



General Assembly

Substitute Bill No. 6616

January Session, 2005

* _____ HB06616JUD__050205_____ *

AN ACT CONCERNING ETHICS IN STATE AND MUNICIPAL GOVERNMENT.

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

1 Section 1. Subsection (e) of section 1-79 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2005*):

4 (e) "Gift" means anything of value, which is directly and personally
5 received, unless consideration of equal or greater value is given in
6 return. "Gift" shall not include:

7 (1) A political contribution otherwise reported as required by law or
8 a donation or payment as described in subdivision (9) or (10) of
9 subsection (b) of section 9-333b;

10 (2) Services provided by persons volunteering their time;

11 (3) A commercially reasonable loan made on terms not more
12 favorable than loans made in the ordinary course of business;

13 (4) A gift received from (A) an individual's spouse, fiance or fiancée,
14 (B) the parent, brother or sister of such spouse or such individual, or
15 (C) the child of such individual or the spouse of such child;

16 (5) Goods or services (A) which are provided to the state (i) for use

17 on state property, or (ii) to support an event or the participation by a
18 public official or state employee at an event, and (B) which facilitate
19 state action or functions. As used in this subdivision, "state property"
20 means (i) property owned by the state, or (ii) property leased to an
21 agency in the Executive or Judicial Department of the state;

22 (6) A certificate, plaque or other ceremonial award costing less than
23 one hundred dollars;

24 (7) A rebate, discount or promotional item available to the general
25 public;

26 (8) Printed or recorded informational material germane to state
27 action or functions;

28 [(9) Food or beverage or both, costing less than fifty dollars in the
29 aggregate per recipient in a calendar year, and consumed on an
30 occasion or occasions at which the person paying, directly or
31 indirectly, for the food or beverage, or his representative, is in
32 attendance;

33 (10) Food or beverage or both, costing less than fifty dollars per
34 person and consumed at a publicly noticed legislative reception to
35 which all members of the General Assembly are invited and which is
36 hosted not more than once in any calendar year by a lobbyist or
37 business organization. For the purposes of such limit, (A) a reception
38 hosted by a lobbyist who is an individual shall be deemed to have also
39 been hosted by the business organization which he owns or is
40 employed by, and (B) a reception hosted by a business organization
41 shall be deemed to have also been hosted by all owners and employees
42 of the business organization who are lobbyists. In making the
43 calculation for the purposes of such fifty-dollar limit, the donor shall
44 divide the amount spent on food and beverage by the number of
45 persons whom the donor reasonably expects to attend the reception;

46 (11) Food or beverage or both, costing less than fifty dollars per
47 person and consumed at a publicly noticed reception to which all

48 members of the General Assembly from a region of the state are
49 invited and which is hosted not more than once in any calendar year
50 by a lobbyist or business organization. For the purposes of such limit,
51 (A) a reception hosted by a lobbyist who is an individual shall be
52 deemed to have also been hosted by the business organization which
53 he owns or is employed by, and (B) a reception hosted by a business
54 organization shall be deemed to have also been hosted by all owners
55 and employees of the business organization who are lobbyists. In
56 making the calculation for the purposes of such fifty-dollar limit, the
57 donor shall divide the amount spent on food and beverage by the
58 number of persons whom the donor reasonably expects to attend the
59 reception. As used in this subdivision, "region of the state" means the
60 established geographic service area of the organization hosting the
61 reception;

62 (12) A gift, including but not limited to, food or beverage or both,
63 provided by an individual for the celebration of a major life event;]

64 [(13)] (9) Gifts costing less than one hundred dollars in the aggregate
65 or food or beverage provided at a hospitality suite at a meeting or
66 conference of an interstate legislative association, by a person who is
67 not a registrant or is not doing business with the state of Connecticut;

68 [(14)] (10) Admission to a charitable or civic event, including food
69 and beverage provided at such event, but excluding lodging or travel
70 expenses, at which a public official or state employee participates in
71 his official capacity, provided such admission is provided by the
72 primary sponsoring entity;

73 [(15)] (11) Anything of value provided by an employer of (A) a
74 public official, (B) a state employee, or (C) a spouse of a public official
75 or state employee, to such official, employee or spouse, provided such
76 benefits are customarily and ordinarily provided to others in similar
77 circumstances; [or]

78 [(16)] (12) Anything having a value of not more than ten dollars,
79 provided the aggregate value of all things provided by a donor to a

80 recipient under this subdivision in any calendar year shall not exceed
81 fifty dollars; or

82 (13) Necessary expenses as described in subsection (k) of section 1-
83 84, as amended by this act.

84 Sec. 2. Subsection (k) of section 1-79 of the general statutes is
85 repealed and the following is substituted in lieu thereof (*Effective July*
86 *1, 2005*):

87 (k) "Public official" means any state-wide elected officer, any
88 member or member-elect of the General Assembly, any person
89 appointed to any office of the legislative, judicial or executive branch
90 of state government by the Governor or an appointee of the Governor,
91 with or without the advice and consent of the General Assembly, any
92 public member or representative of the teachers' unions or state
93 employees' unions appointed to the Investment Advisory Council
94 pursuant to subsection (a) of section 3-13b, any person appointed or
95 elected by the General Assembly or by any member of either house
96 thereof, [and] any member or director of a quasi-public agency and the
97 spouse of the Governor, but shall not include a member of an advisory
98 board, a judge of any court either elected or appointed or a senator or
99 representative in Congress.

100 Sec. 3. Section 1-83 of the general statutes is amended by adding
101 subsection (e) as follows (*Effective July 1, 2005*):

102 (NEW) (e) On or before November first, annually, each public
103 official and state employee who is not required to file an annual
104 statement of financial interests under subsection (a) of this section and
105 participates substantially in the negotiation or award of state or quasi-
106 public agency contracts shall file a statement disclosing (1) any outside
107 employment of such official or employee, (2) the employment of the
108 official's or employee's spouse and any dependent children residing in
109 the household of the official or employee, and (3) the names of all
110 businesses with which such official, employee, spouse and children are
111 associated. Such statement shall be filed on a form prescribed by the

112 State Ethics Commission, under penalty of false statement, with said
113 commission and the executive head of the agency, department, board
114 or commission in which the official or employee is employed.

115 Sec. 4. Section 1-84 of the general statutes is repealed and the
116 following is substituted in lieu thereof (*Effective July 1, 2005*):

117 (a) No public official or state employee shall, while serving as such,
118 have any financial interest in, or engage in, any business, employment,
119 transaction or professional activity, which is in substantial conflict with
120 the proper discharge of his duties or employment in the public interest
121 and of his responsibilities as prescribed in the laws of this state, as
122 defined in section 1-85.

123 (b) No public official or state employee shall accept other
124 employment which will either impair his independence of judgment as
125 to his official duties or employment or require him, or induce him, to
126 disclose confidential information acquired by him in the course of and
127 by reason of his official duties.

128 (c) No public official or state employee shall wilfully and knowingly
129 disclose, for financial gain, to any other person, confidential
130 information acquired by him in the course of and by reason of his
131 official duties or employment and no public official or state employee
132 shall use his public office or position or any confidential information
133 received through his holding such public office or position to obtain
134 financial gain for himself, his spouse, child, child's spouse, parent,
135 brother or sister or a business with which he is associated.

136 (d) No public official or state employee or employee of such public
137 official or state employee shall agree to accept, or be a member or
138 employee of a partnership, association, professional corporation or
139 sole proprietorship which partnership, association, professional
140 corporation or sole proprietorship agrees to accept any employment,
141 fee or other thing of value, or portion thereof, for appearing, agreeing
142 to appear, or taking any other action on behalf of another person
143 before the Department of Banking, the Claims Commissioner, the

144 Office of Health Care Access, the Insurance Department, the office
145 within the Department of Consumer Protection that carries out the
146 duties and responsibilities of sections 30-2 to 30-68m, inclusive, the
147 Department of Motor Vehicles, the State Insurance and Risk
148 Management Board, the Department of Environmental Protection, the
149 Department of Public Utility Control, the Connecticut Siting Council,
150 the Division of Special Revenue within the Department of Revenue
151 Services, the Gaming Policy Board within the Department of Revenue
152 Services or the Connecticut Real Estate Commission; provided this
153 shall not prohibit any such person from making inquiry for
154 information on behalf of another before any of said commissions or
155 commissioners if no fee or reward is given or promised in consequence
156 thereof. For the purpose of this subsection, partnerships, associations,
157 professional corporations or sole proprietorships refer only to such
158 partnerships, associations, professional corporations or sole
159 proprietorships which have been formed to carry on the business or
160 profession directly relating to the employment, appearing, agreeing to
161 appear or taking of action provided for in this subsection. Nothing in
162 this subsection shall prohibit any employment, appearing, agreeing to
163 appear or taking action before any municipal board, commission or
164 council. Nothing in this subsection shall be construed as applying (1)
165 to the actions of any teaching or research professional employee of a
166 public institution of higher education if such actions are not in
167 violation of any other provision of this chapter, (2) to the actions of any
168 other professional employee of a public institution of higher education
169 if such actions are not compensated and are not in violation of any
170 other provision of this chapter, (3) to any member of a board or
171 commission who receives no compensation other than per diem
172 payments or reimbursement for actual or necessary expenses, or both,
173 incurred in the performance of the member's duties, or (4) to any
174 member or director of a quasi-public agency. Notwithstanding the
175 provisions of this subsection, [to the contrary,] a legislator, an officer of
176 the General Assembly or part-time legislative employee may be or
177 become a member or employee of a firm, partnership, association or
178 professional corporation which represents clients for compensation

179 before agencies listed in this subsection, provided the legislator, officer
180 of the General Assembly or part-time legislative employee shall take
181 no part in any matter involving the agency listed in this subsection and
182 shall not receive compensation from any such matter. Receipt of a
183 previously established salary, not based on the current or anticipated
184 business of the firm, partnership, association or professional
185 corporation involving the agencies listed in this subsection, shall be
186 permitted.

187 (e) No legislative commissioner or his partners, employees or
188 associates shall represent any person subject to the provisions of part II
189 concerning the promotion of or opposition to legislation before the
190 General Assembly, or accept any employment which includes an
191 agreement or understanding to influence, or which is inconsistent
192 with, the performance of his official duties.

193 (f) No person shall offer or give to a public official or state employee
194 or candidate for public office or his spouse, his parent, brother, sister
195 or child or spouse of such child or a business with which he is
196 associated, anything of value, including but not limited to, a gift, loan,
197 political contribution, reward or promise of future employment based
198 on any understanding that the vote, official action or judgment of the
199 public official, state employee or candidate for public office would be
200 or had been influenced thereby.

201 (g) No public official or state employee or candidate for public office
202 shall solicit or accept anything of value, including, but not limited to, a
203 gift, loan, political contribution, reward or promise of future
204 employment, during the official's or employee's state service or such
205 candidacy and, in the case of such official or employee, for one year
206 after leaving state service, based on any understanding that the vote,
207 official action or judgment of the public official or state employee or
208 candidate for public office would be or had been influenced thereby.

209 (h) Nothing in subsection (f) or (g) of this section shall be construed
210 (1) to apply to any promise made in violation of subdivision (6) of

211 section 9-333x₂ or (2) to permit any activity otherwise prohibited in
212 section 53a-147 or 53a-148.

213 (i) No public official or state employee or member of the official or
214 employee's immediate family or a business with which he is associated
215 shall enter into any contract with the state, valued at one hundred
216 dollars or more, other than a contract of employment as a state
217 employee or pursuant to a court appointment, unless the contract has
218 been awarded through an open and public process, including prior
219 public offer and subsequent public disclosure of all proposals
220 considered and the contract awarded. In no event shall an executive
221 head of an agency, as defined in section 4-166, including a
222 commissioner of a department, or an executive head of a quasi-public
223 agency, as defined in section 1-79, as amended by this act, or the
224 executive head's immediate family or a business with which he is
225 associated enter into any contract with that agency or quasi-public
226 agency. Nothing in this subsection shall be construed as applying to
227 any public official who is appointed as a member of the executive
228 branch or as a member or director of a quasi-public agency and who
229 receives no compensation other than per diem payments or
230 reimbursement for actual or necessary expenses, or both, incurred in
231 the performance of the public official's duties unless such public
232 official has authority or control over the subject matter of the contract.
233 Any contract made in violation of this subsection shall be voidable by
234 a court of competent jurisdiction if the suit is commenced within one
235 hundred eighty days of the making of the contract.

236 (j) No public official, state employee or candidate for public office,
237 or a member of any such person's staff or immediate family shall
238 knowingly accept any gift, as defined in subsection (e) of section 1-79,
239 as amended by this act, during the official's or employee's state service
240 or such candidacy and, in the case of such official or employee, for one
241 year after leaving state service, from a person known to be a registrant
242 or anyone known to be acting on behalf of a registrant.

243 (k) No public official or state employee shall accept a fee or

244 honorarium for an article, appearance or speech, or for participation at
245 an event, in the public official's or state employee's official capacity,
246 provided a public official or state employee may receive payment or
247 reimbursement for necessary expenses for any such activity in his
248 official capacity. If a public official or state employee receives such a
249 payment or reimbursement for lodging or out-of-state travel or both,
250 the official or employee shall, within thirty days, file a report of the
251 payment or reimbursement with the commission, unless the payment
252 or reimbursement is provided by the federal government or another
253 state government. If a public official or state employee does not file
254 such report within such period, either intentionally or due to gross
255 negligence on the public official's or state employee's part, the public
256 official or state employee shall return the payment or reimbursement.
257 If any failure to file such report is not intentional or due to gross
258 negligence on the part of the public official or state employee, the
259 public official or state employee shall not be subject to any penalty
260 under this chapter. When a public official or state employee attends an
261 event in this state in the public official's or state employee's official
262 capacity and as a principal speaker at such event and receives
263 admission to or food or beverage at such event from the sponsor of the
264 event, such admission or food or beverage shall not be considered a
265 gift and no report shall be required from such official or employee or
266 from the sponsor of the event.

267 (l) No public official or state employee, or any person acting on
268 behalf of a public official or state employee, shall wilfully and
269 knowingly interfere with, influence, direct or solicit existing or new
270 lobbying contracts, agreements or business relationships for or on
271 behalf of any person.

272 (m) No public official or state employee, or member of the
273 immediate family of such official or employee, shall knowingly accept,
274 directly or indirectly, any gift, as defined in subsection (e) of section 1-
275 79, as amended by this act, during the official's or employee's state
276 service and for one year after leaving state service, from any person the
277 official or employee knows or has reason to know: (1) Is doing

278 business with or seeking to do business with the department or agency
279 in which the official or employee is employed; (2) is engaged in
280 activities which are directly regulated by such department or agency;
281 or (3) is prequalified under section 4a-100. No person shall knowingly
282 give, directly or indirectly, any gift or gifts in violation of this
283 provision. [For the purposes of this subsection, the exclusion to the
284 term "gift" in subdivision (12) of subsection (e) of section 1-79 for a gift
285 for the celebration of a major life event shall not apply.]

286 (n) (1) As used in this subsection, (A) "investment services" means
287 investment legal services, investment banking services, investment
288 advisory services, underwriting services, financial advisory services or
289 brokerage firm services, and (B) "principal of an investment services
290 firm" means (i) an individual who is a director of or has an ownership
291 interest in an investment services firm, except for an individual who
292 owns less than five per cent of the shares of an investment services
293 firm which is a publicly traded corporation, (ii) an individual who is
294 employed by an investment services firm as president, treasurer, or
295 executive or senior vice president, (iii) an employee of such an
296 investment services firm who has managerial or discretionary
297 responsibilities with respect to any investment services, (iv) the spouse
298 or dependent child of an individual described in this subparagraph, or
299 (v) a political committee established by or on behalf of an individual
300 described in this subparagraph.

301 (2) The State Treasurer shall not pay any compensation, expenses or
302 fees or issue any contract to any firm which provides investment
303 services when (A) a political committee, as defined in section 9-333a,
304 established by such firm, or (B) a principal of the investment services
305 firm has made a contribution, as defined in section 9-333b, to, or
306 solicited contributions on behalf of, any exploratory committee or
307 candidate committee, as defined in section 9-333a, established by the
308 State Treasurer as a candidate for nomination or election to the office
309 of State Treasurer. The State Treasurer shall not pay any compensation,
310 expenses or fees or issue any contract to such firms or principals
311 during the term of office as State Treasurer, including, for an

312 incumbent State Treasurer seeking reelection, any remainder of the
313 current term of office.

314 (o) Any person who (1) (A) is doing business with or seeking to do
315 business with the department or agency in which a public official or
316 state employee is employed, or (B) is engaged in activities which are
317 directly regulated by such department or agency, and (2) gives to such
318 public official or state employee anything of value which is subject to
319 the reporting requirements pursuant to subsection (e) of section 1-96
320 shall, not later than ten days thereafter, give such recipient and the
321 executive head of such recipient's agency or department a written
322 report stating the name of the donor, a description of the item or items
323 given, the value of such items and the cumulative value of all items
324 given to such recipient during that calendar year. The provisions of
325 this subsection shall not apply to a political contribution otherwise
326 reported as required by law.

327 (p) No public official or state employee shall knowingly contract for
328 goods or services, for personal use, with any person doing business
329 with or seeking to do business with the department or agency in which
330 the official or employee is employed, if such official or employee
331 would receive a discount for such goods or services that is not
332 available to the general public.

333 (q) No public official or state employee shall accept any gift valued
334 at over one hundred dollars that would not have been offered except
335 for the position held by the official or employee. No person shall offer
336 or give any such gift. The provisions of this subsection (1) shall not
337 prohibit a normal and customary exchange of gifts between a public
338 official or state employee and other persons if the practice of such an
339 exchange predated such official's or employee's service in such
340 position, and (2) shall apply to gifts that are not prohibited under other
341 provisions of this chapter. The State Ethics Commission shall adopt
342 regulations, in accordance with the provisions of chapter 54, increasing
343 such one hundred dollar limit in accordance with increases in the cost
344 of living.

345 Sec. 5. Section 1-84b of the general statutes is repealed and the
346 following is substituted in lieu thereof (*Effective July 1, 2005*):

347 (a) No former executive branch or quasi-public agency public
348 official or state employee shall represent anyone other than the state,
349 concerning any particular matter (1) in which he participated
350 personally and substantially while in state service, and (2) in which the
351 state has a substantial interest.

352 (b) No former executive branch or quasi-public agency public
353 official or state employee shall, for one year after leaving state service,
354 represent anyone, other than the state, for compensation before [the]
355 any department, agency, board, commission, council or office in which
356 he served [at] during the one-year period before the time of his
357 termination of service, concerning any matter in which the state has a
358 substantial interest. The provisions of this subsection shall not apply to
359 an attorney who is a former employee of the Division of Criminal
360 Justice, with respect to any representation in a matter under the
361 jurisdiction of a court.

362 (c) The provisions of this subsection apply to present or former
363 executive branch public officials or state employees who hold or
364 formerly held positions which involve significant decision-making or
365 supervisory responsibility and are designated as such by the State
366 Ethics Commission in consultation with the agency concerned except
367 that such provisions shall not apply to members or former members of
368 the boards or commissions who serve ex officio, who are required by
369 statute to represent the regulated industry or who are permitted by
370 statute to have a past or present affiliation with the regulated industry.
371 Designation of positions subject to the provisions of this subsection
372 shall be by regulations adopted by the State Ethics Commission in
373 accordance with chapter 54. As used in this subsection, "agency"
374 means the Office of Health Care Access, the Connecticut Siting
375 Council, the Department of Banking, the Insurance Department, the
376 Department of Public Safety, the office within the Department of
377 Consumer Protection that carries out the duties and responsibilities of

378 sections 30-2 to 30-68m, inclusive, the Department of Public Utility
379 Control, including the Office of Consumer Counsel, the Division of
380 Special Revenue and the Gaming Policy Board and the term
381 "employment" means professional services or other services rendered
382 as an employee or as an independent contractor.

383 (1) No public official or state employee, in an executive branch
384 position designated by the State Ethics Commission shall negotiate for,
385 seek or accept employment with any business subject to regulation by
386 his agency.

387 (2) No former public official or state employee who held such a
388 position in the executive branch shall within one year after leaving an
389 agency, accept employment with a business subject to regulation by
390 that agency.

391 (3) No business shall employ a present or former public official or
392 state employee in violation of this subsection.

393 (d) The provisions of subsection (e) of this section apply to (1)
394 present or former Gaming Policy Board or Division of Special Revenue
395 public officials or state employees who hold or formerly held positions
396 which involve significant decision-making or supervisory
397 responsibility and are designated as such by the State Ethics
398 Commission, in consultation with the agency concerned, and (2)
399 present or former public officials or state employees of other agencies
400 who hold or formerly held positions which involve significant
401 decision-making or supervisory responsibility concerning the
402 regulation or investigation of (A) any business entity (i) engaged in
403 Indian gaming operations in the state, and (ii) in which a federally-
404 recognized Indian tribe in the state owns a controlling interest, or (B) a
405 governmental agency of a federally-recognized Indian tribe engaged in
406 Indian gaming operations in the state, which positions are designated
407 as such by the State Ethics Commission, in consultation with the
408 agency concerned. Designation of positions subject to the provisions of
409 this subsection shall be by regulations adopted by the State Ethics

410 Commission in accordance with chapter 54. As used in subsection (e)
411 of this section, the term "employment" means professional services or
412 other services rendered as an employee or as an independent
413 contractor.

414 (e) (1) No Gaming Policy Board or Division of Special Revenue
415 public official or state employee or other public official or state
416 employee described in subdivision (2) of subsection (d) of this section,
417 in a position designated by the State Ethics Commission, shall
418 negotiate for, seek or accept employment with (A) a business entity (i)
419 engaged in Indian gaming operations in the state, and (ii) in which a
420 federally-recognized Indian tribe in the state owns a controlling
421 interest, or (B) a governmental agency of a federally-recognized Indian
422 tribe engaged in Indian gaming operations in the state.

423 (2) No former Gaming Policy Board or Division of Special Revenue
424 public official or state employee or other former public official or state
425 employee described in subdivision (2) of subsection (d) of this section,
426 who held such a position shall, within two years after leaving such
427 agency, accept employment with (A) a business entity (i) engaged in
428 Indian gaming operations in the state, and (ii) in which a federally-
429 recognized Indian tribe in the state owns a controlling interest, or (B) a
430 governmental agency of a federally-recognized Indian tribe engaged in
431 Indian gaming operations in the state.

432 (f) (1) No former public official or state employee [(1)] (A) who
433 participated substantially in the negotiation or award of [(A)] (i) a state
434 contract valued at an amount of fifty thousand dollars or more, or [(B)]
435 (ii) a written agreement for the approval of a payroll deduction slot
436 described in section 3-123g, or [(2)] (B) who supervised the negotiation
437 or award of such a contract or agreement, shall accept employment
438 with a party to the contract, [or] agreement or negotiation other than
439 the state for a period of one year after [his] the public official's or state
440 employee's resignation from [his] state office or [position if his] state
441 employment if such resignation occurs less than one year after [the
442 contract or agreement is signed] the earlier of (i) the date the contract

443 or agreement is signed, or (ii) the date the official or employee ceases
444 to supervise, or participate substantially in, the negotiation or award of
445 the contract or agreement, as determined by regulations which the
446 commission shall adopt, in accordance with chapter 54.

447 (2) No party to the contract may employ a public official or state
448 employee if such employment would violate subdivision (1) of this
449 subsection.

450 (g) (1) No member or director of a quasi-public agency who
451 participates substantially in the negotiation or award of a contract
452 valued at an amount of fifty thousand dollars or more, or who
453 supervised the negotiation or award of such a contract, shall seek,
454 accept, or hold employment with a party to the contract or negotiation
455 for a period of one year after [the signing of the contract] the earlier of
456 (A) the date the contract is signed, or (B) the date the member or
457 director ceases to participate substantially in the negotiation or award
458 of the contract, as determined by regulations which the commission
459 shall adopt, in accordance with chapter 54.

460 (2) No party to the contract may employ a member or director if
461 such employment would violate subdivision (1) of this subsection.

462 (h) The regulations required to implement the provisions of
463 subsection (c) of this section may be adopted by the State Ethics
464 Commission prior to January 7, 1987, but may not take effect prior to
465 that date.

466 (i) The provisions of subsections (a), (b) and (f) of this section shall
467 not apply to any employee of a quasi-public agency who leaves such
468 agency before July 1, 1989.

469 (j) No Treasurer who authorizes, negotiates or renegotiates a
470 contract for investment services valued at an amount of fifty thousand
471 dollars or more shall negotiate for, seek or accept employment with a
472 party to the contract prior to one year after the end of the Treasurer's
473 term of office within which such contract for investment services was

474 authorized, negotiated or renegotiated by such Treasurer.

475 Sec. 6. Subsection (g) of section 1-91 of the general statutes is
476 repealed and the following is substituted in lieu thereof (*Effective July*
477 *1, 2005*):

478 (g) "Gift" means anything of value, which is directly and personally
479 received, unless consideration of equal or greater value is given in
480 return. "Gift" shall not include:

481 (1) A political contribution otherwise reported as required by law or
482 a donation or payment described in subdivision (9) or (10) of
483 subsection (b) of section 9-333b;

484 (2) Services provided by persons volunteering their time;

485 (3) A commercially reasonable loan made on terms not more
486 favorable than loans made in the ordinary course of business;

487 (4) A gift received from (A) the individual's spouse, fiance or
488 fiancee, (B) the parent, brother or sister of such spouse or such
489 individual, or (C) the child of such individual or the spouse of such
490 child;

491 (5) Goods or services (A) which are provided to the state (i) for use
492 on state property, or (ii) to support an event or the participation by a
493 public official or state employee at an event, and (B) which facilitate
494 state action or functions. As used in this subdivision, "state property"
495 means (i) property owned by the state, or (ii) property leased to an
496 agency in the Executive or Judicial Department of the state;

497 (6) A certificate, plaque or other ceremonial award costing less than
498 one hundred dollars;

499 (7) A rebate, discount or promotional item available to the general
500 public;

501 (8) Printed or recorded informational material germane to state

502 action or functions;

503 [(9) Food or beverage or both, costing less than fifty dollars in the
504 aggregate per recipient in a calendar year, and consumed on an
505 occasion or occasions at which the person paying, directly or
506 indirectly, for the food or beverage, or his representative, is in
507 attendance;

508 (10) Food or beverage or both, costing less than fifty dollars per
509 person and consumed at a publicly noticed legislative reception to
510 which all members of the General Assembly are invited and which is
511 hosted not more than once in any calendar year by a lobbyist or
512 business organization. For the purposes of such limit, (A) a reception
513 hosted by a lobbyist who is an individual shall be deemed to have also
514 been hosted by the business organization which he owns or is
515 employed by and (B) a reception hosted by a business organization
516 shall be deemed to have also been hosted by all owners and employees
517 of the business organization who are lobbyists. In making the
518 calculation for the purposes of such fifty-dollar limit, the donor shall
519 divide the amount spent on food and beverage by the number of
520 persons whom the donor reasonably expects to attend the reception;

521 (11) Food or beverage or both, costing less than fifty dollars per
522 person and consumed at a publicly noticed reception to which all
523 members of the General Assembly from a region of the state are
524 invited and which is hosted not more than once in any calendar year
525 by a lobbyist or business organization. For the purposes of such limit,
526 (A) a reception hosted by a lobbyist who is an individual shall be
527 deemed to have also been hosted by the business organization which
528 he owns or is employed by, and (B) a reception hosted by a business
529 organization shall be deemed to have also been hosted by all owners
530 and employees of the business organization who are lobbyists. In
531 making the calculation for the purposes of such fifty-dollar limit, the
532 donor shall divide the amount spent on food and beverage by the
533 number of persons whom the donor reasonably expects to attend the
534 reception. As used in this subdivision, "region of the state" means the

535 established geographic service area of the organization hosting the
536 reception;

537 (12) A gift, including but not limited to, food or beverage or both,
538 provided by an individual for the celebration of a major life event;]

539 [(13)] (9) Gifts costing less than one hundred dollars in the aggregate
540 or food or beverage provided at a hospitality suite at a meeting or
541 conference of an interstate legislative association, by a person who is
542 not a registrant or is not doing business with the state of Connecticut;

543 [(14)] (10) Admission to a charitable or civic event, including food
544 and beverage provided at such event, but excluding lodging or travel
545 expenses, at which a public official or state employee participates in
546 his official capacity, provided such admission is provided by the
547 primary sponsoring entity;

548 [(15)] (11) Anything of value provided by an employer of (A) a
549 public official, (B) a state employee, or (C) a spouse of a public official
550 or state employee, to such official, employee or spouse, provided such
551 benefits are customarily and ordinarily provided to others in similar
552 circumstances; [or]

553 [(16)] (12) Anything having a value of not more than ten dollars,
554 provided the aggregate value of all things provided by a donor to a
555 recipient under this subdivision in any calendar year shall not exceed
556 fifty dollars; or

557 (13) Necessary expenses as described in subsection (k) of section 1-
558 84, as amended by this act.

559 Sec. 7. Subdivision (1) of section 1-92 of the general statutes is
560 repealed and the following is substituted in lieu thereof (*Effective July*
561 *1, 2005*):

562 (1) Adopt regulations in accordance with chapter 54 to carry out the
563 purposes of this part. Not later than January 1, 1992, the commission
564 shall adopt regulations which further clarify the meaning of the

565 [terms] term "directly and personally received", [and "major life
566 event",] as used in subsection (e) of section 1-79, as amended by this
567 act, and subsection (g) of section 1-91, as amended by this act.

568 Sec. 8. Subsection (a) of section 1-97 of the general statutes is
569 repealed and the following is substituted in lieu thereof (*Effective July*
570 *1, 2005*):

571 (a) No registrant or anyone acting on behalf of a registrant shall
572 knowingly give a gift, as defined in subsection (g) of section 1-91, as
573 amended by this act, to any state employee, public official, candidate
574 for public office or a member of any such person's staff or immediate
575 family, during the official's or employee's state service or such
576 candidacy and, in the case of such official or employee, for one year
577 after leaving state service. Nothing in this section shall be construed to
578 permit any activity prohibited under section 53a-147 or 53a-148.

579 Sec. 9. Section 1-225 of the general statutes is repealed and the
580 following is substituted in lieu thereof (*Effective July 1, 2005*):

581 (a) The meetings of all public agencies, except executive sessions, as
582 defined in subdivision (6) of section 1-200, shall be open to the public.
583 The votes of each member of any such public agency upon any issue
584 before such public agency shall be reduced to writing and made
585 available for public inspection within forty-eight hours and shall also
586 be recorded in the minutes of the [session] meeting at which taken, [,
587 which] No later than seven days after the meeting to which the
588 minutes refer, the minutes shall be available for public inspection
589 [within seven days of the session to which they refer] and posted on
590 the agency's Internet web site, if available.

591 (b) Each such public agency of the state shall file not later than
592 January thirty-first of each year in the office of the Secretary of the
593 State the schedule of the regular meetings of such public agency for the
594 ensuing year and shall post such schedule on the agency's Internet web
595 site, if available, except that such [provision] requirements shall not
596 apply to the General Assembly, either house thereof or to any

597 committee thereof. Any other provision of the Freedom of Information
598 Act notwithstanding, the General Assembly at the commencement of
599 each regular session in the odd-numbered years, shall adopt, as part of
600 its joint rules, rules to provide notice to the public of its regular,
601 special, emergency or interim committee meetings. The chairperson or
602 secretary of any such public agency of any political subdivision of the
603 state shall file, not later than January thirty-first of each year, with the
604 clerk of such subdivision the schedule of regular meetings of such
605 public agency for the ensuing year, and no such meeting of any such
606 public agency shall be held sooner than thirty days after such schedule
607 has been filed. The chief executive officer of any multitown district or
608 agency shall file, not later than January thirty-first of each year, with
609 the clerk of each municipal member of such district or agency, the
610 schedule of regular meetings of such public agency for the ensuing
611 year, and no such meeting of any such public agency shall be held
612 sooner than thirty days after such schedule has been filed.

613 (c) The agenda of the regular meetings of every public agency,
614 except for the General Assembly, shall be available to the public, [and
615 shall be] posted not less than twenty-four hours before the meetings to
616 which they refer on the agency's Internet web site, if available, and
617 filed, not less than twenty-four hours before the meetings to which
618 they refer, in such agency's regular office or place of business or, if
619 there is no such office or place of business, in the office of the Secretary
620 of the State for any such public agency of the state, in the office of the
621 clerk of such subdivision for any public agency of a political
622 subdivision of the state or in the office of the clerk of each municipal
623 member of any multitown district or agency. Upon the affirmative vote
624 of two-thirds of the members of a public agency present and voting,
625 any subsequent business not included in such filed agendas may be
626 considered and acted upon at such meetings.

627 (d) Notice of each special meeting of every public agency, except for
628 the General Assembly, either house thereof or any committee thereof,
629 shall be posted not less than twenty-four hours before the meeting to
630 which it refers on the agency's Internet web site, if available, and given

631 not less than twenty-four hours prior to the time of such meeting by
632 filing a notice of the time and place thereof in the office of the Secretary
633 of the State for any such public agency of the state, in the office of the
634 clerk of such subdivision for any public agency of a political
635 subdivision of the state and in the office of the clerk of each municipal
636 member for any multitown district or agency. The secretary or clerk
637 shall cause any notice received under this section to be posted in his
638 office. Such notice shall be given not less than twenty-four hours prior
639 to the time of the special meeting; provided, in case of emergency,
640 except for the General Assembly, either house thereof or any
641 committee thereof, any such special meeting may be held without
642 complying with the foregoing requirement for the filing of notice but a
643 copy of the minutes of every such emergency special meeting
644 adequately setting forth the nature of the emergency and the
645 proceedings occurring at such meeting shall be filed with the Secretary
646 of the State, the clerk of such political subdivision, or the clerk of each
647 municipal member of such multitown district or agency, as the case
648 may be, not later than seventy-two hours following the holding of such
649 meeting. The notice shall specify the time and place of the special
650 meeting and the business to be transacted. No other business shall be
651 considered at such meetings by such public agency. In addition, such
652 written notice shall be delivered to the usual place of abode of each
653 member of the public agency so that the same is received prior to such
654 special meeting. The requirement of delivery of such written notice
655 may be dispensed with as to any member who at or prior to the time
656 the meeting convenes files with the clerk or secretary of the public
657 agency a written waiver of delivery of such notice. Such waiver may be
658 given by telegram. The requirement of delivery of such written notice
659 may also be dispensed with as to any member who is actually present
660 at the meeting at the time it convenes. Nothing in this section shall be
661 construed to prohibit any agency from adopting more stringent notice
662 requirements.

663 (e) No member of the public shall be required, as a condition to
664 attendance at a meeting of any such body, to register the member's

665 name, or furnish other information, or complete a questionnaire or
666 otherwise fulfill any condition precedent to the member's attendance.

667 (f) A public agency may hold an executive session, as defined in
668 subdivision (6) of section 1-200, upon an affirmative vote of two-thirds
669 of the members of such body present and voting, taken at a public
670 meeting and stating the reasons for such executive session, as defined
671 in section 1-200.

672 (g) In determining the time within which or by when a notice,
673 agenda, record of votes or minutes of a special meeting or an
674 emergency special meeting are required to be filed under this section,
675 Saturdays, Sundays, legal holidays and any day on which the office of
676 the agency, the Secretary of the State or the clerk of the applicable
677 political subdivision or the clerk of each municipal member of any
678 multitown district or agency, as the case may be, is closed, shall be
679 excluded.

680 Sec. 10. (NEW) (*Effective July 1, 2005*) (a) As used in this section:

681 (1) "Large municipal contract" means a contract between an entity
682 and a municipality, having a value of five hundred thousand dollars or
683 more; and

684 (2) "Large municipal contractor" means an entity that has entered
685 into a large municipal contract with a municipality.

686 (b) Any person having knowledge of any matter involving
687 corruption, unethical practices, violation of state laws or regulations or
688 a municipal charter or ordinance, mismanagement, gross waste of
689 funds, abuse of authority or danger to the public safety occurring in
690 any municipality, or any person having knowledge of any matter
691 involving corruption, violation of state or federal laws or regulations
692 or a municipal charter or ordinance, gross waste of funds, abuse of
693 authority or danger to the public safety occurring in any large
694 municipal contract, may transmit all facts and information in his
695 possession concerning such matter to the Attorney General. Upon

696 receiving such a report, the Attorney General, within available
697 resources, shall make such investigation as the Attorney General
698 deems proper. The Attorney General shall have power to summon
699 witnesses, require the production of any necessary books, papers or
700 other documents and administer oaths to witnesses, where necessary,
701 for the purpose of investigation. Upon the conclusion of the Attorney
702 General's investigation, the Attorney General shall, where necessary
703 and within available resources, report the Attorney General's findings
704 to the Governor, or in matters involving criminal activity, to the Chief
705 State's Attorney. The Attorney General shall not, after receipt of any
706 information from a person under the provisions of this section,
707 disclose the identity of such person without such person's consent
708 unless the Attorney General determines that such disclosure is
709 unavoidable during the course of the investigation.

710 (c) (1) No municipal officer or employee and no officer or employee
711 of a large municipal contractor and no appointing authority shall take
712 or threaten to take any personnel action against any municipal
713 employee or any employee of a large municipal contractor in
714 retaliation for such employee's disclosure of information to the
715 Attorney General under the provisions of subsection (b) of this section.

716 (2) If a municipal employee or an employee of a large municipal
717 contractor alleges that a personnel action has been threatened or taken
718 in retaliation for such employee's disclosure of information to the
719 Attorney General under the provisions of subsection (b) of this section,
720 the employee may notify the Attorney General, who shall, within
721 available resources, investigate pursuant to subsection (b) of this
722 section. After the conclusion of such investigation, the Attorney
723 General, the employee or the employee's attorney may file a complaint
724 concerning such personnel action with the Chief Human Rights
725 Referee designated under section 46a-57 of the general statutes. The
726 Chief Human Rights Referee shall assign the complaint to a human
727 rights referee appointed under said section 46a-57, who shall conduct a
728 hearing and issue a decision concerning whether the officer or
729 employee taking or threatening to take the personnel action violated

730 any provision of this section. If the human rights referee finds such a
731 violation, the referee may award the aggrieved employee
732 reinstatement to the employee's former position, back pay and
733 reestablishment of any employee benefits to which the employee
734 would otherwise have been eligible if such violation had not occurred,
735 reasonable attorneys' fees, and any other damages. For the purposes of
736 this subsection, such human rights referee shall act as an independent
737 hearing officer. The decision of a human rights referee under this
738 subsection may be appealed by any person who was a party at such
739 hearing, in accordance with the provisions of section 4-183 of the
740 general statutes.

741 (3) The Chief Human Rights Referee shall adopt regulations, in
742 accordance with the provisions of chapter 54 of the general statutes,
743 establishing the procedure for filing complaints and noticing and
744 conducting hearings under subdivision (2) of this subsection.

745 (4) As an alternative to the provisions of subdivisions (2) and (3) of
746 this subsection, (A) a municipal employee who alleges that a personnel
747 action has been threatened or taken and is covered by a collective
748 bargaining contract may file an appeal in accordance with the
749 procedure provided by such contract, or (B) an employee of a large
750 municipal contractor alleging that such action has been threatened or
751 taken may, after exhausting all available administrative remedies,
752 bring a civil action in accordance with the provisions of subsection (c)
753 of section 31-51m of the general statutes.

754 (5) In any proceeding under subdivision (2), (3) or (4) of this
755 subsection concerning a personnel action taken or threatened against
756 any municipal employee or any employee of a large municipal
757 contractor, which personnel action occurs within one year after the
758 employee first transmits facts and information concerning a matter
759 under subsection (a) of this section to the Attorney General, there shall
760 be a rebuttable presumption that the personnel action is in retaliation
761 for the action taken by the employee under subsection (b) of this
762 section.

763 (d) Any employee of a municipality or large municipal contractor,
764 who is found to have knowingly and maliciously made false charges
765 under subsection (b) of this section, shall be subject to disciplinary
766 action by the employee's appointing authority up to and including
767 dismissal. In the case of a municipal employee covered by a collective
768 bargaining contract, such employee may file an appeal in accordance
769 with the procedure provided by such contract.

770 (e) On or before September first, annually, the Attorney General,
771 within available resources, shall submit to the clerk of each house of
772 the General Assembly a report indicating the number of matters for
773 which facts and information were transmitted to the Attorney General
774 pursuant to this section during the preceding state fiscal year and the
775 disposition of each such matter.

776 (f) Each contract between a municipality and a large municipal
777 contractor shall provide that, if an officer, employee or appointing
778 authority of a large municipal contractor takes or threatens to take any
779 personnel action against any employee of the contractor in retaliation
780 for such employee's disclosure of information to the Attorney General
781 under the provisions of subsection (b) of this section, the contractor
782 shall be liable for a civil penalty of not more than five thousand dollars
783 for each offense, up to a maximum of twenty per cent of the value of
784 the contract. Each violation shall be a separate and distinct offense and
785 in the case of a continuing violation each calendar day's continuance of
786 the violation shall be deemed to be a separate and distinct offense. The
787 chief elected official of the municipality may request the Attorney
788 General, within available resources, to bring a civil action in the
789 superior court for the judicial district of Hartford to seek imposition
790 and recovery of such civil penalty.

791 (g) Each large municipal contractor shall post a notice of the
792 provisions of this section relating to large municipal contractors in a
793 conspicuous place which is readily available for viewing by the
794 employees of the contractor.

795 Sec. 11. (NEW) (*Effective July 1, 2005*) No quasi-public agency, as
796 defined in section 1-120 of the general statutes, shall provide
797 performance incentives or bonuses to its officials and employees.

798 Sec. 12. (NEW) (*Effective July 1, 2005*) A member of the board of
799 directors of a quasi-public agency, as defined in section 1-120 of the
800 general statutes, who (1) participates in a meeting of said board by
801 telephone, or (2) is not otherwise physically present at the location
802 where such meeting is held shall not be deemed to be present at such
803 meeting for purposes of determining a quorum and shall not be
804 permitted to vote at the meeting.

805 Sec. 13. (NEW) (*Effective July 1, 2005*) Not later than January 1, 2006,
806 each quasi-public agency, as defined in section 1-120 of the general
807 statutes, shall adopt procedures, in accordance with the provisions of
808 section 1-121 of the general statutes, establishing criteria for when the
809 quasi-public agency may extend a contract without competitive
810 bidding or competitive negotiation.

811 Sec. 14. Section 1-97 of the general statutes is amended by adding
812 subsection (e) as follows (*Effective July 1, 2005*):

813 (NEW) (e) No communicator lobbyist shall serve as a member of
814 any board or commission in state government or a board of directors
815 of a quasi-public agency, as defined in section 1-120. The provisions of
816 this section shall not apply to any lobbyist serving as such a member
817 on the effective date of this section, until the expiration of such
818 member's term.

819 Sec. 15. (NEW) (*Effective July 1, 2005*) No member of the General
820 Assembly shall, during the term for which the member is elected, serve
821 as an employee or a member of the board of directors of a quasi-public
822 agency, as defined in section 1-120 of the general statutes. The
823 provisions of this section shall not apply to any person who is a
824 member of the General Assembly and an employee or a member of the
825 board of directors of a quasi-public agency on the effective date of this
826 section.

827 Sec. 16. Section 53a-119 of the general statutes is amended by adding
828 subdivision (18) as follows (*Effective July 1, 2005*):

829 (NEW) (18) State embezzlement or theft. A person is guilty of state
830 embezzlement or theft when such person, while serving as a public
831 official or state employee, (A) commits, aids or abets an embezzlement
832 of public funds in the amount of one thousand dollars or more, in the
833 aggregate, from the state or a quasi-public agency or agencies, (B)
834 commits, aids or abets any theft from the state or a quasi-public agency
835 or agencies of any goods, services or funds having a value of one
836 thousand dollars or more, in the aggregate, or (C) wilfully and with
837 the intent to defraud, realizes or obtains, or attempts to realize or
838 obtain, a profit, gain or advantage for himself or herself or for some
839 other person, in the amount of one thousand dollars or more, in the
840 aggregate, through the use or attempted use of the power, rights,
841 privileges or duties of his or her position as a public official or state
842 employee. As used in this subdivision, "public official", "state
843 employee" and "quasi-public agency" have the same meanings as
844 provided in section 1-79, as amended by this act, for said terms.

845 Sec. 17. (NEW) (*Effective July 1, 2005*) (a) As used in this section:

846 (1) "Crime related to state or quasi-public agency office" means
847 larceny by state embezzlement or theft, as defined in subdivision (18)
848 of section 53a-119 of the general statutes, as amended by this act,
849 bribery under section 53a-147 of the general statutes or bribe receiving
850 under section 53a-148 of the general statutes, committed by a person
851 while serving as a public official or state employee.

852 (2) "Public official" has the same meaning as provided in section 1-
853 79 of the general statutes, as amended by this act.

854 (3) "State employee" has the same meaning as provided in section 1-
855 79 of the general statutes, as amended by this act.

856 (b) Notwithstanding any provision of the general statutes, if any
857 person is convicted of or pleads guilty or nolo contendere to a crime

858 related to state or quasi-public agency office, the court, as part of the
859 sentence imposed, may reduce any retirement or other benefit or
860 payment of any kind to which the person is otherwise entitled under
861 the general statutes for service as a public official or state employee.

862 (c) In determining whether the retirement or other benefit or
863 payment shall be reduced, and the amount of any such reduction, the
864 court shall consider and make findings on the following factors:

865 (1) The severity of the crime related to state or quasi-public agency
866 office for which the person has been convicted or to which the person
867 has pled guilty or nolo contendere;

868 (2) The amount of monetary loss suffered by the state or a quasi-
869 public agency or by any other person as a result of the crime related to
870 state or quasi-public agency office;

871 (3) The degree of public trust reposed in the person by virtue of the
872 person's position as a public official or state employee; and

873 (4) Any other factors as, in the judgment of the court, justice may
874 require.

875 (d) If the court determines that a retirement or other benefit or
876 payment of a person should be reduced and the state or a quasi-public
877 agency suffered a monetary loss as a result of the crime related to state
878 or quasi-public agency office, the entity responsible for payment of
879 such retirement or other benefit or payment shall remit to the General
880 Fund the portion of each such payment that would have been made to
881 the person but for the provisions of this section, until there is full
882 restitution to the state of such monetary loss.

883 (e) If the court determines that a retirement or other benefit or
884 payment of a person should be reduced, the court may, after taking
885 into consideration the financial needs and resources of any innocent
886 spouse, dependents and designated beneficiaries of the person, order
887 that some or all of the reduced benefit or payment be paid to any

888 innocent spouse, dependent or beneficiary as justice may require.

889 (f) If the court does not reduce any retirement or other benefit or
890 payment of any kind to which the person is otherwise entitled under
891 the general statutes for service as a public official or state employee
892 under subsection (b) of this section, the Attorney General may initiate
893 a civil action in the Superior Court for such reduction. The provisions
894 of subsections (c) to (e), inclusive, of this section shall apply in any
895 such civil action.

896 (g) The provisions of this section shall not affect any state health
897 insurance benefits to which the person and the spouse and dependents
898 of the person are entitled upon the person's retirement from the state
899 or a quasi-public agency.

900 Sec. 18. (NEW) (*Effective July 1, 2005*) As used in sections 18 to 28,
901 inclusive, of this act:

902 (1) "Business" means any entity through which business for profit or
903 not-for-profit is conducted, including a corporation, partnership,
904 proprietorship, firm, enterprise, franchise, association, organization or
905 self-employed individual.

906 (2) "Business with which he or she is associated" means a business of
907 which a public official or public employee or a member of his or her
908 immediate family is a director, officer, owner, employee, compensated
909 agent or holder of stock that constitutes five per cent or more of the
910 total outstanding stock of any class.

911 (3) "Confidential information" means information, whether
912 transmitted orally or in writing, which is obtained by reason of the
913 public position or office held and is of such nature that it is not, at the
914 time of transmission, a matter of public record or public knowledge.

915 (4) "District" means a district established pursuant to section 7-324
916 of the general statutes.

917 (5) "Financial interest" means any interest with a monetary value of

918 one hundred dollars or more or which generates a financial gain or
919 loss of one hundred dollars or more in a calendar year.

920 (6) "Gift" means anything of value, including entertainment, food,
921 beverage, travel or lodging, given or paid to a public official or public
922 employee, to the extent that consideration of equal or greater value is
923 not received. A gift does not include:

924 (A) A political contribution otherwise reported as required by law
925 or a donation or payment as described in subdivision (9) or (11) of
926 subsection (b) of section 9-333b of the general statutes;

927 (B) Services provided by persons volunteering their time for a
928 political campaign;

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

931 (D) A gift received from (i) an individual's spouse, fiance or fiancee,
932 (ii) the parent, brother or sister of such spouse or such individual, or
933 (iii) the child of such individual or the spouse of such child;

934 (E) Goods or services that are provided to the municipality or
935 district and facilitate governmental action or functions;

936 (F) A certificate, plaque or other ceremonial award costing less than
937 one hundred dollars;

938 (G) A rebate or discount on the price of anything of value given in
939 the ordinary course of business without regard to the recipient's status;

940 (H) Printed or recorded informational material germane to
941 governmental action or functions;

942 (I) Items of nominal value, not to exceed ten dollars, containing or
943 displaying promotional material;

944 (J) An honorary degree bestowed upon a public official or public
945 employee by a public or private university or college;

946 (K) A meal provided at an event or the registration or entrance fee
947 to attend such an event, in which the public employee or public official
948 participates in said person's official capacity; or

949 (L) A meal provided in the home by an individual who resides in
950 the municipality or district in which the employee or official serves.

951 (7) "Immediate family" means any spouse, child or dependent
952 relative who resides in the individual's household.

953 (8) "Individual" means a natural person.

954 (9) "Land use agency" means any body (A) exercising zoning
955 powers pursuant to chapter 124 of the general statutes or any special
956 act or municipal charter, (B) exercising land use powers pursuant to
957 chapter 125a of the general statutes or any special act or municipal
958 charter, (C) exercising planning powers pursuant to chapter 126 of the
959 general statutes or any special act or municipal charter, or (D)
960 regulating inland wetlands and watercourses pursuant to chapter 440
961 of the general statutes or any special act or municipal charter.

962 (10) "Municipality" means a town, city or borough or a municipal
963 quasi-public agency, provided, for the purposes of sections 18 to 28,
964 inclusive, of this act, a municipal quasi-public agency shall be deemed
965 to be part of the municipality that established such agency.

966 (11) "Paid consultant" means a person, firm or corporation hired by
967 a municipality or district to provide services to the municipality or
968 district for a fee.

969 (12) "Person" means an individual, sole proprietorship, trust,
970 corporation, union, association, firm, partnership, committee, club or
971 other organization or group of persons.

972 (13) "Public employee" means a person employed full or part time
973 by a municipality or a district, including a person on leave from
974 employment by a municipality or district. A public official who is not
975 so employed by a municipality or district shall not be deemed to be a

976 public employee.

977 (14) "Public official" means (A) an elected or appointed official
978 employed full or part time by a municipality or district, on either a
979 paid or unpaid basis, including a district officer elected pursuant to
980 section 7-327 of the general statutes, or (B) a candidate for a municipal
981 or district office.

982 (15) "Purpose of a code of ethical conduct" means the prevention of
983 the misuse and the appearance of the misuse of governmental power
984 or powers invested in any governmental office or position. Except as
985 specifically provided in sections 18 to 28, inclusive, of this act, such
986 term shall not include actions by a public official or public employee
987 that such person has the right or power to do as a private citizen,
988 separate from any power or influence as a public official or public
989 employee, or otherwise not involving the exercise of governmental
990 power. As used in this subdivision, "misuse" means the use of
991 governmental power or powers invested in any governmental office or
992 position for the private gain of any person.

993 Sec. 19. (NEW) (*Effective July 1, 2005*) (a) Notwithstanding the
994 provisions of any special act, municipal charter or ordinance, not later
995 than July 1, 2006, each municipality and district shall adopt a code of
996 ethical conduct for its public officials, public employees and paid
997 consultants. Each such code of ethical conduct shall include the
998 provisions set forth in sections 20 to 22, inclusive, of this act or stricter
999 ethical provisions for such public officials, public employees and paid
1000 consultants. Two or more municipalities or districts may jointly
1001 develop such a code of ethical conduct, provided each such
1002 municipality or district adopts such code.

1003 (b) Any municipality or district that adopts a code of ethical conduct
1004 before July 1, 2005, shall not be required to adopt a new code of ethical
1005 conduct under subsection (a) of this section. However, if any such
1006 existing code of ethical conduct does not include the provisions set
1007 forth in sections 20 to 22, inclusive, of this act or stricter ethical

1008 provisions for the municipality's or district's public official, public
1009 employees and paid consultants, the municipality or district shall, not
1010 later than July 1, 2006, amend its code of ethical conduct to include the
1011 provisions set forth in said sections 20 to 22, inclusive, or stricter
1012 ethical provisions for such persons.

1013 Sec. 20. (NEW) (*Effective July 1, 2005*) Each code of ethical conduct
1014 adopted by a municipality or district under subsection (a) of section 19
1015 of this act shall include the following or stricter provisions for the
1016 municipality's or district's public officials and public employees:

1017 (1) No public employee or public official shall engage in or
1018 participate in any business or transaction, including outside
1019 employment with a private business, or have an interest, direct or
1020 indirect, that is incompatible with the proper discharge of the
1021 employee's or official's responsibilities in the public interest or that
1022 would impair the employee's or official's independent judgment or
1023 action in the performance of the employee's or official's
1024 responsibilities.

1025 (2) (A) No public employee or public official shall solicit or accept
1026 any gift from any person that, to the employee's or official's
1027 knowledge, is interested in any pending matter within such
1028 individual's official responsibility. As used in this subdivision, "official
1029 responsibility" means the direct administrative or operating authority,
1030 whether intermediate or final and whether exercisable personally or
1031 through subordinates, to approve, disapprove or otherwise direct
1032 governmental action.

1033 (B) If a prohibited gift is offered, the employee or official shall refuse
1034 it, return it, pay the donor the full value of the gift or donate it to a
1035 nonprofit organization, provided the employee or official does not take
1036 the corresponding tax deduction or credit. Alternatively, the gift may
1037 be deemed to be a gift to the municipality or district, provided it
1038 remains in the municipality's or district's possession permanently.

1039 (3) (A) A public employee or public official shall refrain from voting

1040 upon or otherwise participating in any matter on behalf of the
1041 municipality or district for which the employee or official serves, if the
1042 employee or official, a business with which he or she is associated, or a
1043 member of his or her immediate family, has a financial or personal
1044 interest in the matter, including, but not limited to, the sale of real
1045 estate, material, supplies or services to the municipality or district. As
1046 used in this subdivision, "personal interest" means an interest in any
1047 action taken by the municipality or district in which an individual will
1048 derive a nonfinancial benefit or detriment but which will result in the
1049 expenditure of municipal funds.

1050 (B) Notwithstanding the prohibition in subparagraph (A) of this
1051 subdivision and the provisions of subsection (b) of section 7-148h of
1052 the general statutes, a public employee or public official may vote or
1053 otherwise participate in a matter that involves a determination of
1054 general policy if the employee's or official's interest in the matter is de
1055 minimus in nature or shared with a substantial segment of the
1056 population of the municipality or district in which the employee or
1057 official serves.

1058 (4) In addition to the restrictions in subdivision (3) of this section, a
1059 public employee who serves as a public official of a municipality or
1060 district shall not vote or participate on any matter involving, for the
1061 department or program employing such public employee, (A)
1062 collective bargaining, (B) compensation or benefits, (C) personnel
1063 policies and procedures, (D) the budget, other appropriation or capital
1064 funding, except for final action on the entire annual budget of the
1065 municipality or district and consideration of any portion of such
1066 budget that is not directly related to the department or program
1067 employing such public employee, or (E) employment, compensation,
1068 benefits or performance of personnel.

1069 (5) (A) No public employee or public official shall appear on behalf
1070 of private interests before any board, agency or committee of the
1071 municipality or district for which the employee or official serves.

1072 (B) No public employee or public official shall represent private
1073 interests against the interest of the municipality or district for which
1074 the employee or official serves, in any litigation to which such
1075 municipality or district is a party.

1076 (6) Nothing in this section shall prohibit or restrict a public
1077 employee or public official from (A) appearing before any board or
1078 commission of the municipality or district for which the employee or
1079 official serves, on the employee's or official's own behalf, or (B) being a
1080 party in any action, proceeding or litigation (i) for which the
1081 municipality or district is a party, and (ii) that is brought by or against
1082 the public employee or public official.

1083 (7) No public employee or public official shall disclose or use
1084 confidential information concerning the affairs of the municipality or
1085 district for which the employee or official serves, for the financial
1086 interests of the employee or official or others.

1087 (8) No public employee or public official shall request or permit the
1088 use of a vehicle, equipment, facility, material or property, which is
1089 owned by the municipality or district for which the employee or
1090 official serves, for personal convenience or profit, except when
1091 available to the public generally or provided as municipal or district
1092 policy for the use of such public employee or public official in the
1093 conduct of official business, in which case the public employee or
1094 public official may use such vehicle, equipment, facility, material or
1095 equipment for de minimus personal convenience.

1096 (9) No public employee or public official, or a business with which
1097 he or she is associated, or a member of his or her immediate family
1098 shall enter into a contract with the municipality or district for which
1099 the employee or official serves, which has a value of one hundred
1100 thousand dollars or more, unless the contract is awarded through a
1101 process of public notice and competitive bidding.

1102 (10) No public employee or public official may use the employee's
1103 or official's position or office with the municipality or district for which

1104 the employee or official serves, for the financial benefit of the
1105 employee or official, a business with which he or she is associated or a
1106 member of his or her immediate family. The provisions of this
1107 subdivision shall not prohibit a public employee or public official from
1108 receiving compensation for writing, on the employee's or official's own
1109 time, a book or article relating to the employee's or official's service for
1110 such municipality or district.

1111 (11) No public employee or public official shall accept a fee or
1112 honorarium for an article, appearance or speech, or for participation at
1113 an event, in the employee's or official's official capacity, provided a
1114 public official or public employee may receive payment or
1115 reimbursement for necessary expenses for any such activity in such
1116 official's or employee's official capacity.

1117 (12) No public employee or public official, or member of such
1118 individual's immediate family or business with which he or she is
1119 associated, shall solicit or accept anything of value, including, but not
1120 limited to, a gift, loan, political contribution, reward or promise of
1121 future employment based on any understanding that the vote, official
1122 action or judgment of the public employee or public official would be
1123 or had been influenced thereby.

1124 (13) No public employee, public official or candidate for elected
1125 office of a municipality or district shall (A) engage in political activity
1126 while on municipal or district duty or within any period of time
1127 during which such person is normally expected to perform services for
1128 which such person receives compensation from the municipality or
1129 district, or (B) utilize municipal or district funds, supplies, vehicles or
1130 facilities for the purpose of any such political activity.

1131 Sec. 21. (NEW) (*Effective July 1, 2005*) Each code of ethical conduct
1132 adopted by a municipality or district under subsection (a) of section 19
1133 of this act shall include the following or stricter provisions for the
1134 municipality's or district's paid consultants:

1135 (1) No paid consultant of a municipality or district shall represent a

1136 private interest in any action or proceeding against the interest of the
1137 municipality or district that is in conflict with the performance of said
1138 person's duties as a consultant.

1139 (2) No paid consultant may represent anyone other than the
1140 municipality or district concerning any matter in which the consultant
1141 participated personally and substantially as a consultant to the
1142 municipality or district.

1143 (3) No paid consultant shall (A) disclose confidential information
1144 learned while performing the consultant's duties for the municipality
1145 or district, or (B) use such information for the financial interests of the
1146 consultant or others.

1147 (4) No paid consultant shall accept other employment that will
1148 either impair the consultant's independence of judgment as to the
1149 consultant's official duties for the municipality or district or require or
1150 induce the consultant to disclose confidential information acquired by
1151 the consultant in the course of and by reason of such duties.

1152 Sec. 22. (NEW) (*Effective July 1, 2005*) Each code of ethical conduct
1153 adopted by a municipality or district under subsection (a) of section 19
1154 of this act shall include the following or stricter provisions for the
1155 municipality's or district's former public officials and public
1156 employees:

1157 (1) No former public employee or public official shall appear for
1158 compensation before any municipal or district board or agency in
1159 which the employee or official was formerly employed at any time
1160 within a period of one year after termination of the employee's or
1161 official's service with the municipality or district.

1162 (2) No former public employee or public official shall represent
1163 anyone other than the municipality or district concerning any
1164 particular matter in which the employee or official participated
1165 personally and substantially while in municipal or district service.

1166 (3) No former public employee or public official shall disclose or use
1167 confidential information acquired in the course of and by reason of the
1168 employee's or official's official duties, for financial gain for himself or
1169 herself or others.

1170 (4) No former public employee or public official who participated
1171 substantially in the negotiation or award of a municipal or district
1172 contract obliging the municipality or district to pay an amount of one
1173 hundred thousand dollars or more, or who supervised the negotiation
1174 or award of such a contract, shall accept employment with a party to
1175 the contract other than the municipality or district for a period of one
1176 year after such contract is signed.

1177 Sec. 23. (NEW) (*Effective July 1, 2005*) (a) Not later than July 1, 2006,
1178 each municipality and district that has not established an agency to
1179 investigate allegations of unethical conduct, corrupting influence or
1180 illegal activities against public officials, public employees and paid
1181 consultants of the municipality or district, pursuant to section 7-148h
1182 of the general statutes, shall (1) establish a procedure for investigating
1183 and deliberating on such allegations, and (2) designate or establish an
1184 agency to conduct such investigations and deliberations. Two or more
1185 municipalities or districts may jointly establish such procedure and
1186 agency. No elected official of a municipality or district shall be a
1187 member of an agency designated or established under this subsection.

1188 (b) The procedure established under subsection (a) of this section
1189 shall:

1190 (1) Provide that any such allegations of unethical conduct,
1191 corrupting influence or illegal activities and any investigation of, and
1192 deliberations on, such allegations, before a finding of probable cause,
1193 shall be confidential, except upon the request of the respondent. If the
1194 agency makes a finding of no probable cause, the allegations and the
1195 record of the investigation and deliberations shall remain confidential,
1196 except upon the request of the respondent; and

1197 (2) Provide that if any allegation of unethical conduct, corrupting

1198 influence or illegal activity is made with the knowledge that it is
1199 without foundation in fact, the respondent shall have a cause of action
1200 against the complainant for double the amount of damage caused by
1201 the allegation. If the respondent prevails in such action, the court may
1202 award the respondent the costs of such action and reasonable
1203 attorneys' fees.

1204 Sec. 24. (NEW) (*Effective July 1, 2005*) (a) Not later than July 1, 2006,
1205 and annually thereafter, (1) the chief elected official of each
1206 municipality or district, and (2) each member of (A) the legislative
1207 body of a municipality or district, (B) each land use agency, and (C)
1208 each other municipal or district body or agency that has policymaking
1209 or administrative authority over a budget exceeding five hundred
1210 thousand dollars of expenditures during a fiscal year shall file a
1211 statement with the town clerk of such municipality or the clerk of such
1212 district, as the case may be. Such statement shall include (i) the
1213 official's or member's name, residential address and municipal or
1214 district position, (ii) the name, and a description of, the official's or
1215 member's employer, or, if the official or member is self-employed, a
1216 statement to that effect and a description of the official's or member's
1217 business, (iii) the official's or member's occupation, and (iv) an
1218 affirmation that the official or member will abstain from taking official
1219 action on any matter in which the official or member has a conflict of
1220 interest. The statement shall be signed by the official or member and
1221 filed under penalty of false statement.

1222 (b) In addition to the disclosure required under subsection (a) of this
1223 section, not later than July 1, 2006, each municipality and district that
1224 does not require public officials and public employees to disclose their
1225 financial interests shall establish a policy for such disclosure. Such
1226 policy shall list the offices or positions for which such disclosure shall
1227 be required and shall set forth the scope and manner of such
1228 disclosure.

1229 Sec. 25. (NEW) (*Effective July 1, 2005*) (a) An agency established
1230 under section 7-148h of the general statutes or an agency designated or

1231 established under section 23 of this act may, upon determining that
1232 there has been a violation of any provision of the code of ethical
1233 conduct for the municipality or district served by the agency, censure
1234 the violator or order the violator to do any or all of the following: (1)
1235 Cease and desist the violation of such provision; (2) file any report,
1236 statement or other information as required by such provision; and (3)
1237 pay a civil penalty of not more than two thousand dollars to the
1238 municipality or district for such violation. The agency may also report
1239 its determination to the Chief State's Attorney for any action deemed
1240 necessary.

1241 (b) A person who is aggrieved by, or disagrees with, (1) a final
1242 determination of any such agency concerning an allegation of
1243 unethical conduct, corrupting influence or illegal activities, (2) the
1244 failure of such agency to make a final determination within ninety
1245 days after any such allegation is made to the agency, or (3) the failure
1246 of a municipality or district to designate or establish an agency under
1247 section 23 of this act by July 1, 2006, may appeal to the State Ethics
1248 Commission. The commission shall adopt regulations, in accordance
1249 with the provisions of chapter 54 of the general statutes, setting forth
1250 procedures for such appeals.

1251 (c) In deciding any such appeal, the State Ethics Commission shall
1252 affirm the determination of the agency unless the commission finds
1253 that any agency finding, inference, conclusion or decision, or the
1254 municipality's or district's code of ethical conduct, is: (1) In violation of
1255 constitutional or statutory provisions or the provisions of a code of
1256 ethical conduct adopted under section 19 of this act or subdivision (10)
1257 of subsection (b) of section 7-148 of the general statutes; (2) in excess of
1258 the statutory authority of the agency; (3) made upon unlawful
1259 procedure; (4) affected by other error of law; (5) clearly erroneous in
1260 view of the reliable, probative, and substantial evidence on the whole
1261 record; (6) inadequate to the purpose of a code of ethical conduct; (7) in
1262 excess of the purpose of a code of ethical conduct; or (8) arbitrary or
1263 capricious or characterized by abuse of discretion or clearly
1264 unwarranted exercise of discretion. If the commission makes such a

1265 finding concerning an agency determination or finds that the agency
1266 has failed to make a final determination within ninety days after an
1267 allegation is made to the agency or that the municipality or district has
1268 failed to designate or establish an agency under section 23 of this act
1269 by July 1, 2006, the commission shall sustain the appeal and, if
1270 appropriate, may render a judgment modifying the agency
1271 determination, substitute its own determination or remand the matter
1272 for further proceedings.

1273 (d) Any person aggrieved by a final decision of the State Ethics
1274 Commission under subsection (c) of this section may appeal such
1275 decision in accordance with the provisions of section 4-183 of the
1276 general statutes.

1277 Sec. 26. (*Effective July 1, 2005*) (a) Not later than July 15, 2006, each
1278 municipality and district shall submit a report to the State Ethics
1279 Commission stating whether the municipality or district has complied
1280 with each of the applicable requirements of sections 19 to 24, inclusive,
1281 of this act.

1282 (b) Not later than September 1, 2006, the State Ethics Commission
1283 shall submit a report to the joint standing committee of the General
1284 Assembly having cognizance of matters relating to ethics. Said report
1285 shall (1) indicate the status of the compliance of each municipality and
1286 district with the applicable requirements of sections 19 to 24, inclusive,
1287 of this act, and (2) if any municipality or district has not complied with
1288 any such requirement, make recommendations for securing such
1289 compliance, including, but not limited to, proposed legislation.

1290 Sec. 27. (NEW) (*Effective July 1, 2005*) (a) The legislative body of each
1291 municipality or district shall have the authority to determine if a code
1292 of ethical conduct adopted by the municipality or district complies
1293 with the provisions of sections 19 to 22, inclusive, of this act.

1294 (b) In the case of a municipality or district in which the legislative
1295 body is a town meeting, the board of selectmen shall perform all of the
1296 duties and have all of the authority and responsibilities required of, or

1297 granted to, such legislative body under sections 19 to 26, inclusive, of
1298 this act for the purposes of sections 19 to 26, inclusive, of this act.

1299 Sec. 28. (NEW) (*Effective July 1, 2005*) The State Ethics Commission
1300 shall conduct training on ethical issues affecting public officials and
1301 public employees of municipalities and districts.

1302 Sec. 29. (NEW) (*Effective January 1, 2006*) As used in sections 29 to 44,
1303 inclusive, of this act, unless the context otherwise requires:

1304 (1) "Administrative action" means any action or nonaction of any
1305 agency of a municipality with respect to the proposal, drafting,
1306 development, consideration, amendment, adoption or repeal of any
1307 rule, regulation, ordinance, referendum, budget or utility rate, and any
1308 action or nonaction of any agency, regarding a contract, grant, award,
1309 purchasing agreement, loan, bond, certificate, license, permit or any
1310 other matter which is within the official jurisdiction or cognizance of
1311 such an agency.

1312 (2) "Business organization" means a sole proprietorship,
1313 corporation, limited liability company, association, firm or partnership,
1314 other than a client lobbyist, which is owned by, or employs one or
1315 more individual lobbyists.

1316 (3) "Candidate for municipal office" means any person who has filed
1317 a declaration of candidacy or a petition to appear on the ballot for
1318 election as a municipal official, or who has raised or expended money
1319 in furtherance of such candidacy, or who has been nominated for
1320 appointment to serve as a municipal official.

1321 (4) "Client lobbyist" means a lobbyist on behalf of whom lobbying
1322 takes place and who makes expenditures for lobbying and in
1323 furtherance of lobbying.

1324 (5) "Commission" means the State Ethics Commission established
1325 under section 1-80 of the general statutes.

1326 (6) "Communicator lobbyist" means a lobbyist who communicates

1327 directly or solicits others to communicate with an official or such
1328 official's staff in a municipality for the purpose of influencing
1329 legislative or administrative action.

1330 (7) "Compensation" means any value received or to be received by a
1331 person acting as a lobbyist, whether in the form of a fee, salary or
1332 forbearance.

1333 (8) "Expenditure" means any advance, conveyance, deposit,
1334 distribution, transfer of funds, loan, payment, unless expressly
1335 excluded; any payments for telephone, mailing, postage, printing and
1336 other clerical or office services and materials; any paid
1337 communications, costing fifty dollars or more in any calendar year,
1338 disseminated by means of any printing, broadcasting or other
1339 medium, provided such communications refer to pending
1340 administrative or legislative action; any contract, agreement, promise
1341 or other obligation; any solicitation or solicitations, costing fifty dollars
1342 or more in the aggregate for any calendar year, of other persons to
1343 communicate with a municipal official or municipal employee for the
1344 purpose of influencing any legislative or administrative act and any
1345 pledge, subscription of money or anything of value. "Expenditure"
1346 shall not include the payment of a registrant's fee pursuant to section
1347 34 of this act, any expenditure made by any club, committee,
1348 partnership, organization, business, union, association or corporation
1349 for the purpose of publishing a newsletter or other release to its
1350 members, shareholders or employees, or contributions, membership
1351 dues or other fees paid to associations, nonstock corporations or tax-
1352 exempt organizations under Section 501(c) of the Internal Revenue
1353 Code of 1986, or any subsequent corresponding internal revenue code
1354 of the United States, as from time to time amended.

1355 (9) "Gift" means anything of value, which is directly and personally
1356 received, unless consideration of equal or greater value is given in
1357 return. "Gift" shall not include:

1358 (A) A political contribution otherwise reported as required by law

1359 or a donation or payment described in subdivision (9) or (10) of
1360 subsection (b) of section 9-333b of the general statutes;

1361 (B) Services provided by persons volunteering their time;

1362 (C) A commercially reasonable loan made on terms not more
1363 favorable than loans made in the ordinary course of business;

1364 (D) A gift received from (i) the individual's spouse, fiance or fiancee,
1365 (ii) the parent, brother or sister of such spouse or such individual, or
1366 (iii) the child of such individual or the spouse of such child;

1367 (E) Goods or services (i) which are provided to a municipality (I) for
1368 use on municipal property, or (II) to support an event or the
1369 participation by a municipal official or municipal employee at an
1370 event, and (ii) which facilitate municipal action or functions. As used
1371 in this subdivision, "municipal property" means property owned or
1372 leased by the municipality;

1373 (F) A certificate, plaque or other ceremonial award costing less than
1374 one hundred dollars;

1375 (G) A rebate, discount or promotional item available to the general
1376 public;

1377 (H) Printed or recorded informational material germane to
1378 municipal action or functions;

1379 (I) Food or beverage or both, costing less than fifty dollars in the
1380 aggregate per recipient in a calendar year, and consumed on an
1381 occasion or occasions at which the person paying, directly or
1382 indirectly, for the food or beverage, or the person's representative, is in
1383 attendance;

1384 (J) Gifts costing less than one hundred dollars in the aggregate or
1385 food or beverage provided at a hospitality suite at a meeting or
1386 conference of an interstate municipal association, by a person who is
1387 not a registrant or is not doing business with the state of Connecticut;

1388 (K) Admission to a charitable or civic event, including food and
1389 beverage provided at such event, but excluding lodging or travel
1390 expenses, at which a municipal official or municipal employee
1391 participates in such official's or employee's official capacity, provided
1392 such admission is provided by the primary sponsoring entity;

1393 (L) Anything of value provided by an employer of (i) a municipal
1394 official, (ii) a municipal employee, or (iii) a spouse of a municipal
1395 official or municipal employee, to such official, employee or spouse,
1396 provided such benefits are customarily and ordinarily provided to
1397 others in similar circumstances; or

1398 (M) Anything having a value of not more than ten dollars, provided
1399 the aggregate value of all things provided by a donor to a recipient
1400 under this subdivision in any calendar year shall not exceed fifty
1401 dollars.

1402 (10) "Immediate family" means any spouse, dependent children or
1403 dependent relatives who reside in the individual's household.

1404 (11) "Individual" means a natural person.

1405 (12) "Legislative action" means introduction, sponsorship,
1406 consideration, debate, amendment, passage, defeat, approval, veto,
1407 overriding of a veto or any other official action or nonaction with
1408 regard to any rule, regulation, ordinance, referendum, budget,
1409 measure, resolution, amendment, nomination, appointment, report, or
1410 any other matter pending or proposed in a legislative body of a
1411 municipality, or any matter which is within the official jurisdiction or
1412 cognizance of such legislative body.

1413 (13) "Lobbying" means communicating directly or soliciting others
1414 to communicate with any official or such official's staff in a
1415 municipality, for the purpose of influencing any legislative or
1416 administrative action except that the term "lobbying" does not include
1417 (A) communications by or on behalf of a party to, or an intervenor in, a
1418 contested case, as defined in regulations adopted by the commission in

1419 accordance with the provisions of chapter 54 of the general statutes,
1420 before a municipality, (B) communications by a representative of a
1421 vendor or by an employee of the client lobbyist which representative
1422 or employee acts as a salesperson and does not otherwise engage in
1423 lobbying regarding any administrative action, (C) communications by
1424 an attorney made while engaging in the practice of law and regarding
1425 any matter other than legislative action or the proposal, drafting,
1426 development, consideration, amendment, adoption or repeal of any
1427 rule, regulation, ordinance, referendum or budget, (D)
1428 notwithstanding the provisions of subparagraph (C) of this
1429 subdivision, communications by an attorney, made while engaging in
1430 the practice of law, with any official or staff of any agency of the
1431 municipality having responsibility for land use decisions or the
1432 legislative body of the municipality, concerning legislative action or
1433 the proposal, drafting, development, consideration, amendment,
1434 adoption or repeal of any rule, regulation, ordinance, referendum or
1435 budget, with regard to a land use matter before such agency or
1436 legislative body, or (E) other communications exempted by regulations
1437 adopted by the commission in accordance with the provisions of
1438 chapter 54 of the general statutes.

1439 (14) "Lobbyist" means a person who in lobbying and in furtherance
1440 of lobbying, with regard to a single municipality, makes or agrees to
1441 make expenditures, or receives or agrees to receive compensation,
1442 reimbursement, or both, and such compensation, reimbursement or
1443 expenditures for a single municipality are two thousand dollars or
1444 more in any calendar year or the combined amount thereof for a single
1445 municipality is two thousand dollars or more in any such calendar
1446 year. Lobbyist shall not include:

1447 (A) A municipal official or municipal employee, or such official's or
1448 employee's designee other than an independent contractor, who is
1449 acting within the scope of such official's, employee's or designee's
1450 authority or employment;

1451 (B) An attorney, including, but not limited to, bond counsel or a

1452 municipal attorney, who is retained and compensated by a
1453 municipality to provide legal services to the municipality, or a
1454 financial advisor retained and compensated by a municipality to
1455 provide financial advisory services to the municipality, provided the
1456 exemption under this subparagraph applies only to any such services
1457 provided to the municipality;

1458 (C) An attorney who, in lobbying and in furtherance of lobbying,
1459 with regard to a single municipality, makes or agrees to make
1460 expenditures, or receives or agrees to receive compensation,
1461 reimbursement, or both, which is less than two thousand dollars, with
1462 regard to each administrative or legislative action for each client;

1463 (D) A publisher, owner or an employee of the press, radio or
1464 television while disseminating news or editorial comment to the
1465 general public in the ordinary course of business;

1466 (E) An individual representing such individual or another person
1467 before the municipality other than for the purpose of influencing
1468 legislative or administrative action;

1469 (F) Any individual or employee who receives no compensation or
1470 reimbursement specifically for lobbying and who limits such
1471 individual's or employee's activities solely to formal appearances to
1472 give testimony before public sessions of the legislative body of a
1473 municipality and who, if such individual or employee testifies,
1474 registers such individual's or employee's appearance in the records of
1475 the legislative body;

1476 (G) A member of an advisory board acting within the scope of such
1477 member's appointment;

1478 (H) Any person who receives no compensation or reimbursement
1479 specifically for lobbying and who spends no more than five hours
1480 lobbying or in furtherance of lobbying, unless such person, exclusive
1481 of salary, receives compensation or makes expenditures, or both, of
1482 two thousand dollars or more in any calendar year for lobbying or the

1483 combined amount thereof is two thousand dollars or more in any such
1484 calendar year;

1485 (I) A communicator lobbyist who receives or agrees to receive
1486 compensation, reimbursement, or both, the aggregate amount of which
1487 is less than two thousand dollars from each client in any calendar year;

1488 (J) A public official or state employee, as defined in section 1-79 of
1489 the general statutes, as amended by this act, other than an independent
1490 contractor, who is acting within the scope of his or her authority or
1491 employment; or

1492 (K) A senator or representative in Congress acting within the scope
1493 of such senator's or representative's office.

1494 (15) "Member of an advisory board" means any person appointed by
1495 a municipal official as an advisor or consultant or member of a
1496 committee, commission or council established to advise, recommend
1497 or consult with a municipal official or a branch of municipal
1498 government or a committee thereof and who receives no public funds
1499 other than per diem payments or reimbursement for such person's
1500 actual and necessary expenses incurred in the performance of such
1501 person's official duties and who has no authority to expend any public
1502 funds or to exercise the power of a municipality.

1503 (16) "Municipal official" means any elected municipal officer or any
1504 person appointed to any office of a municipality.

1505 (17) "Municipal employee" means any employee of a municipality,
1506 whether in the classified or unclassified service and whether full or
1507 part-time.

1508 (18) "Municipality" means any city, town, borough, municipal
1509 corporation, municipal authority, school district, regional district,
1510 metropolitan district or other district.

1511 (19) "Person" means an individual, a business, corporation, limited
1512 liability company, union, association, firm, partnership, committee,

1513 club or other organization or group of persons.

1514 (20) "Political contribution" has the same meaning as in section 9-
1515 333b of the general statutes except that for purposes of sections 29 to
1516 44, inclusive, of this act, the provisions of subsection (b) of section 9-
1517 333b of the general statutes shall not apply.

1518 (21) "Registrant" means a person who is required to register
1519 pursuant to section 33 of this act.

1520 (22) "Reimbursement" means any money or thing of value received
1521 or to be received in the form of payment for expenses as a lobbyist, not
1522 including compensation.

1523 Sec. 30. (NEW) (*Effective January 1, 2006*) The State Ethics
1524 Commission shall:

1525 (1) Adopt regulations in accordance with chapter 54 of the general
1526 statutes to carry out the purposes of sections 29 to 44, inclusive, of this
1527 act. The commission shall adopt regulations which further clarify the
1528 meaning of the term "directly and personally received", as used in
1529 section 29 of this act;

1530 (2) Compile and maintain an index of all reports and statements
1531 filed with the commission under the provisions of sections 29 to 44,
1532 inclusive, of this act and advisory opinions issued by the commission
1533 with regard to the requirements of said sections, to facilitate public
1534 access to such reports, statements and advisory opinions promptly
1535 upon the filing or issuance thereof;

1536 (3) Prepare quarterly and annual summaries of statements and
1537 reports filed with the commission and advisory opinions issued by the
1538 commission;

1539 (4) Preserve advisory opinions permanently and preserve
1540 memoranda filed under subsection (b) of section 31 of this act,
1541 statements and reports filed by and with the commission for a period
1542 of five years from the date of receipt;

1543 (5) Upon the concurring vote of the number of its members required
1544 under subdivision (3) of section 1-81 of the general statutes, issue
1545 advisory opinions with regard to the requirements of this part, upon
1546 the request of any person, subject to the provisions of sections 29 to 44,
1547 inclusive, of this act, and publish such advisory opinions in the
1548 Connecticut Law Journal. Advisory opinions rendered by the
1549 commission, until amended or revoked, shall be binding on the
1550 commission and shall be deemed to be final decisions of the
1551 commission for purposes of section 42 of this act. Any advisory
1552 opinion concerning any person subject to the provisions of sections 29
1553 to 44, inclusive, of this act who requested the opinion and who acted in
1554 reliance thereon, in good faith, shall be binding upon the commission,
1555 and it shall be an absolute defense in any criminal action brought
1556 under the provisions of said sections that the accused acted in reliance
1557 upon such advisory opinion;

1558 (6) Report annually, prior to February fifteenth, to the Governor
1559 summarizing the activities of the commission concerning sections 29 to
1560 44, inclusive, of this act; and

1561 (7) Employ necessary staff within available appropriations to carry
1562 out the purposes of sections 29 to 44, inclusive, of this act.

1563 Sec. 31. (NEW) (*Effective January 1, 2006*) (a) (1) Upon the complaint
1564 of any person on a form prescribed by the State Ethics Commission,
1565 signed under penalty of false statement, or upon its own complaint,
1566 the commission shall investigate any alleged violation of sections 29 to
1567 44, inclusive, of this act. Not later than five days after the receipt or
1568 issuance of such complaint, the commission shall provide notice of
1569 such receipt or issuance and a copy of the complaint by registered or
1570 certified mail to any respondent against whom such complaint is filed
1571 and shall provide notice of the receipt of such complaint to the
1572 complainant. When the commission undertakes an evaluation of a
1573 possible violation of sections 29 to 44, inclusive, of this act prior to the
1574 filing of a complaint by the commission, the subject of the evaluation
1575 shall be notified within five business days after a commission staff

1576 member's first contact with a third party concerning the matter.

1577 (2) In the conduct of its investigation of an alleged violation of
1578 sections 29 to 44, inclusive, of this act, the commission shall have the
1579 power to hold hearings, administer oaths, examine witnesses, receive
1580 oral and documentary evidence, subpoena witnesses under procedural
1581 rules adopted by the commission as regulations in accordance with the
1582 provisions of chapter 54 of the general statutes to compel attendance
1583 before the commission and to require the production for examination
1584 by the commission of any document or physical evidence that the
1585 commission deems relevant in any matter under investigation or in
1586 question. In the exercise of such powers, the commission may use the
1587 services of the state police, who shall provide the same upon the
1588 commission's request. The commission shall make a record of all
1589 proceedings conducted pursuant to this subsection. Any witness
1590 summoned before the commission shall receive the witness fee paid to
1591 witnesses in the courts of this state. The respondent shall have the
1592 right to appear and be heard and to offer any information which may
1593 tend to clear the respondent of probable cause to believe that the
1594 respondent has violated any provision of sections 29 to 44, inclusive, of
1595 this act. The respondent shall also have the right to be represented by
1596 legal counsel and to examine and cross-examine witnesses. Not later
1597 than ten days prior to the commencement of any hearing conducted
1598 pursuant to this subsection, the commission shall provide the
1599 respondent with a list of its intended witnesses. The commission shall
1600 make no finding that there is probable cause to believe the respondent
1601 is in violation of sections 29 to 44, inclusive, of this act, except upon the
1602 concurring vote of the number of its members required under
1603 subdivision (2) of subsection (a) of section 1-82 of the general statutes.

1604 (b) If a preliminary investigation indicates that probable cause exists
1605 for the violation of a provision of sections 29 to 44, inclusive, of this act,
1606 the commission shall initiate hearings to determine whether there has
1607 been a violation of said sections. A judge trial referee, who shall be
1608 assigned by the Chief Court Administrator and who shall be
1609 compensated in accordance with section 52-434 of the general statutes

1610 out of funds available to the commission, shall preside over such
1611 hearing and shall rule on all matters concerning the application of the
1612 rules of evidence, which shall be the same as in judicial proceedings.
1613 The trial referee shall have no vote in any decision of the commission.
1614 All hearings of the commission held pursuant to this subsection shall
1615 be open. At such hearing the commission shall have the same powers
1616 as under subsection (a) of this section and the respondent shall have
1617 the right to be represented by legal counsel, the right to compel
1618 attendance of witnesses and the production of books, documents,
1619 records and papers and to examine and cross-examine witnesses. Not
1620 later than ten days prior to the commencement of any hearing
1621 conducted pursuant to this subsection, the commission shall provide
1622 the respondent with a list of its intended witnesses. The judge trial
1623 referee shall, while engaged in the discharge of the judge trial referee's
1624 duties as provided in this subsection, have the same authority as is
1625 provided in section 51-35 of the general statutes over witnesses who
1626 refuse to obey a subpoena or to testify with respect to any matter upon
1627 which such witness may be lawfully interrogated, and may commit
1628 any such witness for contempt for a period no longer than thirty days.
1629 The commission shall make a record of all proceedings pursuant to
1630 this subsection. The commission shall find no person in violation of
1631 any provision of sections 29 to 44, inclusive, of this act except upon the
1632 concurring vote of the number of its members required under
1633 subsection (b) of section 1-82 of the general statutes. Not later than
1634 fifteen days after the public hearing conducted in accordance with this
1635 subsection, the commission shall publish its finding and a
1636 memorandum of the reasons for such finding. Such finding and
1637 memorandum shall be deemed to be the final decision of the
1638 commission on the matter for the purposes of chapter 54 of the general
1639 statutes. The respondent, if aggrieved by the finding and
1640 memorandum, may appeal therefrom to the Superior Court in
1641 accordance with the provisions of section 4-183 of the general statutes.

1642 (c) If any complaint brought under the provisions of sections 29 to
1643 44, inclusive, of this act is made with the knowledge that it is made

1644 without foundation in fact, the respondent shall have a cause of action
1645 against the complainant for double the amount of damage caused
1646 thereby and if the respondent prevails in such action, the respondent
1647 may be awarded by the court the costs of such action together with
1648 reasonable attorneys' fees.

1649 (d) No complaint may be made under this section except within
1650 three years next after the violation alleged in the complaint has been
1651 committed.

1652 (e) No person shall take or threaten to take official action against an
1653 individual for such individual's disclosure of information to the
1654 commission under the provisions of sections 29 to 44, inclusive, of this
1655 act. After receipt of information from an individual under the
1656 provisions of sections 29 to 44, inclusive, of this act, the commission
1657 shall not disclose the identity of such individual without the
1658 individual's consent unless the commission determines that such
1659 disclosure is unavoidable during the course of an investigation.

1660 Sec. 32. (NEW) (*Effective January 1, 2006*) (a) Unless the State Ethics
1661 Commission makes a finding of probable cause, a complaint alleging a
1662 violation of sections 29 to 44, inclusive, of this act shall be confidential
1663 except upon the request of the respondent. A commission evaluation
1664 of a possible violation of said sections undertaken prior to a complaint
1665 being filed by the commission shall be confidential except upon the
1666 request of the subject of the evaluation. If the evaluation is
1667 confidential, no information supplied to or received from the
1668 commission shall be disclosed to any third party by a subject of the
1669 evaluation, a person contacted for the purpose of obtaining
1670 information or by a commission or staff member. No provision of this
1671 subsection shall prevent the commission from reporting the possible
1672 commission of a crime to the Chief State's Attorney or other
1673 prosecutorial authority.

1674 (b) An investigation conducted prior to a probable cause finding
1675 shall be confidential except upon the request of the respondent. If the

1676 investigation is confidential, the allegations in the complaint and any
1677 information supplied to or received from the commission shall not be
1678 disclosed during the investigation to any third party by a complainant,
1679 respondent, witness, designated party, or commission or staff member.

1680 (c) Not later than three business days after the termination of the
1681 investigation, the commission shall inform the complainant and the
1682 respondent of its finding and provide them a summary of its reasons
1683 for making that finding. The commission shall publish its finding upon
1684 the respondent's request and may also publish a summary of its
1685 reasons for making such finding.

1686 (d) If the commission makes a finding of no probable cause, the
1687 complaint and the record of its investigation shall remain confidential,
1688 except upon the request of the respondent and except that some or all
1689 of the record may be used in subsequent proceedings. No complainant,
1690 respondent, witness, designated party, or commission or staff member
1691 shall disclose to any third party any information learned from the
1692 investigation, including knowledge of the existence of a complaint,
1693 which the disclosing party would not otherwise have known. If such a
1694 disclosure is made, the commission may, after consultation with the
1695 respondent if the respondent is not the source of the disclosure,
1696 publish its finding and a summary of its reasons therefor.

1697 (e) The commission shall make public a finding of probable cause
1698 not later than five business days after the termination of the
1699 investigation. At such time the entire record of the investigation shall
1700 become public, except that the commission may postpone examination
1701 or release of such public records for a period not to exceed fourteen
1702 days for the purpose of reaching a stipulation agreement pursuant to
1703 subsection (c) of section 4-177 of the general statutes.

1704 Sec. 33. (NEW) (*Effective January 1, 2006*) (a) A lobbyist shall register
1705 with the State Ethics Commission pursuant to section 34 of this act for
1706 lobbying a municipality if the lobbyist:

1707 (1) Receives or agrees to receive compensation or reimbursement for

1708 actual expenses, or both, in a combined amount of two thousand
1709 dollars or more in a calendar year for lobbying said municipality,
1710 whether that receipt of compensation or reimbursement or agreement
1711 to receive such compensation or reimbursement is solely for lobbying
1712 or the lobbying is incidental to that person's regular employment; or

1713 (2) Makes or incurs an obligation to make expenditures of two
1714 thousand dollars or more in a calendar year for lobbying said
1715 municipality.

1716 (b) A lobbyist shall register separately with the commission for each
1717 municipality for which the lobbyist meets the threshold requirement
1718 for registering under subsection (a) of this section.

1719 (c) A person who is a lobbyist pursuant to part II of chapter 10 of the
1720 general statutes and is required to register with the commission
1721 pursuant to section 1-94 of the general statutes shall register separately
1722 with the commission for each municipality for which the lobbyist
1723 meets the threshold requirement for registering under subsection (a) of
1724 this section.

1725 Sec. 34. (NEW) (*Effective January 1, 2006*) (a) Each registrant shall file
1726 annually with the State Ethics Commission on a separate registration
1727 form for each municipality for which the registrant meets the threshold
1728 requirement for registering under subsection (a) of section 33 of this
1729 act, except that a registrant representing a regional or state-wide trade
1730 association or similar entity, which lobbies in more than one
1731 municipality, shall be required to file only one registration on behalf of
1732 such association or entity per registration period and such association
1733 or entity shall also be required to file only one registration per
1734 registration period. The registrant shall sign each such form under
1735 penalty of false statement and file such forms with the commission on
1736 or before January fifteenth or prior to the commencement of lobbying,
1737 whichever is later. If the registrant is not an individual, an authorized
1738 officer or agent of the registrant shall sign each form. Such registration
1739 or registrations shall be on a form prescribed by the commission and

1740 shall include:

1741 (1) If the registrant is an individual, the registrant's name,
1742 permanent address and temporary address while lobbying and the
1743 name, address and nature of business of any person who compensates
1744 or reimburses, or agrees to compensate or reimburse the registrant and
1745 the terms of the compensation, reimbursement or agreement, but shall
1746 not include the compensation paid to an employee for the employee's
1747 involvement in activities other than lobbying;

1748 (2) If the registrant is a corporation, the name, address, place of
1749 incorporation and the principal place of business of the corporation;

1750 (3) If the registrant is an association, group of persons or an
1751 organization, the name and address of the principal officers and
1752 directors of such association, group of persons or organization. If the
1753 registrant is formed primarily for the purpose of lobbying, it shall
1754 disclose the name and address of any person contributing two
1755 thousand dollars or more to the registrant's lobbying activities in any
1756 calendar year;

1757 (4) If the registrant is not an individual, the name and address of
1758 each individual who will lobby on the registrant's behalf; and

1759 (5) The name of the municipality that the registrant is lobbying and
1760 the identification, with reasonable particularity, of areas of legislative
1761 action or administrative action on which the registrant expects to
1762 lobby.

1763 (b) Each registrant shall pay to the commission a reasonable fee not
1764 in excess of the cost of administering each registration form filed by
1765 the registrant under subsection (a) of this section in a calendar year,
1766 plus the cost of collecting, filing, copying and distributing the
1767 information filed by registrants under section 35 of this act, but not less
1768 than one hundred dollars. The commission shall remit twenty-five per
1769 cent of such fee to the municipality that the registrant is lobbying to
1770 defray the costs to the municipality of collecting and filing copies of

1771 registration forms and annual reports transmitted by the commission
1772 to the municipality under this section and section 35 of this act.

1773 (c) The commission shall promptly transmit a copy of each
1774 registration form received under this section to the municipality that
1775 the registrant is lobbying.

1776 (d) Each registrant shall file a notice of termination within thirty
1777 days after the registrant ceases the activity that required registration,
1778 provided the registrant does not intend to resume the activity during
1779 the annual period for which the registrant is registered. The
1780 termination of a registration shall not relieve the registrant of the
1781 reporting requirements of section 35 of this act for the period
1782 preceding the date that the registrant's notice of termination is received
1783 by the commission or for the period commencing on such date and
1784 ending on December thirty-first of the year in which termination
1785 occurs.

1786 Sec. 35. (NEW) (*Effective January 1, 2006*) (a) Each client lobbyist
1787 registrant shall file with the State Ethics Commission between the first
1788 and tenth day of April, July, October and January a financial report,
1789 signed under penalty of false statement. Each report shall cover its
1790 lobbying activities during the previous calendar quarter. If the client
1791 lobbyist registrant is not an individual, an authorized officer or agent
1792 of the client lobbyist registrant shall sign the form.

1793 (b) Each individual communicator lobbyist registrant and each
1794 business organization communicator lobbyist registrant shall file with
1795 the commission between the first and tenth day of January a report or
1796 reports, signed under penalty of false statement, reporting the
1797 amounts of compensation and reimbursement received from each of
1798 the registrant's clients during the previous year. In addition, each
1799 individual communicator lobbyist registrant and each business
1800 organization communicator lobbyist registrant shall: (1) Report the
1801 fundamental terms of contracts, agreements or promises to pay or
1802 receive compensation or reimbursement or to make expenditures in

1803 furtherance of lobbying, including the categories of work to be
1804 performed and the dollar value or compensation rate of the contract, at
1805 the time of registration; (2) report, in accordance with the schedule set
1806 forth in subsection (a) of this section, any amendments to these
1807 fundamental terms, including any agreements to subcontract lobbying
1808 work; and (3) report, in accordance with the schedule set forth in
1809 subsection (a) of this section, any expenditures for the benefit of a
1810 municipal official or a member of the staff or immediate family of the
1811 municipal official that are unreimbursed and required to be itemized.
1812 All such information shall be reported under penalty of false
1813 statement. The commission shall promptly transmit a copy of the
1814 report to each municipality that the registrant is lobbying.

1815 (c) An individual communicator lobbyist registrant shall file a
1816 separate report for each person from whom the registrant received
1817 compensation or reimbursement. Notwithstanding any provision of
1818 this subsection to the contrary, a business organization to which one or
1819 more individual communicator lobbyist registrants belongs may file a
1820 single report for each client lobbyist in lieu of any separate reports that
1821 individual registrants are required to file pursuant to this subsection.

1822 (d) Each registrant who files a notice of termination under
1823 subsection (c) of section 34 of this act shall file with the commission a
1824 financial report, under penalty of false statement, between the first and
1825 tenth day of January of the year following termination.

1826 (e) Each client lobbyist registrant financial report shall be on a form
1827 prescribed by the commission and shall state expenditures made and
1828 the fundamental terms of contracts, agreements or promises to pay
1829 compensation or reimbursement or to make expenditures in
1830 furtherance of lobbying. Any such fundamental terms shall be
1831 reported once in the quarterly or post-termination report next
1832 following the entering into of such contract. Such financial report shall
1833 include an itemized statement of each expenditure of ten dollars or
1834 more per person for each occasion made by the reporting registrant or
1835 a group of registrants that includes the reporting registrant for the

1836 benefit of a municipal official or a member of the municipal official's
1837 staff or immediate family, itemized by date, beneficiary, amount and
1838 circumstances of the transaction. The requirement of an itemized
1839 statement shall not apply to an expenditure made by a reporting
1840 registrant or a group of registrants which includes the reporting
1841 registrant for benefits personally and directly received by a municipal
1842 official or municipal employee at a charitable or civic event at which
1843 the municipal official or municipal employee participates in such
1844 official's or employee's official capacity, unless the expenditure is thirty
1845 dollars or more per person, per event. If the compensation is required
1846 to be reported for an individual whose lobbying is incidental to such
1847 individual's regular employment, it shall be sufficient to report a
1848 prorated amount based on the value of the time devoted to lobbying.
1849 On the first financial report following registration each client lobbyist
1850 registrant shall include any expenditures incident to lobbying activities
1851 that were received or expended prior to registration and not
1852 previously reported to the commission.

1853 (f) The commission shall, by regulations adopted in accordance with
1854 chapter 54 of the general statutes, establish minimum amounts for each
1855 item required to be reported, below which reporting may be made in
1856 the aggregate. The provisions of this subsection shall not apply to
1857 expenditures made for the benefit of a municipal official or a member
1858 of such person's staff or immediate family.

1859 (g) Each former registrant shall (1) report receipts or expenditures
1860 incident to lobbying activities during the former registrant's period of
1861 registration that are received or expended following termination of
1862 registration, and (2) report each expenditure of ten dollars or more per
1863 person for each occasion made by the former registrant for the benefit
1864 of a municipal official or a member of such official's immediate family
1865 or staff that occurs within six months after termination of registration.

1866 (h) The commission shall, within thirty days after receipt of a
1867 financial report that contains the name of a municipal official or a
1868 member of such official's staff or immediate family, send a written

1869 notice to such official, of the filing of the report and the name of the
1870 person who filed it.

1871 Sec. 36. (NEW) (*Effective January 1, 2006*) (a) Each registrant shall
1872 obtain and preserve all accounts, bills, receipts and other documents
1873 necessary to substantiate the financial reports required by section 35 of
1874 this act for a period of three years from the date of the filing of the
1875 report referring to such financial matters, provided this section shall
1876 apply to each expenditure for the benefit of a municipal official of ten
1877 dollars or more and all other expenditures of fifty dollars or more.

1878 (b) The State Ethics Commission may require, on a random basis,
1879 any registrant to make all such documents substantiating financial
1880 reports concerning lobbying activities available for inspection and
1881 copying by the commission for the purpose of verifying such financial
1882 reports, provided no registrant shall be subject to such requirement
1883 more than one time during any three consecutive years. The
1884 commission shall select registrants to be audited by lot in a ceremony
1885 which shall be open to the public. Nothing in this subsection shall
1886 require a registrant to make any documents concerning nonlobbying
1887 activities available to the commission for inspection and copying.

1888 Sec. 37. (NEW) (*Effective January 1, 2006*) Each registrant required to
1889 file any financial reports under section 35 of this act shall do so in
1890 electronic form using the electronic filing program developed by the
1891 State Ethics Commission.

1892 Sec. 38. (NEW) (*Effective January 1, 2006*) The State Ethics
1893 Commission shall make all computerized data from financial reports
1894 required by section 35 of this act available to the public through (1) a
1895 computer terminal in the office of the commission, and (2) the Internet
1896 or any other generally available on-line computer network.

1897 Sec. 39. (NEW) (*Effective January 1, 2006*) Each registrant who pays
1898 or reimburses a municipal official or municipal employee ten dollars
1899 or more for necessary expenses shall, within thirty days, file a
1900 statement with the commission indicating the name of such individual

1901 and the amount of the expenses. As used in this section, "necessary
1902 expenses" means a municipal official's or municipal employee's
1903 expenses for an article, appearance or speech or for participation at an
1904 event, in such official's or employee's official capacity, which shall be
1905 limited to necessary travel expenses, lodging for the nights before, of
1906 and after the appearance, speech or event, meals and any related
1907 conference or seminar registration fees.

1908 Sec. 40. (NEW) (*Effective January 1, 2006*) (a) No registrant or anyone
1909 acting on behalf of a registrant shall knowingly give a gift to any
1910 municipal official, municipal employee, candidate for municipal office
1911 or a member of any such person's staff or immediate family. Nothing
1912 in this section shall be construed to permit any activity prohibited
1913 under section 53a-147 or 53a-148 of the general statutes.

1914 (b) No person or business organization shall be employed to lobby
1915 for compensation which is contingent upon the outcome of any
1916 administrative or legislative action. No person shall employ a lobbyist
1917 or business organization for compensation that is contingent upon the
1918 outcome of any administrative or legislative action.

1919 (c) No lobbyist may: (1) Do anything with the purpose of placing
1920 any municipal official under personal obligation; (2) attempt to
1921 influence any legislative action or administrative action for the
1922 purpose of thereafter being employed to secure its defeat; (3) cause any
1923 communication to be sent to any municipal official in the name of any
1924 other individual except with the consent of such individual.

1925 (d) Any person who gives to a municipal official, municipal
1926 employee or candidate for municipal office, or a member of any such
1927 person's staff or immediate family anything of value which is subject
1928 to the reporting requirements pursuant to subsection (e) of section 35
1929 of this act shall, not later than ten days thereafter, give such recipient a
1930 written report stating the name of the donor, a description of the item
1931 or items given, the value of such items and the cumulative value of all
1932 items given to such recipient during that calendar year. The provisions

1933 of this subsection shall not apply to a political contribution otherwise
1934 reported as required by law.

1935 Sec. 41. (NEW) (*Effective January 1, 2006*) Any person aggrieved by
1936 any final decision of the State Ethics Commission, made pursuant to
1937 sections 29 to 44, inclusive, of this act, may appeal such decision in
1938 accordance with the provisions of section 4-175 or 4-183 of the general
1939 statutes.

1940 Sec. 42. (NEW) (*Effective January 1, 2006*) (a) The State Ethics
1941 Commission, upon a finding made pursuant to section 31 of this act
1942 that there has been a violation of any provision of sections 29 to 44,
1943 inclusive, of this act, shall have the authority to order the violator to do
1944 any or all of the following: (1) Cease and desist the violation of said
1945 sections; (2) file any report, statement or other information as required
1946 by said sections; or (3) pay a civil penalty of not more than two
1947 thousand dollars for each violation of said sections. The commission
1948 may prohibit any person who intentionally violates any provision of
1949 said sections from engaging in the profession of lobbyist for a period of
1950 not more than two years. In addition to such provisions, the
1951 commission may impose a civil penalty on any person who violates
1952 subsection (b) of section 40 of this act by receiving, agreeing to receive,
1953 paying, or agreeing to pay, compensation that is contingent upon the
1954 outcome of any administrative or legislative action or by terminating a
1955 lobbying contract as the result of the outcome of an administrative
1956 action or legislative action. The civil penalty shall not exceed the total
1957 amount of compensation that the person was required to pay or be
1958 paid under the contingent compensation agreement. No person may
1959 benefit from an agreement that violates subsection (b) of section 40 of
1960 this act.

1961 (b) Notwithstanding the provisions of subsection (a) of this section,
1962 the commission may, after a hearing conducted in accordance with
1963 sections 4-176e to 4-184, inclusive, of the general statutes upon the
1964 concurring vote of the number of its members required under
1965 subsection (b) of section 1-88 of the general statutes, impose a civil

1966 penalty not to exceed ten dollars per day upon any registrant who fails
1967 to file any report, statement or other information as required by
1968 sections 29 to 44, inclusive, of this act. Each distinct violation of this
1969 subsection shall be a separate offense and, in case of a continued
1970 violation, each day thereof shall be deemed a separate offense. In no
1971 event shall the aggregate penalty imposed for such failure to file
1972 exceed two thousand dollars.

1973 (c) The commission may also report its finding to the Chief State's
1974 Attorney for any action deemed necessary.

1975 Sec. 43. (NEW) (*Effective January 1, 2006*) Any person who
1976 intentionally violates any provision of sections 29 to 44, inclusive, of
1977 this act shall be imprisoned for a term not to exceed one year or shall
1978 be fined an amount not to exceed two thousand dollars, or both.

1979 Sec. 44. (NEW) (*Effective January 1, 2006*) Each individual who is a
1980 lobbyist shall, while engaged in lobbying, wear a distinguishing badge
1981 which shall identify the individual as a lobbyist. The size, color,
1982 material and other requirements of such badge shall be prescribed by
1983 regulation of the State Ethics Commission.

1984 Sec. 45. (NEW) (*Effective July 1, 2005*) (a) As used in this section:

1985 (1) "Land use agency" means any body (A) exercising zoning
1986 powers pursuant to chapter 124 of the general statutes or any special
1987 act or municipal charter, (B) exercising land use powers pursuant to
1988 chapter 125a of the general statutes or any special act or municipal
1989 charter, (C) exercising planning powers pursuant to chapter 126 of the
1990 general statutes or any special act or municipal charter, or (D)
1991 regulating inland wetlands and watercourses pursuant to chapter 440
1992 of the general statutes or any special act or municipal charter; and

1993 (2) "Meeting" has the same meaning as provided in section 1-200 of
1994 the general statutes.

1995 (b) Each land use agency shall electronically record each meeting of

1996 the agency.

1997 Sec. 46. Section 4-250 of the general statutes is repealed and the
1998 following is substituted in lieu thereof (*Effective July 1, 2005*):

1999 As used in sections 4-250 to 4-252, inclusive:

2000 (1) "Gift" has the same meaning as provided in section 1-79, [except
2001 that the exclusion in subdivision (12) of subsection (e) of said section 1-
2002 79 for a gift for the celebration of a major life event shall not apply] as
2003 amended by this act;

2004 (2) "Quasi-public agency", "public official" and "state employee"
2005 have the same meanings as provided in section 1-79, as amended by
2006 this act;

2007 (3) "State agency" means any office, department, board, council,
2008 commission, institution or other agency in the executive, legislative or
2009 judicial branch of state government;

2010 (4) "Large state contract" means an agreement or a combination or
2011 series of agreements between a state agency or a quasi-public agency
2012 and a person, firm or corporation, having a total cost to such state
2013 agency or quasi-public agency of more than five hundred thousand
2014 dollars in a calendar or fiscal year, for (A) a project for the
2015 construction, alteration or repair of any public building or public work,
2016 (B) services, including, but not limited to, consulting and professional
2017 services, (C) the procurement of supplies, materials or equipment, (D)
2018 a lease, or (E) a licensing arrangement. The term "large state contract"
2019 shall not include a contract between a state agency or a quasi-public
2020 agency and a political subdivision of the state;

2021 (5) "Principals and key personnel" means officers, directors,
2022 shareholders, members, partners and managerial employees; and

2023 (6) "Participated substantially" means participation that is direct,
2024 extensive and substantive, and not peripheral, clerical or ministerial.

2025 Sec. 47. Section 22a-268b of the general statutes is repealed. (*Effective*
2026 *July 1, 2005*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	1-79(e)
Sec. 2	<i>July 1, 2005</i>	1-79(k)
Sec. 3	<i>July 1, 2005</i>	1-83
Sec. 4	<i>July 1, 2005</i>	1-84
Sec. 5	<i>July 1, 2005</i>	1-84b
Sec. 6	<i>July 1, 2005</i>	1-91(g)
Sec. 7	<i>July 1, 2005</i>	1-92(1)
Sec. 8	<i>July 1, 2005</i>	1-97(a)
Sec. 9	<i>July 1, 2005</i>	1-225
Sec. 10	<i>July 1, 2005</i>	New section
Sec. 11	<i>July 1, 2005</i>	New section
Sec. 12	<i>July 1, 2005</i>	New section
Sec. 13	<i>July 1, 2005</i>	New section
Sec. 14	<i>July 1, 2005</i>	1-97
Sec. 15	<i>July 1, 2005</i>	New section
Sec. 16	<i>July 1, 2005</i>	53a-119
Sec. 17	<i>July 1, 2005</i>	New section
Sec. 18	<i>July 1, 2005</i>	New section
Sec. 19	<i>July 1, 2005</i>	New section
Sec. 20	<i>July 1, 2005</i>	New section
Sec. 21	<i>July 1, 2005</i>	New section
Sec. 22	<i>July 1, 2005</i>	New section
Sec. 23	<i>July 1, 2005</i>	New section
Sec. 24	<i>July 1, 2005</i>	New section
Sec. 25	<i>July 1, 2005</i>	New section
Sec. 26	<i>July 1, 2005</i>	New section
Sec. 27	<i>July 1, 2005</i>	New section
Sec. 28	<i>July 1, 2005</i>	New section
Sec. 29	<i>January 1, 2006</i>	New section
Sec. 30	<i>January 1, 2006</i>	New section
Sec. 31	<i>January 1, 2006</i>	New section
Sec. 32	<i>January 1, 2006</i>	New section
Sec. 33	<i>January 1, 2006</i>	New section
Sec. 34	<i>January 1, 2006</i>	New section

Sec. 35	January 1, 2006	New section
Sec. 36	January 1, 2006	New section
Sec. 37	January 1, 2006	New section
Sec. 38	January 1, 2006	New section
Sec. 39	January 1, 2006	New section
Sec. 40	January 1, 2006	New section
Sec. 41	January 1, 2006	New section
Sec. 42	January 1, 2006	New section
Sec. 43	January 1, 2006	New section
Sec. 44	January 1, 2006	New section
Sec. 45	July 1, 2005	New section
Sec. 46	July 1, 2005	4-250
Sec. 47	July 1, 2005	Repealer section

Statement of Legislative Commissioners:

In section 17, references to "quasi-public agency" were inserted in subsections (c), (d) and (g) for consistency with subsections (a) and (b) and the reference to subsection (b) in subsection (f) was inserted for accuracy.

JUD *Joint Favorable Subst.*