



General Assembly

February Session, 2006

Raised Bill No. 5054

LCO No. 221

00221_____GAE

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, 2007*) 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) "Office" means the Office of State Ethics.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

137 adopted by the office in accordance with the provisions of chapter 54
138 of the general statutes.

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

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

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

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

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

162 (E) Any individual or employee who receives no compensation or
163 reimbursement specifically for lobbying and who limits such
164 individual's or employee's activities solely to formal appearances to
165 give testimony before public sessions of the legislative body of a
166 municipality and who, if such individual or employee testifies,

167 registers such individual's or employee's appearance in the records of
168 the legislative body;

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

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

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

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

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

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

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

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

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

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

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

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

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

215 Sec. 2. (NEW) (*Effective January 1, 2007*) The Office of State Ethics
216 shall:

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

222 (2) Compile and maintain an index of all reports and statements
223 filed with the office under the provisions of sections 1 to 16, inclusive,
224 of this act and advisory opinions issued by the office with regard to the
225 requirements of said sections, to facilitate public access to such reports,

226 statements and advisory opinions promptly upon the filing or issuance
227 thereof;

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

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

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

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

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

253 Sec. 3. (NEW) (*Effective January 1, 2007*) (a) (1) Upon the complaint of
254 any person on a form prescribed by the Office of State Ethics, signed
255 under penalty of false statement, or upon its own complaint, the office

256 shall investigate any alleged violation of sections 1 to 16, inclusive, of
257 this act. Not later than five days after the receipt or issuance of such
258 complaint, the office shall provide notice of such receipt or issuance
259 and a copy of the complaint by registered or certified mail to any
260 respondent against whom such complaint is filed and shall provide
261 notice of the receipt of such complaint to the complainant. When the
262 office undertakes an evaluation of a possible violation of sections 1 to
263 16, inclusive, of this act prior to the filing of a complaint by the office,
264 the subject of the evaluation shall be notified within five business days
265 after a office staff member's first contact with a third party concerning
266 the matter.

267 (2) In the conduct of its investigation of an alleged violation of
268 sections 1 to 16, inclusive, of this act, the office shall have the power to
269 hold hearings, administer oaths, examine witnesses, receive oral and
270 documentary evidence, subpoena witnesses under procedural rules
271 adopted by the office as regulations in accordance with the provisions
272 of chapter 54 of the general statutes to compel attendance before the
273 office and to require the production for examination by the office of
274 any document or physical evidence that the office deems relevant in
275 any matter under investigation or in question. In the exercise of such
276 powers, the office may use the services of the state police, who shall
277 provide the same upon the office's request. The office shall make a
278 record of all proceedings conducted pursuant to this subsection. Any
279 witness summoned before the office shall receive the witness fee paid
280 to witnesses in the courts of this state. The respondent shall have the
281 right to appear and be heard and to offer any information which may
282 tend to clear the respondent of probable cause to believe that the
283 respondent has violated any provision of sections 1 to 16, inclusive, of
284 this act. The respondent shall also have the right to be represented by
285 legal counsel and to examine and cross-examine witnesses. Not later
286 than ten days prior to the commencement of any hearing conducted
287 pursuant to this subsection, the office shall provide the respondent
288 with a list of its intended witnesses. The office shall make no finding
289 that there is probable cause to believe the respondent is in violation of

290 sections 1 to 16, inclusive, of this act, except upon the concurring vote
291 of four of its members.

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

324 the matter for the purposes of chapter 54 of the general statutes. The
325 respondent, if aggrieved by the finding and memorandum, may
326 appeal therefrom to the Superior Court in accordance with the
327 provisions of section 4-183 of the general statutes.

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

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

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

346 Sec. 4. (NEW) (*Effective January 1, 2007*) (a) Unless the Office of State
347 Ethics makes a finding of probable cause, a complaint alleging a
348 violation of sections 1 to 16, inclusive, of this act shall be confidential
349 except upon the request of the respondent. An office evaluation of a
350 possible violation of said sections undertaken prior to a complaint
351 being filed by the office shall be confidential except upon the request of
352 the subject of the evaluation. If the evaluation is confidential, no
353 information supplied to or received from the office shall be disclosed
354 to any third party by a subject of the evaluation, a person contacted for
355 the purpose of obtaining information or by an office staff or board

356 member. No provision of this subsection shall prevent the office from
357 reporting the possible commission of a crime to the Chief State's
358 Attorney or other prosecutorial authority.

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

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

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

383 (e) The office shall make public a finding of probable cause not later
384 than five business days after the termination of the investigation. At
385 such time the entire record of the investigation shall become public,
386 except that the office may postpone examination or release of such
387 public records for a period not to exceed fourteen days for the purpose

388 of reaching a stipulation agreement pursuant to subsection (c) of
389 section 4-177 of the general statutes.

390 Sec. 5. (NEW) (*Effective January 1, 2007*) (a) A lobbyist shall register
391 with the Office of State Ethics pursuant to section 6 of this act for
392 lobbying a municipality if the lobbyist:

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

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

402 (b) A lobbyist shall register separately with the office for each
403 municipality for which the lobbyist meets the threshold requirement
404 for registering under subsection (a) of this section.

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

411 Sec. 6. (NEW) (*Effective January 1, 2007*) (a) Each registrant shall file
412 annually with the Office of State Ethics on a separate registration form
413 for each municipality for which the registrant meets the threshold
414 requirement for registering under subsection (a) of section 5 of this act,
415 except that a registrant representing a regional or state-wide trade
416 association or similar entity, which lobbies in more than one
417 municipality, shall be required to file only one registration on behalf of

418 such association or entity per registration period and such association
419 or entity shall also be required to file only one registration per
420 registration period. The registrant shall sign each such form under
421 penalty of false statement and file such forms with the office on or
422 before January fifteenth or prior to the commencement of lobbying,
423 whichever is later. If the registrant is not an individual, an authorized
424 officer or agent of the registrant shall sign each form. Such registration
425 or registrations shall be on a form prescribed by the office and shall
426 include:

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

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

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

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

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

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

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

464 Sec. 7. (NEW) (*Effective January 1, 2007*) (a) Each client lobbyist
465 registrant shall file with the Office of State Ethics between the first and
466 tenth day of April, July, October and January a financial report, signed
467 under penalty of false statement. Each report shall cover its lobbying
468 activities during the previous calendar quarter. If the client lobbyist
469 registrant is not an individual, an authorized officer or agent of the
470 client lobbyist registrant shall sign the form.

471 (b) Each individual communicator lobbyist registrant and each
472 business organization communicator lobbyist registrant shall file with
473 the office between the first and tenth day of January a report or
474 reports, signed under penalty of false statement, reporting the
475 amounts of compensation and reimbursement received from each of
476 the registrant's clients during the previous year. In addition, each
477 individual communicator lobbyist registrant and each business
478 organization communicator lobbyist registrant shall: (1) Report the
479 fundamental terms of contracts, agreements or promises to pay or
480 receive compensation or reimbursement or to make expenditures in

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

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

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

506 (e) Each client lobbyist registrant financial report shall be on a form
507 prescribed by the office and shall state expenditures made and the
508 fundamental terms of contracts, agreements or promises to pay
509 compensation or reimbursement or to make expenditures in
510 furtherance of lobbying. Any such fundamental terms shall be
511 reported once in the quarterly or post-termination report next
512 following the entering into of such contract. Such financial report shall

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

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

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

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

551 Sec. 8. (NEW) (*Effective January 1, 2007*) (a) Each registrant shall
552 obtain and preserve all accounts, bills, receipts and other documents
553 necessary to substantiate the financial reports required by section 7 of
554 this act for a period of three years from the date of the filing of the
555 report referring to such financial matters, provided this section shall
556 apply to each expenditure for the benefit of a municipal official of ten
557 dollars or more and all other expenditures of fifty dollars or more.

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

568 Sec. 9. (NEW) (*Effective January 1, 2007*) Each registrant required to
569 file any financial reports under section 7 of this act shall do so in
570 electronic form using the electronic filing program developed by the
571 Office of State Ethics.

572 Sec. 10. (NEW) (*Effective January 1, 2007*) The Office of State Ethics
573 shall make all computerized data from financial reports required by
574 section 7 of this act available to the public through (1) a computer
575 terminal in the Office of State Ethics, and (2) the Internet or any other
576 generally available on-line computer network.

577 Sec. 11. (NEW) (*Effective January 1, 2007*) Each registrant who pays
578 or reimburses a municipal official or municipal employee ten dollars
579 or more for necessary expenses shall, within thirty days, file a
580 statement with the office indicating the name of such individual and
581 the amount of the expenses. As used in this section, "necessary
582 expenses" means a municipal official's or municipal employee's
583 expenses for an article, appearance or speech or for participation at an
584 event, in such official's or employee's official capacity, which shall be
585 limited to necessary travel expenses, lodging for the nights before, of
586 and after the appearance, speech or event, meals and any related
587 conference or seminar registration fees.

588 Sec. 12. (NEW) (*Effective January 1, 2007*) (a) No registrant or anyone
589 acting on behalf of a registrant shall knowingly give a gift to any
590 municipal official, municipal employee, candidate for municipal office
591 or a member of any such person's staff or immediate family. Nothing
592 in this section shall be construed to permit any activity prohibited
593 under section 53a-147 or 53a-148 of the general statutes.

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

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

605 (d) Any person who gives to a municipal official, municipal
606 employee or candidate for municipal office, or a member of any such
607 person's staff or immediate family anything of value which is subject
608 to the reporting requirements pursuant to subsection (e) of section 7 of

609 this act shall, not later than ten days thereafter, give such recipient a
610 written report stating the name of the donor, a description of the item
611 or items given, the value of such items and the cumulative value of all
612 items given to such recipient during that calendar year. The provisions
613 of this subsection shall not apply to a political contribution otherwise
614 reported as required by law.

615 Sec. 13. (NEW) (*Effective January 1, 2007*) Any person aggrieved by
616 any final decision of the Office of State Ethics, made pursuant to
617 sections 1 to 16, inclusive, of this act, may appeal such decision in
618 accordance with the provisions of section 4-175 or 4-183 of the general
619 statutes.

620 Sec. 14. (NEW) (*Effective January 1, 2007*) (a) The Office of State
621 Ethics, upon a finding made pursuant to section 3 of this act that there
622 has been a violation of any provision of sections 1 to 16, inclusive, of
623 this act, shall have the authority to order the violator to do any or all of
624 the following: (1) Cease and desist the violation of said sections; (2) file
625 any report, statement or other information as required by said sections;
626 or (3) pay a civil penalty of not more than two thousand dollars for
627 each violation of said sections. The office may prohibit any person who
628 intentionally violates any provision of said sections from engaging in
629 the profession of lobbyist for a period of not more than two years. In
630 addition to such provisions, the office may impose a civil penalty on
631 any person who violates subsection (b) of section 12 of this act by
632 receiving, agreeing to receive, paying, or agreeing to pay,
633 compensation that is contingent upon the outcome of any
634 administrative or legislative action or by terminating a lobbying
635 contract as the result of the outcome of an administrative action or
636 legislative action. The civil penalty shall not exceed the total amount of
637 compensation that the person was required to pay or be paid under the
638 contingent compensation agreement. No person may benefit from an
639 agreement that violates subsection (b) of section 12 of this act.

640 (b) Notwithstanding the provisions of subsection (a) of this section,

641 the office may, after a hearing conducted in accordance with sections
642 4-176e to 4-184, inclusive, of the general statutes upon the concurring
643 vote of five of its members, impose a civil penalty not to exceed ten
644 dollars per day upon any registrant who fails to file any report,
645 statement or other information as required by sections 1 to 16,
646 inclusive, of this act. Each distinct violation of this subsection shall be a
647 separate offense and, in case of a continued violation, each day thereof
648 shall be deemed a separate offense. In no event shall the aggregate
649 penalty imposed for such failure to file exceed two thousand dollars.

650 (c) The office may also report its finding to the Chief State's
651 Attorney for any action deemed necessary.

652 Sec. 15. (NEW) (*Effective January 1, 2007*) Any person who
653 intentionally violates any provision of sections 1 to 16, inclusive, of this
654 act shall be imprisoned for a term not to exceed one year or shall be
655 fined an amount not to exceed two thousand dollars, or both.

656 Sec. 16. (NEW) (*Effective January 1, 2007*) Each individual who is a
657 lobbyist shall, while engaged in lobbying, wear a distinguishing badge
658 which shall identify the individual as a lobbyist. The size, color,
659 material and other requirements of such badge shall be prescribed by
660 regulation of the Office of State Ethics.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2007</i>	New section
Sec. 2	<i>January 1, 2007</i>	New section
Sec. 3	<i>January 1, 2007</i>	New section
Sec. 4	<i>January 1, 2007</i>	New section
Sec. 5	<i>January 1, 2007</i>	New section
Sec. 6	<i>January 1, 2007</i>	New section
Sec. 7	<i>January 1, 2007</i>	New section
Sec. 8	<i>January 1, 2007</i>	New section
Sec. 9	<i>January 1, 2007</i>	New section
Sec. 10	<i>January 1, 2007</i>	New section

Sec. 11	<i>January 1, 2007</i>	New section
Sec. 12	<i>January 1, 2007</i>	New section
Sec. 13	<i>January 1, 2007</i>	New section
Sec. 14	<i>January 1, 2007</i>	New section
Sec. 15	<i>January 1, 2007</i>	New section
Sec. 16	<i>January 1, 2007</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.]