



General Assembly

**Amendment**

February Session, 2004

LCO No. 5241

\*HB0502305241HDO\*

Offered by:

REP. O'ROURKE, 32<sup>nd</sup> Dist.  
REP. SPALLONE, 36<sup>th</sup> Dist.  
REP. FLOREN, 149<sup>th</sup> Dist.  
REP. METZ, 101<sup>st</sup> Dist.  
REP. PETERS, 30<sup>th</sup> Dist.  
REP. FLEISCHMANN, 18<sup>th</sup> Dist.  
REP. DONOVAN, 84<sup>th</sup> Dist.  
REP. DUFF, 137<sup>th</sup> Dist.  
REP. CARDIN, 53<sup>rd</sup> Dist.  
REP. FONTANA, 87<sup>th</sup> Dist.  
REP. URBAN, 43<sup>rd</sup> Dist.  
REP. WALLACE, 109<sup>th</sup> Dist.

REP. TERCYAK, 26<sup>th</sup> Dist.  
REP. SHARKEY, 88<sup>th</sup> Dist.  
REP. DAVIS, 50<sup>th</sup> Dist.  
REP. CARUSO, 126<sup>th</sup> Dist.  
REP. MANTILLA, 4<sup>th</sup> Dist.  
REP. O'BRIEN, 24<sup>th</sup> Dist.  
REP. MERRILL, 54<sup>th</sup> Dist.  
REP. COCCO, 127<sup>th</sup> Dist.  
REP. THOMPSON, 13<sup>th</sup> Dist.  
REP. REINOSO, 130<sup>th</sup> Dist.  
REP. MUSHINSKY, 85<sup>th</sup> Dist.  
SEN. DEFRONZO, 6<sup>th</sup> Dist.

To: Subst. House Bill No. 5023

File No. 368

Cal. No. 247

**"AN ACT CONCERNING MUNICIPAL ETHICS CODES."**

1 Strike lines 71 and 72 in their entirety and substitute the following in  
2 lieu thereof:

3 "(12) "Public employee" means a person, other than an elected or  
4 appointed official, employed, whether full or part time, by the  
5 municipality or district in which the person serves."

6 In line 75, after "district," insert " in which the person serves,"

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- 7 In line 110, strike "tend to"
- 8 Strike lines 130 to 133, inclusive, in their entirety
- 9 In line 134, strike "(C)" and insert "(B)" in lieu thereof
- 10 In line 135, after "subdivision" and before the comma, insert "and  
11 the provisions of subsection (b) of section 7-148h of the general  
12 statutes"
- 13 In line 137, after "matter is", insert "de minimus in nature or"
- 14 In line 147, after "charter", strike "or" and insert a comma in lieu  
15 thereof
- 16 In line 148, after "ordinance" and before the period, insert "or  
17 ordinance"
- 18 Strike lines 166 to 169, inclusive, in their entirety and substitute the  
19 following in lieu thereof:
- 20 "(7) No public employee or public official shall disclose or use  
21 confidential information concerning municipal affairs for the financial  
22 interests of the employee or official or others."
- 23 In line 171, after "municipally-owned", insert "or district-owned"
- 24 In line 175, after "business" and before the period, insert ", in which  
25 case the public employee or public official may use such vehicle,  
26 equipment, facilities, material or equipment for de minimus personal  
27 convenience"
- 28 In line 178, after "district", insert ", valued at one thousand dollars or  
29 more,"
- 30 In line 184, after the period, insert the following: "The provisions of  
31 this subdivision shall not prohibit a public employee or public official  
32 from receiving compensation for writing, on the employee's or  
33 official's own time, a book or article relating to the employee's or

34 official's or employee's service for the municipality or district."

35 In line 187, after "capacity" and before the period, insert the  
36 following: ", provided a public official or public employee may receive  
37 payment or reimbursement for necessary expenses for any such  
38 activity in such official's or employee's official capacity"

39 In line 198, after "person is", insert "normally"

40 In line 243, before "Not", insert "(a)"

41 After line 251, insert the following:

42 "(b) The procedure established under subsection (a) of this section  
43 shall provide that if any allegation of unethical conduct, corrupting  
44 influence or illegal activity is made with the knowledge that it is  
45 without foundation in fact, the respondent shall have a cause of action  
46 against the complainant for double the amount of damage caused  
47 thereby and if the respondent prevails in such action, the respondent  
48 may be awarded by the court the costs of such action together with  
49 reasonable attorneys' fees."

50 After line 270, insert the following and renumber the remaining  
51 sections and internal references accordingly:

52 "Sec. 9. (NEW) (*Effective July 1, 2004*) (a) The legislative body of each  
53 municipality or district shall have the authority to determine if a code  
54 of ethical conduct adopted by the municipality or district complies  
55 with the provisions of sections 2 to 5, inclusive, of this act.

56 (b) In the case of a municipality or district in which the legislative  
57 body is a town meeting, the board of selectmen shall perform all of the  
58 duties and have all of the authority and responsibilities required of, or  
59 granted to, such legislative body under sections 2 to 8, inclusive, for  
60 the purposes of sections 2 to 8, inclusive, of this act."

61 Strike lines 275 to 334, inclusive, in their entirety and renumber the  
62 remaining section and internal references accordingly