receipt or issuance and a copy of the complaint by registered or
250 certified mail to any respondent against whom such complaint is filed
251 and shall provide notice of the receipt of such complaint to the
252 complainant. When the commission undertakes an evaluation of a
253 possible violation of sections 501 to 516, inclusive, of this act prior to
254 the filing of a complaint by the commission, the subject of the
255 evaluation shall be notified within five business days after a
256 commission staff member's first contact with a third party concerning
257 the matter.

258 (2) In the conduct of its investigation of an alleged violation of

259 sections 501 to 516, inclusive, of this act, the commission shall have the
260 power to hold hearings, administer oaths, examine witnesses, receive
261 oral and documentary evidence, subpoena witnesses under procedural
262 rules adopted by the commission as regulations in accordance with the
263 provisions of chapter 54 of the general statutes to compel attendance
264 before the commission and to require the production for examination
265 by the commission of any document or physical evidence that the
266 commission deems relevant in any matter under investigation or in
267 question. In the exercise of such powers, the commission may use the
268 services of the state police, who shall provide the same upon the
269 commission's request. The commission shall make a record of all
270 proceedings conducted pursuant to this subsection. Any witness
271 summoned before the commission shall receive the witness fee paid to
272 witnesses in the courts of this state. The respondent shall have the
273 right to appear and be heard and to offer any information which may
274 tend to clear the respondent of probable cause to believe that the
275 respondent has violated any provision of sections 501 to 516, inclusive,
276 of this act. The respondent shall also have the right to be represented
277 by legal counsel and to examine and cross-examine witnesses. Not
278 later than ten days prior to the commencement of any hearing
279 conducted pursuant to this subsection, the commission shall provide
280 the respondent with a list of its intended witnesses. The commission
281 shall make no finding that there is probable cause to believe the
282 respondent is in violation of sections 501 to 516, inclusive, of this act,
283 except upon the concurring vote of four of its members.

284 (b) If a preliminary investigation indicates that probable cause exists
285 for the violation of a provision of sections 501 to 516, inclusive, of this
286 act, the commission shall initiate hearings to determine whether there
287 has been a violation of said sections. A judge trial referee, who shall be
288 assigned by the Chief Court Administrator and who shall be
289 compensated in accordance with section 52-434 of the general statutes
290 out of funds available to the commission, shall preside over such
291 hearing and shall rule on all matters concerning the application of the
292 rules of evidence, which shall be the same as in judicial proceedings.

293 The trial referee shall have no vote in any decision of the commission.
294 All hearings of the commission held pursuant to this subsection shall
295 be open. At such hearing the commission shall have the same powers
296 as under subsection (a) of this section and the respondent shall have
297 the right to be represented by legal counsel, the right to compel
298 attendance of witnesses and the production of books, documents,
299 records and papers and to examine and cross-examine witnesses. Not
300 later than ten days prior to the commencement of any hearing
301 conducted pursuant to this subsection, the commission shall provide
302 the respondent with a list of its intended witnesses. The judge trial
303 referee shall, while engaged in the discharge of the judge trial referee's
304 duties as provided in this subsection, have the same authority as is
305 provided in section 51-35 of the general statutes over witnesses who
306 refuse to obey a subpoena or to testify with respect to any matter upon
307 which such witness may be lawfully interrogated, and may commit
308 any such witness for contempt for a period no longer than thirty days.
309 The commission shall make a record of all proceedings pursuant to
310 this subsection. The commission shall find no person in violation of
311 any provision of sections 501 to 516, inclusive, of this act except upon
312 the concurring vote of five of its members. Not later than fifteen days
313 after the public hearing conducted in accordance with this subsection,
314 the commission shall publish its finding and a memorandum of the
315 reasons for such finding. Such finding and memorandum shall be
316 deemed to be the final decision of the commission on the matter for the
317 purposes of chapter 54 of the general statutes. The respondent, if
318 aggrieved by the finding and memorandum, may appeal therefrom to
319 the Superior Court in accordance with the provisions of section 4-183
320 of the general statutes.

321 (c) If any complaint brought under the provisions of sections 501 to
322 516, inclusive, of this act is made with the knowledge that it is made
323 without foundation in fact, the respondent shall have a cause of action
324 against the complainant for double the amount of damage caused
325 thereby and if the respondent prevails in such action, the respondent
326 may be awarded by the court the costs of such action together with

327 reasonable attorneys' fees.

328 (d) No complaint may be made under this section except within
329 three years next after the violation alleged in the complaint has been
330 committed.

331 (e) No person shall take or threaten to take official action against an
332 individual for such individual's disclosure of information to the
333 commission under the provisions of sections 501 to 516, inclusive, of
334 this act. After receipt of information from an individual under the
335 provisions of sections 501 to 516, inclusive, of this act, the commission
336 shall not disclose the identity of such individual without the
337 individual's consent unless the commission determines that such
338 disclosure is unavoidable during the course of an investigation.

339 Sec. 504. (NEW) (*Effective January 1, 2004*) (a) Unless the State Ethics
340 Commission makes a finding of probable cause, a complaint alleging a
341 violation of sections 501 to 516, inclusive, of this act shall be
342 confidential except upon the request of the respondent. A commission
343 evaluation of a possible violation of said sections undertaken prior to a
344 complaint being filed by the commission shall be confidential except
345 upon the request of the subject of the evaluation. If the evaluation is
346 confidential, no information supplied to or received from the
347 commission shall be disclosed to any third party by a subject of the
348 evaluation, a person contacted for the purpose of obtaining
349 information or by a commission or staff member. No provision of this
350 subsection shall prevent the commission from reporting the possible
351 commission of a crime to the Chief State's Attorney or other
352 prosecutorial authority.

353 (b) An investigation conducted prior to a probable cause finding
354 shall be confidential except upon the request of the respondent. If the
355 investigation is confidential, the allegations in the complaint and any
356 information supplied to or received from the commission shall not be
357 disclosed during the investigation to any third party by a complainant,
358 respondent, witness, designated party, or commission or staff member.

359 (c) Not later than three business days after the termination of the
360 investigation, the commission shall inform the complainant and the
361 respondent of its finding and provide them a summary of its reasons
362 for making that finding. The commission shall publish its finding upon
363 the respondent's request and may also publish a summary of its
364 reasons for making such finding.

365 (d) If the commission makes a finding of no probable cause, the
366 complaint and the record of its investigation shall remain confidential,
367 except upon the request of the respondent and except that some or all
368 of the record may be used in subsequent proceedings. No complainant,
369 respondent, witness, designated party, or commission or staff member
370 shall disclose to any third party any information learned from the
371 investigation, including knowledge of the existence of a complaint,
372 which the disclosing party would not otherwise have known. If such a
373 disclosure is made, the commission may, after consultation with the
374 respondent if the respondent is not the source of the disclosure,
375 publish its finding and a summary of its reasons therefor.

376 (e) The commission shall make public a finding of probable cause
377 not later than five business days after the termination of the
378 investigation. At such time the entire record of the investigation shall
379 become public, except that the commission may postpone examination
380 or release of such public records for a period not to exceed fourteen
381 days for the purpose of reaching a stipulation agreement pursuant to
382 subsection (c) of section 4-177 of the general statutes.

383 Sec. 505. (NEW) (*Effective January 1, 2004*) (a) A lobbyist shall
384 register with the State Ethics Commission pursuant to section 506 of
385 this act for lobbying a municipality if the lobbyist:

386 (1) Receives or agrees to receive compensation or reimbursement for
387 actual expenses, or both, in a combined amount of two thousand
388 dollars or more in a calendar year for lobbying said municipality,
389 whether that receipt of compensation or reimbursement or agreement
390 to receive such compensation or reimbursement is solely for lobbying

391 or the lobbying is incidental to that person's regular employment; or

392 (2) Makes or incurs an obligation to make expenditures of two
393 thousand dollars or more in a calendar year for lobbying said
394 municipality.

395 (b) A lobbyist shall register separately with the commission for each
396 municipality for which the lobbyist meets the threshold requirement
397 for registering under subsection (a) of this section.

398 (c) A person who is a lobbyist pursuant to part II of chapter 10 of the
399 general statutes and is required to register with the commission
400 pursuant to section 1-94 of the general statutes shall register separately
401 with the commission for each municipality for which the lobbyist
402 meets the threshold requirement for registering under subsection (a) of
403 this section.

404 Sec. 506. (NEW) (*Effective January 1, 2004*) (a) Each registrant shall
405 file annually with the State Ethics Commission on a separate
406 registration form for each municipality for which the registrant meets
407 the threshold requirement for registering under subsection (a) of
408 section 505 of this act. The registrant shall sign each such form under
409 penalty of false statement and file such forms with the commission on
410 or before January fifteenth or prior to the commencement of lobbying,
411 whichever is later. If the registrant is not an individual, an authorized
412 officer or agent of the registrant shall sign each form. Such registration
413 or registrations shall be on a form prescribed by the commission and
414 shall include:

415 (1) If the registrant is an individual, the registrant's name,
416 permanent address and temporary address while lobbying and the
417 name, address and nature of business of any person who compensates
418 or reimburses, or agrees to compensate or reimburse the registrant and
419 the terms of the compensation, reimbursement or agreement, but shall
420 not include the compensation paid to an employee for the employee's
421 involvement in activities other than lobbying;

422 (2) If the registrant is a corporation, the name, address, place of
423 incorporation and the principal place of business of the corporation;

424 (3) If the registrant is an association, group of persons or an
425 organization, the name and address of the principal officers and
426 directors of such association, group of persons or organization. If the
427 registrant is formed primarily for the purpose of lobbying, it shall
428 disclose the name and address of any person contributing two
429 thousand dollars or more to the registrant's lobbying activities in any
430 calendar year;

431 (4) If the registrant is not an individual, the name and address of
432 each individual who will lobby on the registrant's behalf; and

433 (5) The name of the municipality that the registrant is lobbying and
434 the identification, with reasonable particularity, of areas of legislative
435 action or administrative action on which the registrant expects to
436 lobby.

437 (b) Each registrant shall pay a reasonable fee not in excess of the cost
438 of administering each registration form provided for in subsection (a)
439 of this section plus the cost of collecting, filing, copying and
440 distributing the information filed by registrants under section 507 of
441 this act, but not less than twenty-five dollars.

442 (c) Each registrant shall file a notice of termination within thirty
443 days after the registrant ceases the activity that required registration,
444 provided the registrant does not intend to resume the activity during
445 the annual period for which the registrant is registered. The
446 termination of a registration shall not relieve the registrant of the
447 reporting requirements of section 507 of this act for the period
448 preceding the date that the registrant's notice of termination is received
449 by the commission or for the period commencing on such date and
450 ending on December thirty-first of the year in which termination
451 occurs.

452 Sec. 507. (NEW) (*Effective January 1, 2004*) (a) Each client lobbyist

453 registrant shall file with the State Ethics Commission between the first
454 and tenth day of April, July, October and January a financial report,
455 signed under penalty of false statement. Each report shall cover its
456 lobbying activities during the previous calendar quarter. If the client
457 lobbyist registrant is not an individual, an authorized officer or agent
458 of the client lobbyist registrant shall sign the form.

459 (b) Each individual communicator lobbyist registrant and each
460 business organization communicator lobbyist registrant shall file with
461 the commission between the first and tenth day of January a report or
462 reports, signed under penalty of false statement, reporting the
463 amounts of compensation and reimbursement received from each of
464 the registrant's clients during the previous year. In addition, each
465 individual communicator lobbyist registrant and each business
466 organization communicator lobbyist registrant shall: (1) Report the
467 fundamental terms of contracts, agreements or promises to pay or
468 receive compensation or reimbursement or to make expenditures in
469 furtherance of lobbying, including the categories of work to be
470 performed and the dollar value or compensation rate of the contract, at
471 the time of registration; (2) report, in accordance with the schedule set
472 forth in subsection (a) of this section, any amendments to these
473 fundamental terms, including any agreements to subcontract lobbying
474 work; and (3) report, in accordance with the schedule set forth in
475 subsection (a) of this section, any expenditures for the benefit of a
476 municipal official or a member of the staff or immediate family of the
477 municipal official that are unreimbursed and required to be itemized.
478 Such report shall not include the disclosure of food and beverage
479 provided by a communicator lobbyist registrant to a municipal official
480 or a member of the municipal official's staff or immediate family at a
481 major life event, as defined by the commission, of the registrant. All
482 such information shall be reported under penalty of false statement.

483 (c) An individual communicator lobbyist registrant shall file a
484 separate report for each person from whom the registrant received
485 compensation or reimbursement. Notwithstanding any provision of
486 this subsection to the contrary, a business organization to which one or

487 more individual communicator lobbyist registrants belongs may file a
488 single report for each client lobbyist in lieu of any separate reports that
489 individual registrants are required to file pursuant to this subsection.

490 (d) Each registrant who files a notice of termination under
491 subsection (c) of section 506 of this act shall file with the commission a
492 financial report, under penalty of false statement, between the first and
493 tenth day of January of the year following termination.

494 (e) Each client lobbyist registrant financial report shall be on a form
495 prescribed by the commission and shall state expenditures made and
496 the fundamental terms of contracts, agreements or promises to pay
497 compensation or reimbursement or to make expenditures in
498 furtherance of lobbying. Any such fundamental terms shall be
499 reported once in the quarterly or post-termination report next
500 following the entering into of such contract. Such financial report shall
501 include an itemized statement of each expenditure of ten dollars or
502 more per person for each occasion made by the reporting registrant or
503 a group of registrants that includes the reporting registrant for the
504 benefit of a municipal official or a member of the municipal official's
505 staff or immediate family, itemized by date, beneficiary, amount and
506 circumstances of the transaction. The requirement of an itemized
507 statement shall not apply to an expenditure made by a reporting
508 registrant or a group of registrants which includes the reporting
509 registrant for benefits personally and directly received by a municipal
510 official or municipal employee at a charitable or civic event at which
511 the municipal official or municipal employee participates in such
512 official's or employee's official capacity, unless the expenditure is thirty
513 dollars or more per person, per event. If the compensation is required
514 to be reported for an individual whose lobbying is incidental to such
515 individual's regular employment, it shall be sufficient to report a
516 prorated amount based on the value of the time devoted to lobbying.
517 On the first financial report following registration each client lobbyist
518 registrant shall include any expenditures incident to lobbying activities
519 that were received or expended prior to registration and not
520 previously reported to the commission.

521 (f) The commission shall, by regulations adopted in accordance with
522 chapter 54 of the general statutes, establish minimum amounts for each
523 item required to be reported, below which reporting may be made in
524 the aggregate. The provisions of this subsection shall not apply to
525 expenditures made for the benefit of a municipal official or a member
526 of such person's staff or immediate family.

527 (g) Each former registrant shall (1) report receipts or expenditures
528 incident to lobbying activities during the former registrant's period of
529 registration that are received or expended following termination of
530 registration, and (2) report each expenditure of ten dollars or more per
531 person for each occasion made by the former registrant for the benefit
532 of a municipal official or a member of such official's immediate family
533 or staff that occurs within six months after termination of registration.

534 (h) The commission shall, within thirty days after receipt of a
535 financial report that contains the name of a municipal official or a
536 member of such official's staff or immediate family, send a written
537 notice to such official, of the filing of the report and the name of the
538 person who filed it.

539 Sec. 508. (NEW) (*Effective January 1, 2004*) (a) Each registrant shall
540 obtain and preserve all accounts, bills, receipts and other documents
541 necessary to substantiate the financial reports required by section 507
542 of this act for a period of three years from the date of the filing of the
543 report referring to such financial matters, provided this section shall
544 apply to each expenditure for the benefit of a municipal official of ten
545 dollars or more and all other expenditures of fifty dollars or more.

546 (b) The State Ethics Commission may require, on a random basis,
547 any registrant to make all such documents substantiating financial
548 reports concerning lobbying activities available for inspection and
549 copying by the commission for the purpose of verifying such financial
550 reports, provided no registrant shall be subject to such requirement
551 more than one time during any three consecutive years. The
552 commission shall select registrants to be audited by lot in a ceremony

553 which shall be open to the public. Nothing in this subsection shall
554 require a registrant to make any documents concerning nonlobbying
555 activities available to the commission for inspection and copying.

556 Sec. 509. (NEW) (*Effective January 1, 2004*) Each registrant required to
557 file any financial reports under section 507 of this act shall do so in
558 electronic form using the electronic filing program developed by the
559 State Ethics Commission.

560 Sec. 510. (NEW) (*Effective January 1, 2004*) The State Ethics
561 Commission shall make all computerized data from financial reports
562 required by section 507 of this act available to the public through (1) a
563 computer terminal in the office of the commission, and (2) the Internet
564 or any other generally available on-line computer network.

565 Sec. 511. (NEW) (*Effective January 1, 2004*) Each registrant who pays
566 or reimburses a municipal official or municipal employee ten dollars
567 or more for necessary expenses shall, within thirty days, file a
568 statement with the commission indicating the name of such individual
569 and the amount of the expenses. As used in this section, "necessary
570 expenses" means a municipal official's or municipal employee's
571 expenses for an article, appearance or speech or for participation at an
572 event, in such official's or employee's official capacity, which shall be
573 limited to necessary travel expenses, lodging for the nights before, of
574 and after the appearance, speech or event, meals and any related
575 conference or seminar registration fees.

576 Sec. 512. (NEW) (*Effective January 1, 2004*) (a) No registrant or
577 anyone acting on behalf of a registrant shall knowingly give a gift to
578 any municipal official, municipal employee, candidate for municipal
579 office or a member of any such person's staff or immediate family.
580 Nothing in this section shall be construed to permit any activity
581 prohibited under section 53a-147 or 53a-148 of the general statutes.

582 (b) No person or business organization shall be employed to lobby
583 for compensation which is contingent upon the outcome of any
584 administrative or legislative action. No person shall employ a lobbyist

585 or business organization for compensation that is contingent upon the
586 outcome of any administrative or legislative action.

587 (c) No lobbyist may: (1) Do anything with the purpose of placing
588 any municipal official under personal obligation; (2) attempt to
589 influence any legislative action or administrative action for the
590 purpose of thereafter being employed to secure its defeat; (3) cause any
591 communication to be sent to any municipal official in the name of any
592 other individual except with the consent of such individual.

593 (d) Any person who gives to a municipal official, municipal
594 employee or candidate for municipal office, or a member of any such
595 person's staff or immediate family anything of value which is subject
596 to the reporting requirements pursuant to subsection (e) of section 507
597 of this act shall, not later than ten days thereafter, give such recipient a
598 written report stating the name of the donor, a description of the item
599 or items given, the value of such items and the cumulative value of all
600 items given to such recipient during that calendar year. The provisions
601 of this subsection shall not apply to a political contribution otherwise
602 reported as required by law.

603 Sec. 513. (NEW) (*Effective January 1, 2004*) Any person aggrieved by
604 any final decision of the State Ethics Commission, made pursuant to
605 sections 501 to 516, inclusive, of this act, may appeal such decision in
606 accordance with the provisions of section 4-175 or 4-183 of the general
607 statutes.

608 Sec. 514. (NEW) (*Effective January 1, 2004*) (a) The State Ethics
609 Commission, upon a finding made pursuant to section 503 of this act
610 that there has been a violation of any provision of sections 501 to 516,
611 inclusive, of this act, shall have the authority to order the violator to do
612 any or all of the following: (1) Cease and desist the violation of said
613 sections; (2) file any report, statement or other information as required
614 by said sections; or (3) pay a civil penalty of not more than two
615 thousand dollars for each violation of said sections. The commission
616 may prohibit any person who intentionally violates any provision of

617 said sections from engaging in the profession of lobbyist for a period of
618 not more than two years. In addition to such provisions, the
619 commission may impose a civil penalty on any person who violates
620 subsection (b) of section 512 of this act by receiving, agreeing to
621 receive, paying, or agreeing to pay, compensation that is contingent
622 upon the outcome of any administrative or legislative action or by
623 terminating a lobbying contract as the result of the outcome of an
624 administrative action or legislative action. The civil penalty shall not
625 exceed the total amount of compensation that the person was required
626 to pay or be paid under the contingent compensation agreement. No
627 person may benefit from an agreement that violates subsection (b) of
628 section 512 of this act.

629 (b) Notwithstanding the provisions of subsection (a) of this section,
630 the commission may, after a hearing conducted in accordance with
631 sections 4-176e to 4-184, inclusive, of the general statutes upon the
632 concurring vote of five of its members, impose a civil penalty not to
633 exceed ten dollars per day upon any registrant who fails to file any
634 report, statement or other information as required by sections 501 to
635 516, inclusive, of this act. Each distinct violation of this subsection shall
636 be a separate offense and, in case of a continued violation, each day
637 thereof shall be deemed a separate offense. In no event shall the
638 aggregate penalty imposed for such failure to file exceed two thousand
639 dollars.

640 (c) The commission may also report its finding to the Chief State's
641 Attorney for any action deemed necessary.

642 Sec. 515. (NEW) (*Effective January 1, 2004*) Any person who
643 intentionally violates any provision of sections 501 to 516, inclusive, of
644 this act shall be imprisoned for a term not to exceed one year or shall
645 be fined an amount not to exceed two thousand dollars, or both.

646 Sec. 516. (NEW) (*Effective January 1, 2004*) Each individual who is a
647 lobbyist shall, while engaged in lobbying, wear a distinguishing badge
648 which shall identify the individual as a lobbyist. The size, color,

649 material and other requirements of such badge shall be prescribed by
650 regulation of the State Ethics Commission."