



General Assembly

February Session, 2004

Raised Bill No. 161

LCO No. 1151

01151_____GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT PROHIBITING MUNICIPAL CONFLICTS OF INTEREST.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-421 of the general statutes, as amended by
2 section 17 of public act 03-278, is repealed and the following is
3 substituted in lieu thereof (*Effective July 1, 2004*):

4 (a) No person employed in the classified civil service may (1) use his
5 official authority or influence for the purpose of interfering with or
6 affecting the result of an election or a nomination for office; or (2)
7 directly or indirectly coerce, attempt to coerce, command or advise a
8 state or local officer or employee to pay, lend or contribute anything of
9 value to a party, committee, organization, agency or person for
10 political purposes.

11 (b) A person employed in said classified service retains the right to
12 vote as he chooses and to express his opinions on political subjects and
13 candidates and shall be free to participate actively in political
14 management and campaigns. Such activity may include, but shall not
15 be limited to, membership and holding of office in a political party,

16 organization or club, campaigning for a candidate in a partisan
17 election by making speeches, writing on behalf of the candidate or
18 soliciting votes in support of or in opposition to a candidate and
19 making contributions of time and money to political parties,
20 committees or other agencies engaged in political action, except that no
21 classified employee shall engage in such activity while on duty or
22 within any period of time during which such employee is expected to
23 perform services for which he receives compensation from the
24 municipality, and no such employee shall utilize municipal funds,
25 supplies, vehicles or facilities to ~~[secure]~~ engage in securing support
26 for or oppose any candidate, party, or issue in a political partisan
27 election. Notwithstanding the provisions of this subsection, any
28 municipal employee may be a candidate for a federal, state or
29 municipal elective office in a political partisan election and no
30 municipality or any officer or employer thereof shall take or threaten
31 to take any personnel action against any such employee due to such
32 candidacy. No person seeking or holding state or municipal office in
33 accordance with the provisions of this subsection shall engage in
34 political activity or in the performance of the duties of such office
35 while on municipal duty or within any period of time during which
36 such person is expected to perform services for which such person
37 receives compensation from the municipality, or utilize municipal
38 funds, supplies, vehicles or facilities for the purpose of any such
39 political activity.

40 (c) Any municipal employee who leaves his municipal employment
41 to accept a full-time elective municipal office shall be granted a
42 personal leave of absence without pay from his municipal employment
43 for not more than two consecutive terms of such office or for a period
44 of four years, whichever is shorter. Upon reapplication for his original
45 position at the expiration of such term or terms of office, such person
46 shall be reinstated in his most recent municipal position or a similar
47 position with equivalent pay or to a vacancy in any other position such
48 person is qualified to fill. If no such positions are available, such
49 person's name shall be placed on all reemployment lists for classes for

50 which he is eligible. Such person shall give notice in writing to his
51 municipal employer that he is a candidate for a full-time elective
52 municipal office within thirty days after nomination for that office.

53 (d) Notwithstanding the provisions of subsection (c) of this section,
54 upon the request of any municipal employee to whom a personal leave
55 of absence has been granted pursuant to said subsection, his municipal
56 employer may, in its sole discretion, determine whether to extend such
57 leave of absence beyond the period permitted in said subsection and, if
58 extended, what terms and conditions shall pertain to such extension.
59 As part of any such extension, rights of reinstatement with equivalent
60 pay or benefits may be granted to such employee.

61 (e) Any municipal employee shall have the right to serve on any
62 governmental body of the town in which such employee resides except
63 any body which [has responsibility for direct supervision of] employs
64 such employee or for which such employee has any responsibility as a
65 municipal employee. [Notwithstanding the provisions of this
66 subsection, (1) no such employee shall serve on any of the following
67 unless such employee is permitted to serve pursuant to the provisions
68 of a municipal charter or home rule ordinance or serves because of
69 membership on the legislative body of the municipality: (A) Any board
70 of finance created pursuant to chapter 106 or any special act or
71 municipal charter; (B) any body exercising zoning powers pursuant to
72 chapter 124 or any special act or municipal charter; (C) any body
73 exercising land use powers pursuant to chapter 125a or any special act
74 or municipal charter; (D) any body exercising planning powers
75 pursuant to chapter 126 or any special act or municipal charter; or (E)
76 any body regulating inland wetlands and watercourses pursuant to
77 chapter 440 or any special act or municipal charter; and (2) any
78 municipality may, by ordinance adopted by its legislative body,
79 authorize such employees to serve on (A) any body exercising zoning
80 powers pursuant to chapter 124 or any special act or municipal charter;
81 (B) any body exercising land use powers pursuant to chapter 125a or
82 any special act or municipal charter; (C) any body exercising planning

83 powers pursuant to chapter 126 or any special act or municipal charter;
84 or (D) any body regulating inland wetlands and watercourses
85 pursuant to chapter 440 or any special act or municipal charter.] Any
86 vote cast by a municipal employee in violation of the provisions of this
87 subsection shall be null and void.

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>

Statement of Purpose:

To prohibit municipal conflicts of interest by municipal employees, officials and candidates concerning political activity and service on municipal bodies.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]