



General Assembly

Substitute Bill No. 773

January Session, 2009

* SB00773GAE 031109 *

AN ACT CONCERNING TECHNICAL AMENDMENTS TO THE CODES OF ETHICS.

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

1 Section 1. Subsection (l) of section 1-79 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2009*):

4 (l) "Quasi-public agency" means the Connecticut Development
5 Authority, Connecticut Innovations, Incorporated, Connecticut Health
6 and Education Facilities Authority, Connecticut Higher Education
7 Supplemental Loan Authority, Connecticut Housing Finance
8 Authority, [Connecticut Housing Authority] State Housing Authority,
9 Connecticut Resources Recovery Authority, Lower Fairfield County
10 Convention Center Authority, Capital City Economic Development
11 Authority, Bradley Board of Directors, Connecticut Transportation
12 Strategy Board, University of Connecticut Health Center Finance
13 Corporation, Tweed-New Haven Airport Authority and Connecticut
14 Lottery Corporation.

15 Sec. 2. Subsection (a) of section 1-81 of the general statutes is
16 repealed and the following is substituted in lieu thereof (*Effective*
17 *October 1, 2009*):

18 (a) The board and general counsel and staff of the Office of State

19 Ethics shall:

20 (1) Compile and maintain an index of all reports, advisory opinions,
21 informal staff letters, memoranda issued in accordance with subsection
22 (b) of section 1-82 and statements filed by and with the Office of State
23 Ethics to facilitate public access to such reports and advisory opinions,
24 informal staff letters, memoranda statements as provided by this part;

25 (2) Preserve advisory opinions and informal staff letters,
26 permanently; preserve memoranda issued in accordance with
27 subsection (b) of section 1-82 and statements and reports filed by and
28 with the board for a period of five years from the date of receipt;

29 (3) Upon the concurring vote of a majority of the board present and
30 voting, issue advisory opinions with regard to the requirements of this
31 part, upon the request of any person subject to the provisions of this
32 part, and publish such advisory opinions in the Connecticut Law
33 Journal. Advisory opinions rendered by the board, until amended or
34 revoked, shall be binding on the board and shall be deemed to be final
35 decisions of the board for purposes of appeal to the superior court, in
36 accordance with the provisions of section 4-175 or 4-183. Any advisory
37 opinion concerning the person who requested the opinion and who
38 acted in reliance thereon, in good faith, shall be binding upon the
39 board, and it shall be an absolute defense in any criminal action
40 brought under the provisions of this part, that the accused acted in
41 reliance upon such advisory opinion;

42 (4) Respond to inquiries and provide advice regarding the code of
43 ethics either verbally or through informal letters;

44 (5) Provide yearly training to all state employees regarding the code
45 of ethics;

46 (6) Make legislative recommendations to the General Assembly and
47 report annually, prior to [April] February fifteenth, to the Governor
48 summarizing the activities of the [commission] Office of State Ethics;

49 (7) Meet not less than once per month with the office's executive
50 director and ethics enforcement officer; and

51 (8) The [commission] Office of State Ethics may enter into such
52 contractual agreements as may be necessary for the discharge of its
53 duties, within the limits of its appropriated funds and in accordance
54 with established procedures.

55 Sec. 3. Subsection (e) of section 1-82 of the general statutes is
56 repealed and the following is substituted in lieu thereof (*Effective*
57 *October 1, 2009*):

58 (e) No person shall take or threaten to take official action against an
59 individual for such individual's disclosure of information to the board
60 or the general counsel, ethics enforcement officer or staff of the Office
61 of State Ethics under the provisions of this part or section 1-101nn.
62 After receipt of information from an individual under the provisions of
63 this part or section 1-101nn, the Office of State Ethics shall not disclose
64 the identity of such individual without such individual's consent
65 unless the Office of State Ethics determines that such disclosure is
66 unavoidable during the course of an investigation. No person shall be
67 subject to civil liability for any good faith disclosure that such person
68 makes to the [commission] Office of State Ethics.

69 Sec. 4. Subsection (a) of section 1-83 of the general statutes is
70 repealed and the following is substituted in lieu thereof (*Effective*
71 *October 1, 2009*):

72 (a) (1) All state-wide elected officers, members of the General
73 Assembly, department heads and their deputies, members of the
74 Gaming Policy Board, the executive director of the Division of Special
75 Revenue within the Department of Revenue Services, members or
76 directors of each quasi-public agency, members of the Investment
77 Advisory Council, state marshals and such members of the Executive
78 Department and such employees of quasi-public agencies as the
79 Governor shall require, shall file, under penalty of false statement, a

80 statement of financial interests for the preceding calendar year with the
81 Office of State Ethics on or before the May first [next in] following any
82 year in which they hold such a position. Any such individual who
83 leaves his or her office or position shall file a statement of financial
84 interests covering that portion of the year during which such
85 individual held his or her office or position. The Office of State Ethics
86 shall notify such individuals of the requirements of this subsection not
87 later than thirty days after their departure from such office or position.
88 Such individuals shall file such statement within sixty days after
89 receipt of the notification.

90 (2) Each state agency, department, board and commission shall
91 develop and implement, in cooperation with the Office of State Ethics,
92 an ethics statement as it relates to the mission of the agency,
93 department, board or commission. The executive head of each such
94 agency, department, board or commission shall be directly responsible
95 for the development and enforcement of such ethics statement and
96 shall file a copy of such ethics statement with the Department of
97 Administrative Services and the Office of State Ethics.

98 Sec. 5. Subsection (u) of section 1-91 of the general statutes is
99 repealed and the following is substituted in lieu thereof (*Effective*
100 *October 1, 2009*):

101 (u) "Client lobbyist" means a [lobbyist] person on behalf of whom
102 lobbying takes place and who makes expenditures for lobbying and in
103 furtherance of lobbying.

104 Sec. 6. Section 1-100b of the general statutes is repealed and the
105 following is substituted in lieu thereof (*Effective October 1, 2009*):

106 (a) The Office of State Ethics, upon a finding that a communicator
107 lobbyist has violated the provisions of subsection [(i)] (h) of section 9-
108 610, may suspend said lobbyist's registration for a period of not more
109 than the remainder of the term of such registration and may prohibit
110 said lobbyist from engaging in the profession of lobbyist for a period

111 of not more than three years.

112 (b) The Office of State Ethics may revoke the registration of a
113 communicator lobbyist upon a finding that the lobbyist has been
114 convicted of a crime involving bribery, theft or moral turpitude, which
115 the lobbyist committed in the course of lobbying.

116 (c) The Office of State Ethics shall make any finding under
117 subsection (a) or (b) of this section in accordance with the same
118 procedure set forth in section 1-93 for a finding by the [commission]
119 board of a violation of part II of chapter 10.

120 (d) As used in this section, "communicator lobbyist", "lobbyist" and
121 "lobbying" have the same meanings as provided in section 1-91, as
122 amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	1-79(l)
Sec. 2	October 1, 2009	1-81(a)
Sec. 3	October 1, 2009	1-82(e)
Sec. 4	October 1, 2009	1-83(a)
Sec. 5	October 1, 2009	1-91(u)
Sec. 6	October 1, 2009	1-100b

GAE *Joint Favorable Subst.*