



General Assembly

January Session, 2005

**Committee Bill No. 60**

LCO No. 3362

\*03362SB00060GAE\*

Referred to Committee on Government Administration and Elections

Introduced by:  
(GAE)

**AN ACT REGULATING MUNICIPAL LOBBYING.**

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

1 Section 1. (NEW) (*Effective January 1, 2006*) As used in sections 1 to  
2 16, inclusive, of this act, unless the context otherwise requires:

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

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

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

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

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

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

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

32 (8) "Expenditure" means any advance, conveyance, deposit,  
33 distribution, transfer of funds, loan, payment, unless expressly  
34 excluded; any payments for telephone, mailing, postage, printing and  
35 other clerical or office services and materials; any paid  
36 communications, costing fifty dollars or more in any calendar year,  
37 disseminated by means of any printing, broadcasting or other  
38 medium, provided such communications refer to pending  
39 administrative or legislative action; any contract, agreement, promise  
40 or other obligation; any solicitation or solicitations, costing fifty dollars  
41 or more in the aggregate for any calendar year, of other persons to  
42 communicate with a municipal official or municipal employee for the  
43 purpose of influencing any legislative or administrative act and any  
44 pledge, subscription of money or anything of value. "Expenditure"  
45 shall not include the payment of a registrant's fee pursuant to section 6

46 of this act, any expenditure made by any club, committee, partnership,  
47 organization, business, union, association or corporation for the  
48 purpose of publishing a newsletter or other release to its members,  
49 shareholders or employees, or contributions, membership dues or  
50 other fees paid to associations, nonstock corporations or tax-exempt  
51 organizations under Section 501(c) of the Internal Revenue Code of  
52 1986, or any subsequent corresponding internal revenue code of the  
53 United States, as from time to time amended.

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

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

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

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

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

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

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

74 (G) A rebate, discount or promotional item available to the general

75 public;

76 (H) Printed or recorded informational material germane to  
77 municipal action or functions;

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

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

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

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

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

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

103 (10) "Immediate family" means any spouse, dependent children or

104 dependent relatives who reside in the individual's household.

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

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

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

136 budget, with regard to a land use matter before such agency or  
137 legislative body, or (E) other communications exempted by regulations  
138 adopted by the commission in accordance with the provisions of  
139 chapter 54 of the general statutes.

140 (14) "Lobbyist" means a person who in lobbying and in furtherance  
141 of lobbying, with regard to a single municipality, makes or agrees to  
142 make expenditures, or receives or agrees to receive compensation,  
143 reimbursement, or both, and such compensation, reimbursement or  
144 expenditures for a single municipality are two thousand dollars or  
145 more in any calendar year or the combined amount thereof for a single  
146 municipality is two thousand dollars or more in any such calendar  
147 year. Lobbyist shall not include:

148 (A) A municipal official or municipal employee, or such official's or  
149 employee's designee other than an independent contractor, who is  
150 acting within the scope of such official's, employee's or designee's  
151 authority or employment;

152 (B) An attorney, including, but not limited to, bond counsel or a  
153 municipal attorney, who is retained and compensated by a  
154 municipality to provide legal services to the municipality, or a  
155 financial advisor retained and compensated by a municipality to  
156 provide financial advisory services to the municipality;

157 (C) A publisher, owner or an employee of the press, radio or  
158 television while disseminating news or editorial comment to the  
159 general public in the ordinary course of business;

160 (D) An individual representing such individual or another person  
161 before the municipality other than for the purpose of influencing  
162 legislative or administrative action;

163 (E) Any individual or employee who receives no compensation or  
164 reimbursement specifically for lobbying and who limits such  
165 individual's or employee's activities solely to formal appearances to

166 give testimony before public sessions of the legislative body of a  
167 municipality and who, if such individual or employee testifies,  
168 registers such individual's or employee's appearance in the records of  
169 the legislative body;

170 (F) A member of an advisory board acting within the scope of such  
171 member's appointment;

172 (G) Any person who receives no compensation or reimbursement  
173 specifically for lobbying and who spends no more than five hours  
174 lobbying or in furtherance of lobbying, unless such person, exclusive  
175 of salary, receives compensation or makes expenditures, or both, of  
176 two thousand dollars or more in any calendar year for lobbying or the  
177 combined amount thereof is two thousand dollars or more in any such  
178 calendar year;

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

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

185 (J) A senator or representative in Congress acting within the scope  
186 of such senator's or representative's office.

187 (15) "Member of an advisory board" means any person appointed by  
188 a municipal official as an advisor or consultant or member of a  
189 committee, commission or council established to advise, recommend  
190 or consult with a municipal official or a branch of municipal  
191 government or a committee thereof and who receives no public funds  
192 other than per diem payments or reimbursement for such person's  
193 actual and necessary expenses incurred in the performance of such  
194 person's official duties and who has no authority to expend any public  
195 funds or to exercise the power of a municipality.

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

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

201 (18) "Municipality" means any city, town, borough, municipal  
202 corporation, municipal authority, school district, regional district,  
203 metropolitan district or other district.

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

207 (20) "Political contribution" has the same meaning as in section 9-  
208 333b of the general statutes except that for purposes of sections 1 to 16,  
209 inclusive, of this act, the provisions of subsection (b) of section 9-333b  
210 of the general statutes shall not apply.

211 (21) "Registrant" means a person who is required to register  
212 pursuant to section 5 of this act.

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

216 Sec. 2. (NEW) (*Effective January 1, 2006*) The State Ethics Commission  
217 shall:

218 (1) Adopt regulations in accordance with chapter 54 of the general  
219 statutes to carry out the purposes of sections 1 to 16, inclusive, of this  
220 act. The commission shall adopt regulations which further clarify the  
221 meaning of the terms "directly and personally received" and "major life  
222 event", as used in section 1 of this act;

223 (2) Compile and maintain an index of all reports and statements

224 filed with the commission under the provisions of sections 1 to 16,  
225 inclusive, of this act and advisory opinions issued by the commission  
226 with regard to the requirements of said sections, to facilitate public  
227 access to such reports, statements and advisory opinions promptly  
228 upon the filing or issuance thereof;

229 (3) Prepare quarterly and annual summaries of statements and  
230 reports filed with the commission and advisory opinions issued by the  
231 commission;

232 (4) Preserve advisory opinions permanently and preserve  
233 memoranda filed under subsection (b) of section 3 of this act,  
234 statements and reports filed by and with the commission for a period  
235 of five years from the date of receipt;

236 (5) Upon the concurring vote of four of its members, issue advisory  
237 opinions with regard to the requirements of this part, upon the request  
238 of any person, subject to the provisions of sections 1 to 16, inclusive, of  
239 this act, and publish such advisory opinions in the Connecticut Law  
240 Journal. Advisory opinions rendered by the commission, until  
241 amended or revoked, shall be binding on the commission and shall be  
242 deemed to be final decisions of the commission for purposes of section  
243 14 of this act. Any advisory opinion concerning any person subject to  
244 the provisions of sections 1 to 16, inclusive, of this act who requested  
245 the opinion and who acted in reliance thereon, in good faith, shall be  
246 binding upon the commission, and it shall be an absolute defense in  
247 any criminal action brought under the provisions of said sections that  
248 the accused acted in reliance upon such advisory opinion;

249 (6) Report annually, prior to February fifteenth, to the Governor  
250 summarizing the activities of the commission concerning sections 1 to  
251 16, inclusive, of this act; and

252 (7) Employ necessary staff within available appropriations to carry  
253 out the purposes of sections 1 to 16, inclusive, of this act.

254       Sec. 3. (NEW) (*Effective January 1, 2006*) (a) (1) Upon the complaint of  
255 any person on a form prescribed by the State Ethics Commission,  
256 signed under penalty of false statement, or upon its own complaint,  
257 the commission shall investigate any alleged violation of sections 1 to  
258 16, inclusive, of this act. Not later than five days after the receipt or  
259 issuance of such complaint, the commission shall provide notice of  
260 such receipt or issuance and a copy of the complaint by registered or  
261 certified mail to any respondent against whom such complaint is filed  
262 and shall provide notice of the receipt of such complaint to the  
263 complainant. When the commission undertakes an evaluation of a  
264 possible violation of sections 1 to 16, inclusive, of this act prior to the  
265 filing of a complaint by the commission, the subject of the evaluation  
266 shall be notified within five business days after a commission staff  
267 member's first contact with a third party concerning the matter.

268       (2) In the conduct of its investigation of an alleged violation of  
269 sections 1 to 16, inclusive, of this act, the commission shall have the  
270 power to hold hearings, administer oaths, examine witnesses, receive  
271 oral and documentary evidence, subpoena witnesses under procedural  
272 rules adopted by the commission as regulations in accordance with the  
273 provisions of chapter 54 of the general statutes to compel attendance  
274 before the commission and to require the production for examination  
275 by the commission of any document or physical evidence that the  
276 commission deems relevant in any matter under investigation or in  
277 question. In the exercise of such powers, the commission may use the  
278 services of the state police, who shall provide the same upon the  
279 commission's request. The commission shall make a record of all  
280 proceedings conducted pursuant to this subsection. Any witness  
281 summoned before the commission shall receive the witness fee paid to  
282 witnesses in the courts of this state. The respondent shall have the  
283 right to appear and be heard and to offer any information which may  
284 tend to clear the respondent of probable cause to believe that the  
285 respondent has violated any provision of sections 1 to 16, inclusive, of  
286 this act. The respondent shall also have the right to be represented by  
287 legal counsel and to examine and cross-examine witnesses. Not later

288 than ten days prior to the commencement of any hearing conducted  
289 pursuant to this subsection, the commission shall provide the  
290 respondent with a list of its intended witnesses. The commission shall  
291 make no finding that there is probable cause to believe the respondent  
292 is in violation of sections 1 to 16, inclusive, of this act, except upon the  
293 concurring vote of four of its members.

294 (b) If a preliminary investigation indicates that probable cause exists  
295 for the violation of a provision of sections 1 to 16, inclusive, of this act,  
296 the commission shall initiate hearings to determine whether there has  
297 been a violation of said sections. A judge trial referee, who shall be  
298 assigned by the Chief Court Administrator and who shall be  
299 compensated in accordance with section 52-434 of the general statutes  
300 out of funds available to the commission, shall preside over such  
301 hearing and shall rule on all matters concerning the application of the  
302 rules of evidence, which shall be the same as in judicial proceedings.  
303 The trial referee shall have no vote in any decision of the commission.  
304 All hearings of the commission held pursuant to this subsection shall  
305 be open. At such hearing the commission shall have the same powers  
306 as under subsection (a) of this section and the respondent shall have  
307 the right to be represented by legal counsel, the right to compel  
308 attendance of witnesses and the production of books, documents,  
309 records and papers and to examine and cross-examine witnesses. Not  
310 later than ten days prior to the commencement of any hearing  
311 conducted pursuant to this subsection, the commission shall provide  
312 the respondent with a list of its intended witnesses. The judge trial  
313 referee shall, while engaged in the discharge of the judge trial referee's  
314 duties as provided in this subsection, have the same authority as is  
315 provided in section 51-35 of the general statutes over witnesses who  
316 refuse to obey a subpoena or to testify with respect to any matter upon  
317 which such witness may be lawfully interrogated, and may commit  
318 any such witness for contempt for a period no longer than thirty days.  
319 The commission shall make a record of all proceedings pursuant to  
320 this subsection. The commission shall find no person in violation of  
321 any provision of sections 1 to 16, inclusive, of this act except upon the

322 concurring vote of five of its members. Not later than fifteen days after  
323 the public hearing conducted in accordance with this subsection, the  
324 commission shall publish its finding and a memorandum of the  
325 reasons for such finding. Such finding and memorandum shall be  
326 deemed to be the final decision of the commission on the matter for the  
327 purposes of chapter 54 of the general statutes. The respondent, if  
328 aggrieved by the finding and memorandum, may appeal therefrom to  
329 the Superior Court in accordance with the provisions of section 4-183  
330 of the general statutes.

331 (c) If any complaint brought under the provisions of sections 1 to 16,  
332 inclusive, of this act is made with the knowledge that it is made  
333 without foundation in fact, the respondent shall have a cause of action  
334 against the complainant for double the amount of damage caused  
335 thereby and if the respondent prevails in such action, the respondent  
336 may be awarded by the court the costs of such action together with  
337 reasonable attorneys' fees.

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

341 (e) No person shall take or threaten to take official action against an  
342 individual for such individual's disclosure of information to the  
343 commission under the provisions of sections 1 to 16, inclusive, of this  
344 act. After receipt of information from an individual under the  
345 provisions of sections 1 to 16, inclusive, of this act, the commission  
346 shall not disclose the identity of such individual without the  
347 individual's consent unless the commission determines that such  
348 disclosure is unavoidable during the course of an investigation.

349 Sec. 4. (NEW) (*Effective January 1, 2006*) (a) Unless the State Ethics  
350 Commission makes a finding of probable cause, a complaint alleging a  
351 violation of sections 1 to 16, inclusive, of this act shall be confidential  
352 except upon the request of the respondent. A commission evaluation  
353 of a possible violation of said sections undertaken prior to a complaint

354 being filed by the commission shall be confidential except upon the  
355 request of the subject of the evaluation. If the evaluation is  
356 confidential, no information supplied to or received from the  
357 commission shall be disclosed to any third party by a subject of the  
358 evaluation, a person contacted for the purpose of obtaining  
359 information or by a commission or staff member. No provision of this  
360 subsection shall prevent the commission from reporting the possible  
361 commission of a crime to the Chief State's Attorney or other  
362 prosecutorial authority.

363 (b) An investigation conducted prior to a probable cause finding  
364 shall be confidential except upon the request of the respondent. If the  
365 investigation is confidential, the allegations in the complaint and any  
366 information supplied to or received from the commission shall not be  
367 disclosed during the investigation to any third party by a complainant,  
368 respondent, witness, designated party, or commission or staff member.

369 (c) Not later than three business days after the termination of the  
370 investigation, the commission shall inform the complainant and the  
371 respondent of its finding and provide them a summary of its reasons  
372 for making that finding. The commission shall publish its finding upon  
373 the respondent's request and may also publish a summary of its  
374 reasons for making such finding.

375 (d) If the commission makes a finding of no probable cause, the  
376 complaint and the record of its investigation shall remain confidential,  
377 except upon the request of the respondent and except that some or all  
378 of the record may be used in subsequent proceedings. No complainant,  
379 respondent, witness, designated party, or commission or staff member  
380 shall disclose to any third party any information learned from the  
381 investigation, including knowledge of the existence of a complaint,  
382 which the disclosing party would not otherwise have known. If such a  
383 disclosure is made, the commission may, after consultation with the  
384 respondent if the respondent is not the source of the disclosure,  
385 publish its finding and a summary of its reasons therefor.

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

393 Sec. 5. (NEW) (*Effective January 1, 2006*) (a) A lobbyist shall register  
394 with the State Ethics Commission pursuant to section 6 of this act for  
395 lobbying a municipality if the lobbyist:

396 (1) Receives or agrees to receive compensation or reimbursement for  
397 actual expenses, or both, in a combined amount of two thousand  
398 dollars or more in a calendar year for lobbying said municipality,  
399 whether that receipt of compensation or reimbursement or agreement  
400 to receive such compensation or reimbursement is solely for lobbying  
401 or the lobbying is incidental to that person's regular employment; or

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

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

408 (c) A person who is a lobbyist pursuant to part II of chapter 10 of the  
409 general statutes and is required to register with the commission  
410 pursuant to section 1-94 of the general statutes shall register separately  
411 with the commission for each municipality for which the lobbyist  
412 meets the threshold requirement for registering under subsection (a) of  
413 this section.

414 Sec. 6. (NEW) (*Effective January 1, 2006*) (a) Each registrant shall file  
415 annually with the State Ethics Commission on a separate registration

416 form for each municipality for which the registrant meets the threshold  
417 requirement for registering under subsection (a) of section 5 of this act,  
418 except that a registrant representing a regional or state-wide trade  
419 association or similar entity, which lobbies in more than one  
420 municipality, shall be required to file only one registration on behalf of  
421 such association or entity per registration period and such association  
422 or entity shall also be required to file only one registration per  
423 registration period. The registrant shall sign each such form under  
424 penalty of false statement and file such forms with the commission on  
425 or before January fifteenth or prior to the commencement of lobbying,  
426 whichever is later. If the registrant is not an individual, an authorized  
427 officer or agent of the registrant shall sign each form. Such registration  
428 or registrations shall be on a form prescribed by the commission and  
429 shall include:

430 (1) If the registrant is an individual, the registrant's name,  
431 permanent address and temporary address while lobbying and the  
432 name, address and nature of business of any person who compensates  
433 or reimburses, or agrees to compensate or reimburse the registrant and  
434 the terms of the compensation, reimbursement or agreement, but shall  
435 not include the compensation paid to an employee for the employee's  
436 involvement in activities other than lobbying;

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

439 (3) If the registrant is an association, group of persons or an  
440 organization, the name and address of the principal officers and  
441 directors of such association, group of persons or organization. If the  
442 registrant is formed primarily for the purpose of lobbying, it shall  
443 disclose the name and address of any person contributing two  
444 thousand dollars or more to the registrant's lobbying activities in any  
445 calendar year;

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

448 (5) The name of the municipality that the registrant is lobbying and  
449 the identification, with reasonable particularity, of areas of legislative  
450 action or administrative action on which the registrant expects to  
451 lobby.

452 (b) Each registrant shall pay a reasonable fee not in excess of the cost  
453 of administering each registration form filed by the registrant under  
454 subsection (a) of this section in a calendar year, plus the cost of  
455 collecting, filing, copying and distributing the information filed by  
456 registrants under section 7 of this act, but not less than twenty-five  
457 dollars.

458 (c) Each registrant shall file a notice of termination within thirty  
459 days after the registrant ceases the activity that required registration,  
460 provided the registrant does not intend to resume the activity during  
461 the annual period for which the registrant is registered. The  
462 termination of a registration shall not relieve the registrant of the  
463 reporting requirements of section 7 of this act for the period preceding  
464 the date that the registrant's notice of termination is received by the  
465 commission or for the period commencing on such date and ending on  
466 December thirty-first of the year in which termination occurs.

467 Sec. 7. (NEW) (*Effective January 1, 2006*) (a) Each client lobbyist  
468 registrant shall file with the State Ethics Commission between the first  
469 and tenth day of April, July, October and January a financial report,  
470 signed under penalty of false statement. Each report shall cover its  
471 lobbying activities during the previous calendar quarter. If the client  
472 lobbyist registrant is not an individual, an authorized officer or agent  
473 of the client lobbyist registrant shall sign the form.

474 (b) Each individual communicator lobbyist registrant and each  
475 business organization communicator lobbyist registrant shall file with  
476 the commission between the first and tenth day of January a report or  
477 reports, signed under penalty of false statement, reporting the  
478 amounts of compensation and reimbursement received from each of  
479 the registrant's clients during the previous year. In addition, each

480 individual communicator lobbyist registrant and each business  
481 organization communicator lobbyist registrant shall: (1) Report the  
482 fundamental terms of contracts, agreements or promises to pay or  
483 receive compensation or reimbursement or to make expenditures in  
484 furtherance of lobbying, including the categories of work to be  
485 performed and the dollar value or compensation rate of the contract, at  
486 the time of registration; (2) report, in accordance with the schedule set  
487 forth in subsection (a) of this section, any amendments to these  
488 fundamental terms, including any agreements to subcontract lobbying  
489 work; and (3) report, in accordance with the schedule set forth in  
490 subsection (a) of this section, any expenditures for the benefit of a  
491 municipal official or a member of the staff or immediate family of the  
492 municipal official that are unreimbursed and required to be itemized.  
493 Such report shall not include the disclosure of food and beverage  
494 provided by a communicator lobbyist registrant to a municipal official  
495 or a member of the municipal official's staff or immediate family at a  
496 major life event, as defined by the commission, of the registrant. All  
497 such information shall be reported under penalty of false statement.

498 (c) An individual communicator lobbyist registrant shall file a  
499 separate report for each person from whom the registrant received  
500 compensation or reimbursement. Notwithstanding any provision of  
501 this subsection to the contrary, a business organization to which one or  
502 more individual communicator lobbyist registrants belongs may file a  
503 single report for each client lobbyist in lieu of any separate reports that  
504 individual registrants are required to file pursuant to this subsection.

505 (d) Each registrant who files a notice of termination under  
506 subsection (c) of section 6 of this act shall file with the commission a  
507 financial report, under penalty of false statement, between the first and  
508 tenth day of January of the year following termination.

509 (e) Each client lobbyist registrant financial report shall be on a form  
510 prescribed by the commission and shall state expenditures made and  
511 the fundamental terms of contracts, agreements or promises to pay

512 compensation or reimbursement or to make expenditures in  
513 furtherance of lobbying. Any such fundamental terms shall be  
514 reported once in the quarterly or post-termination report next  
515 following the entering into of such contract. Such financial report shall  
516 include an itemized statement of each expenditure of ten dollars or  
517 more per person for each occasion made by the reporting registrant or  
518 a group of registrants that includes the reporting registrant for the  
519 benefit of a municipal official or a member of the municipal official's  
520 staff or immediate family, itemized by date, beneficiary, amount and  
521 circumstances of the transaction. The requirement of an itemized  
522 statement shall not apply to an expenditure made by a reporting  
523 registrant or a group of registrants which includes the reporting  
524 registrant for benefits personally and directly received by a municipal  
525 official or municipal employee at a charitable or civic event at which  
526 the municipal official or municipal employee participates in such  
527 official's or employee's official capacity, unless the expenditure is thirty  
528 dollars or more per person, per event. If the compensation is required  
529 to be reported for an individual whose lobbying is incidental to such  
530 individual's regular employment, it shall be sufficient to report a  
531 prorated amount based on the value of the time devoted to lobbying.  
532 On the first financial report following registration each client lobbyist  
533 registrant shall include any expenditures incident to lobbying activities  
534 that were received or expended prior to registration and not  
535 previously reported to the commission.

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

542 (g) Each former registrant shall (1) report receipts or expenditures  
543 incident to lobbying activities during the former registrant's period of  
544 registration that are received or expended following termination of

545 registration, and (2) report each expenditure of ten dollars or more per  
546 person for each occasion made by the former registrant for the benefit  
547 of a municipal official or a member of such official's immediate family  
548 or staff that occurs within six months after termination of registration.

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

554 Sec. 8. (NEW) (*Effective January 1, 2006*) (a) Each registrant shall  
555 obtain and preserve all accounts, bills, receipts and other documents  
556 necessary to substantiate the financial reports required by section 7 of  
557 this act for a period of three years from the date of the filing of the  
558 report referring to such financial matters, provided this section shall  
559 apply to each expenditure for the benefit of a municipal official of ten  
560 dollars or more and all other expenditures of fifty dollars or more.

561 (b) The State Ethics Commission may require, on a random basis,  
562 any registrant to make all such documents substantiating financial  
563 reports concerning lobbying activities available for inspection and  
564 copying by the commission for the purpose of verifying such financial  
565 reports, provided no registrant shall be subject to such requirement  
566 more than one time during any three consecutive years. The  
567 commission shall select registrants to be audited by lot in a ceremony  
568 which shall be open to the public. Nothing in this subsection shall  
569 require a registrant to make any documents concerning nonlobbying  
570 activities available to the commission for inspection and copying.

571 Sec. 9. (NEW) (*Effective January 1, 2006*) Each registrant required to  
572 file any financial reports under section 7 of this act shall do so in  
573 electronic form using the electronic filing program developed by the  
574 State Ethics Commission.

575 Sec. 10. (NEW) (*Effective January 1, 2006*) The State Ethics

576 Commission shall make all computerized data from financial reports  
577 required by section 7 of this act available to the public through (1) a  
578 computer terminal in the office of the commission, and (2) the Internet  
579 or any other generally available on-line computer network.

580 Sec. 11. (NEW) (*Effective January 1, 2006*) Each registrant who pays  
581 or reimburses a municipal official or municipal employee ten dollars  
582 or more for necessary expenses shall, within thirty days, file a  
583 statement with the commission indicating the name of such individual  
584 and the amount of the expenses. As used in this section, "necessary  
585 expenses" means a municipal official's or municipal employee's  
586 expenses for an article, appearance or speech or for participation at an  
587 event, in such official's or employee's official capacity, which shall be  
588 limited to necessary travel expenses, lodging for the nights before, of  
589 and after the appearance, speech or event, meals and any related  
590 conference or seminar registration fees.

591 Sec. 12. (NEW) (*Effective January 1, 2006*) (a) No registrant or anyone  
592 acting on behalf of a registrant shall knowingly give a gift to any  
593 municipal official, municipal employee, candidate for municipal office  
594 or a member of any such person's staff or immediate family. Nothing  
595 in this section shall be construed to permit any activity prohibited  
596 under section 53a-147 or 53a-148 of the general statutes.

597 (b) No person or business organization shall be employed to lobby  
598 for compensation which is contingent upon the outcome of any  
599 administrative or legislative action. No person shall employ a lobbyist  
600 or business organization for compensation that is contingent upon the  
601 outcome of any administrative or legislative action.

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

608 (d) Any person who gives to a municipal official, municipal  
609 employee or candidate for municipal office, or a member of any such  
610 person's staff or immediate family anything of value which is subject  
611 to the reporting requirements pursuant to subsection (e) of section 7 of  
612 this act shall, not later than ten days thereafter, give such recipient a  
613 written report stating the name of the donor, a description of the item  
614 or items given, the value of such items and the cumulative value of all  
615 items given to such recipient during that calendar year. The provisions  
616 of this subsection shall not apply to a political contribution otherwise  
617 reported as required by law.

618 Sec. 13. (NEW) (*Effective January 1, 2006*) Any person aggrieved by  
619 any final decision of the State Ethics Commission, made pursuant to  
620 sections 1 to 16, inclusive, of this act, may appeal such decision in  
621 accordance with the provisions of section 4-175 or 4-183 of the general  
622 statutes.

623 Sec. 14. (NEW) (*Effective January 1, 2006*) (a) The State Ethics  
624 Commission, upon a finding made pursuant to section 3 of this act that  
625 there has been a violation of any provision of sections 1 to 16,  
626 inclusive, of this act, shall have the authority to order the violator to do  
627 any or all of the following: (1) Cease and desist the violation of said  
628 sections; (2) file any report, statement or other information as required  
629 by said sections; or (3) pay a civil penalty of not more than two  
630 thousand dollars for each violation of said sections. The commission  
631 may prohibit any person who intentionally violates any provision of  
632 said sections from engaging in the profession of lobbyist for a period of  
633 not more than two years. In addition to such provisions, the  
634 commission may impose a civil penalty on any person who violates  
635 subsection (b) of section 12 of this act by receiving, agreeing to receive,  
636 paying, or agreeing to pay, compensation that is contingent upon the  
637 outcome of any administrative or legislative action or by terminating a  
638 lobbying contract as the result of the outcome of an administrative  
639 action or legislative action. The civil penalty shall not exceed the total  
640 amount of compensation that the person was required to pay or be

641 paid under the contingent compensation agreement. No person may  
642 benefit from an agreement that violates subsection (b) of section 12 of  
643 this act.

644 (b) Notwithstanding the provisions of subsection (a) of this section,  
645 the commission may, after a hearing conducted in accordance with  
646 sections 4-176e to 4-184, inclusive, of the general statutes upon the  
647 concurring vote of five of its members, impose a civil penalty not to  
648 exceed ten dollars per day upon any registrant who fails to file any  
649 report, statement or other information as required by sections 1 to 16,  
650 inclusive, of this act. Each distinct violation of this subsection shall be a  
651 separate offense and, in case of a continued violation, each day thereof  
652 shall be deemed a separate offense. In no event shall the aggregate  
653 penalty imposed for such failure to file exceed two thousand dollars.

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

656 Sec. 15. (NEW) (*Effective January 1, 2006*) Any person who  
657 intentionally violates any provision of sections 1 to 16, inclusive, of this  
658 act shall be imprisoned for a term not to exceed one year or shall be  
659 fined an amount not to exceed two thousand dollars, or both.

660 Sec. 16. (NEW) (*Effective January 1, 2006*) Each individual who is a  
661 lobbyist shall, while engaged in lobbying, wear a distinguishing badge  
662 which shall identify the individual as a lobbyist. The size, color,  
663 material and other requirements of such badge shall be prescribed by  
664 regulation of the State Ethics Commission.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2006</i>	New section
Sec. 2	<i>January 1, 2006</i>	New section
Sec. 3	<i>January 1, 2006</i>	New section
Sec. 4	<i>January 1, 2006</i>	New section
Sec. 5	<i>January 1, 2006</i>	New section

Sec. 6	<i>January 1, 2006</i>	New section
Sec. 7	<i>January 1, 2006</i>	New section
Sec. 8	<i>January 1, 2006</i>	New section
Sec. 9	<i>January 1, 2006</i>	New section
Sec. 10	<i>January 1, 2006</i>	New section
Sec. 11	<i>January 1, 2006</i>	New section
Sec. 12	<i>January 1, 2006</i>	New section
Sec. 13	<i>January 1, 2006</i>	New section
Sec. 14	<i>January 1, 2006</i>	New section
Sec. 15	<i>January 1, 2006</i>	New section
Sec. 16	<i>January 1, 2006</i>	New section

**Statement of Purpose:**

To provide for the regulation of municipal lobbyists in the same manner as the regulation of state lobbyists.

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

Co-Sponsors: SEN. DEFRONZO, 6th Dist.

S.B. 60