



General Assembly

**Substitute Bill No. 1197**

January Session, 2011

\* \_\_\_\_\_SB01197APP\_\_051711\_\_\_\_\_\*

**AN ACT ESTABLISHING A LEGISLATIVE CODE OF CONDUCT AND HOUSE OF REPRESENTATIVES AND SENATE BIPARTISAN COMMITTEES ON ETHICS.**

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

1 Section 1. (NEW) (*Effective October 1, 2011*) Each member of the  
2 General Assembly shall:

3 (1) Be familiar with and abide by the Code of Ethics for Public  
4 Officials as set forth in chapter 10 of the general statutes;

5 (2) Provide energetic and diligent representation of his or her  
6 constituents and be accessible to all constituents;

7 (3) Fairly characterize the issues confronting the General Assembly  
8 and accurately inform the public regarding the conduct of his or her  
9 office;

10 (4) Act with due regard for the general welfare of the people of the  
11 state in exercising the power of confirmation in accordance with  
12 chapter 46 of the general statutes;

13 (5) Be informed and prepared and recognize all sides of an issue;

14 (6) Be informed about, and abide by, the rules that govern the  
15 proceedings of the General Assembly, including, but not limited to, the

16 Joint Rules of the Senate and the House of Representatives, rules to  
17 regulate the proceedings of the Senate and the rules to regulate the  
18 proceedings of the House of Representatives, as applicable;

19 (7) Uphold the Constitution of the state and the Constitution of the  
20 United States;

21 (8) Adhere to the spirit and the letter of any provisions of the  
22 general statutes, rules or regulations governing official conduct;

23 (9) Conduct himself or herself in the performance of his or her  
24 duties in a manner that does not discredit the House of  
25 Representatives or the Senate, as applicable;

26 (10) Treat fellow members, staff and the general public with  
27 fairness, respect and courtesy, regardless of political or religious  
28 beliefs, age, race, ethnicity, sex, sexual orientation or physical  
29 disability;

30 (11) Afford to every person who wishes to participate in the  
31 legislative process the opportunity to be heard according to established  
32 procedures; and

33 (12) Consider at all times whether his or her conduct would create  
34 in reasonable minds the perception that his or her ability to carry out  
35 legislative responsibilities with integrity and independence is  
36 impaired.

37 Sec. 2. (NEW) (*Effective from passage*) (a) Any member of the Senate  
38 may submit a complaint, under penalty of false statement, concerning  
39 alleged misconduct by a member of the Senate to the president pro  
40 tempore of the Senate and the minority leader of the Senate. Not later  
41 than seven days after receipt of such a complaint, the president pro  
42 tempore shall appoint a bipartisan committee on ethics that shall  
43 consist of six members, three of whom shall be appointed with the  
44 concurrence of the minority leader of the Senate. The president pro  
45 tempore shall appoint two cochairpersons of the committee, one of

46 whom shall be appointed upon the recommendation of the minority  
47 leader of the Senate. Said committee shall have cognizance of any  
48 official Senate action in response to any such complaint or misconduct  
49 by any member of the Senate.

50 (b) Any member of the House of Representatives may submit a  
51 complaint, under penalty of false statement, concerning alleged  
52 misconduct by a member of the House of Representatives to the  
53 speaker of the House of Representatives and the minority leader of the  
54 House of Representatives. Not later than seven days after receipt of  
55 such a complaint, the speaker of the House of Representatives shall  
56 appoint a bipartisan committee on ethics that shall consist of six  
57 members, three of whom shall be appointed by the minority leader of  
58 the House of Representatives. The speaker of the House of  
59 Representatives shall appoint two chairpersons of the committee, one  
60 of whom shall be appointed upon the recommendation of the minority  
61 leader of the House of Representatives. Said committee shall have  
62 cognizance of any official House of Representatives' action in response  
63 to any such complaint or misconduct by any member of the House of  
64 Representatives.

65 (c) As used in this section, "misconduct" means (1) any conviction or  
66 finding by a state agency of a substantial violation of state or federal  
67 election laws, or of the state code of ethics, or (2) any legal wrong that  
68 materially impairs the ability of the member to perform the duties of  
69 his or her office or that substantially undermines public trust and  
70 confidence in the Senate or House of Representatives, as applicable.  
71 Nothing in this section shall be construed to affect the powers and  
72 duties of the Office of State Ethics or the Citizen's Ethics Advisory  
73 Board. The provisions of subsections (d) to (i), inclusive, of this section  
74 shall set forth the procedures and requirements for any committee  
75 established in accordance with subsection (a) or (b) of this section.

76 (d) A quorum, consisting of not less than two members of each  
77 caucus, shall be required to conduct any official business of the  
78 committee. All committee decisions shall require four affirmative

79 votes.

80 (e) The committee shall conduct a preliminary investigation into any  
81 such complaint received pursuant to subsection (a) or (b) of this  
82 section. In the event that a complaint concerns alleged misconduct by  
83 the president pro tempore of the Senate, the duties of the president pro  
84 tempore under this section shall become the duties of the majority  
85 leader of the Senate. If such complaint concerns alleged misconduct of  
86 the minority leader of the Senate, the duties of the minority leader of  
87 the Senate under this section shall become the duties of the minority  
88 leader pro tempore of the Senate. If such complaint concerns alleged  
89 misconduct by the speaker of the House of Representatives, the duties  
90 of the speaker under this section shall become the duties of the  
91 majority leader of the House of Representatives. If such complaint  
92 concerns alleged misconduct of the minority leader of the House of  
93 Representatives, the duties of said minority leader shall become the  
94 duties of one of the deputy minority leaders of the House of  
95 Representatives.

96 (f) Any such preliminary investigation of a complaint shall be  
97 confidential and not subject to disclosure. Upon the conclusion of any  
98 preliminary investigation, the committee shall vote to either (1)  
99 dismiss the complaint, or (2) make a finding of probable cause that  
100 misconduct has occurred. Upon a finding of probable cause by the  
101 committee, all information relating to the preliminary investigation  
102 shall, to the extent allowed by state and federal law, be made available  
103 to the public.

104 (g) The committee shall undertake a full investigation only after a  
105 finding of probable cause. All information relating to a full  
106 investigation shall, to the extent allowed by state and federal law, be  
107 made available to the public. All proceedings relating to a full  
108 investigation shall be open to the public. Upon the completion of a full  
109 investigation, the committee shall report its findings and  
110 recommendation in the form of a resolution to be voted upon by the  
111 Senate or House of Representatives, as applicable. Such

112 recommendation shall include one of the following: (1) Expulsion, (2)  
113 censure, (3) reprimand, or (4) no action. The full Senate or House of  
114 Representatives, as applicable, shall vote on any such resolution not  
115 later than ten days after the committee reports out any such resolution.

116 (h) The subject of any such complaint or investigation may be  
117 represented by counsel and may appear before the committee on his or  
118 her own behalf.

119 (i) The committee shall adopt rules and procedures to govern its  
120 proceedings. Such rules shall include, but not be limited to, standards,  
121 rules and methodology for conducting such preliminary and full  
122 investigation, respectively.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	New section
Sec. 2	<i>from passage</i>	New section

**GAE**      *Joint Favorable Subst.*

**APP**      *Joint Favorable*