



General Assembly

Substitute Bill No. 36

February Session, 2012

* SB00036GAE__030512__ *

AN ACT CONCERNING REVISIONS TO THE STATE CODES OF ETHICS.

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

1 Section 1. Section 1-79 of the 2012 supplement to the general statutes
2 is repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2012*):

4 The following terms, when used in this part, [shall] have the
5 following meanings unless the context otherwise requires:

6 [(a)] (1) "Blind trust" means a trust established by a public official or
7 state employee or member of his immediate family for the purpose of
8 divestiture of all control and knowledge of assets.

9 [(b)] (2) "Business with which he is associated" means any sole
10 proprietorship, partnership, firm, corporation, trust or other entity
11 through which business for profit or not for profit is conducted in
12 which the public official or state employee or member of his
13 immediate family is a director, officer, owner, limited or general
14 partner, beneficiary of a trust or holder of stock constituting five per
15 cent or more of the total outstanding stock of any class, provided, a
16 public official or state employee, or member of his immediate family,
17 shall not be deemed to be associated with a not for profit entity solely
18 by virtue of the fact that the public official or state employee or

19 member of his immediate family is an unpaid director or officer of the
20 not for profit entity. "Officer" refers only to the president, executive or
21 senior vice president or treasurer of such business.

22 [(c)] (3) "Candidate for public office" means any individual who has
23 filed a declaration of candidacy or a petition to appear on the ballot for
24 election as a public official, or who has raised or expended money in
25 furtherance of such candidacy, or who has been nominated for
26 appointment to serve as a public official, but [shall] does not include a
27 candidate for the office of senator or representative in Congress.

28 [(d)] (4) "Board" means the Citizen's Ethics Advisory Board
29 established in section 1-80, as amended by this act.

30 [(e)] (5) "Gift" means anything of value, which is directly and
31 personally received, unless consideration of equal or greater value is
32 given in return. "Gift" [shall] does not include:

33 [(1)] (A) A political contribution otherwise reported as required by
34 law or a donation or payment as described in subdivision (9) or (10) of
35 subsection (b) of section 9-601a;

36 [(2)] (B) Services provided by persons volunteering their time, if
37 provided to aid or promote the success or defeat of any political party,
38 any candidate or candidates for public office or the position of
39 convention delegate or town committee member or any referendum
40 question;

41 [(3)] (C) A commercially reasonable loan made on terms not more
42 favorable than loans made in the ordinary course of business;

43 [(4)] (D) A gift received from [(A)] (i) an individual's spouse, fiance
44 or fiancée, [(B)] (ii) the parent, brother or sister of such spouse or such
45 individual, or [(C)] (iii) the child of such individual or the spouse of
46 such child;

47 [(5)] (E) Goods or services [(A) which] (i) that are provided to a state
48 agency or quasi-public agency [(i)] (I) for use on state or quasi-public

49 agency property, or [(ii)] (II) that support an event or the participation
50 by a public official or state employee at an event, and [(B) which] (ii)
51 that facilitate state or quasi-public agency action or functions. As used
52 in this [subdivision] subparagraph, "state property" means [(i)]
53 property owned by the state or a quasi-public agency, or [(ii)] property
54 leased to a state agency or quasi-public agency;

55 [(6)] (F) A certificate, plaque or other ceremonial award costing less
56 than one hundred dollars;

57 [(7)] (G) A rebate, discount or promotional item available to the
58 general public;

59 [(8)] (H) Printed or recorded informational material germane to
60 state action or functions;

61 [(9)] (I) Food or beverage or both, costing less than fifty dollars in
62 the aggregate per recipient in a calendar year, and consumed on an
63 occasion or occasions at which the person paying, directly or
64 indirectly, for the food or beverage, or his representative, is in
65 attendance;

66 [(10)] (J) Food or beverage or both, costing less than fifty dollars per
67 person and consumed at a publicly noticed legislative reception to
68 which all members of the General Assembly are invited and which is
69 hosted not more than once in any calendar year by a lobbyist or
70 business organization. For the purposes of such limit, [(A)] (i) a
71 reception hosted by a lobbyist who is an individual shall be deemed to
72 have also been hosted by the business organization which he owns or
73 is employed by, and [(B)] (ii) a reception hosted by a business
74 organization shall be deemed to have also been hosted by all owners
75 and employees of the business organization who are lobbyists. In
76 making the calculation for the purposes of such fifty-dollar limit, the
77 donor shall divide the amount spent on food and beverage by the
78 number of persons whom the donor reasonably expects to attend the
79 reception;

80 [(11)] (K) Food or beverage or both, costing less than fifty dollars per
81 person and consumed at a publicly noticed reception to which all
82 members of the General Assembly from a region of the state are
83 invited and which is hosted not more than once in any calendar year
84 by a lobbyist or business organization. For the purposes of such limit,
85 [(A)] (i) a reception hosted by a lobbyist who is an individual shall be
86 deemed to have also been hosted by the business organization which
87 he owns or is employed by, and [(B)] (ii) a reception hosted by a
88 business organization shall be deemed to have also been hosted by all
89 owners and employees of the business organization who are lobbyists.
90 In making the calculation for the purposes of such fifty-dollar limit, the
91 donor shall divide the amount spent on food and beverage by the
92 number of persons whom the donor reasonably expects to attend the
93 reception. As used in this subdivision, "region of the state" means the
94 established geographic service area of the organization hosting the
95 reception;

96 [(12)] (L) A gift, including, but not limited to, food or beverage or
97 both, provided by an individual for the celebration of a major life
98 event, provided any such gift provided by an individual who is not a
99 member of the family of the recipient shall not exceed one thousand
100 dollars in value;

101 [(13)] (M) Gifts costing less than one hundred dollars in the
102 aggregate or food or beverage provided at a hospitality suite at a
103 meeting or conference of an interstate legislative association, by a
104 person who is not a registrant or is not doing business with the state of
105 Connecticut;

106 [(14)] (N) Admission to a charitable or civic event, including food
107 and beverage provided at such event, but excluding lodging or travel
108 expenses, at which a public official or state employee participates in
109 his official capacity, provided such admission is provided by the
110 primary sponsoring entity;

111 [(15)] (O) Anything of value provided by an employer of [(A)] (i) a

112 public official, [(B)] (ii) a state employee, or [(C)] (iii) a spouse of a
113 public official or state employee, to such official, employee or spouse,
114 provided such benefits are customarily and ordinarily provided to
115 others in similar circumstances;

116 [(16)] (P) Anything having a value of not more than ten dollars,
117 provided the aggregate value of all things provided by a donor to a
118 recipient under this subdivision in any calendar year shall not exceed
119 fifty dollars;

120 [(17)] (Q) Training that is provided by a vendor for a product
121 purchased by a state or quasi-public agency which is offered to all
122 customers of such vendor; or

123 [(18)] (R) Travel expenses, lodging, food, beverage and other
124 benefits customarily provided by a prospective employer, when
125 provided to a student at a public institution of higher education whose
126 employment is derived from such student's status as a student at such
127 institution, in connection with bona fide employment discussions.

128 [(f)] (6) "Immediate family" means any spouse, children or
129 dependent relatives who reside in the individual's household.

130 [(g)] (7) "Individual" means a natural person.

131 [(h)] (8) "Member of an advisory board" means any individual [(1)]
132 (A) appointed by a public official as an advisor or consultant or
133 member of a committee, commission or council established to advise,
134 recommend or consult with a public official or branch of government
135 or committee thereof, [(2)] (B) who receives no public funds other than
136 per diem payments or reimbursement for his actual and necessary
137 expenses incurred in the performance of his official duties, and [(3)]
138 (C) who has no authority to expend any public funds or to exercise the
139 power of the state.

140 [(i)] (9) "Person" means an individual, sole proprietorship, trust,
141 corporation, limited liability company, union, association, firm,

142 partnership, committee, club or other organization or group of
143 persons.

144 [(j)] (10) "Political contribution" has the same meaning as in section
145 9-601a except that for purposes of this part, the provisions of
146 subsection (b) of [that] said section shall not apply.

147 [(k)] (11) "Public official" means any state-wide elected officer, any
148 member or member-elect of the General Assembly, any person
149 appointed to any office of the legislative, judicial or executive branch
150 of state government by the Governor or an appointee of the Governor,
151 with or without the advice and consent of the General Assembly, any
152 public member or representative of the teachers' unions or state
153 employees' unions appointed to the Investment Advisory Council
154 pursuant to subsection (a) of section 3-13b, any person appointed or
155 elected by the General Assembly or by any member of either house
156 thereof, any member or director of a quasi-public agency and the
157 spouse of the Governor, but [shall] does not include a member of an
158 advisory board, a judge of any court either elected or appointed or a
159 senator or representative in Congress.

160 [(l)] (12) "Quasi-public agency" means the Connecticut Development
161 Authority, Connecticut Innovations, Incorporated, Connecticut Health
162 and Education Facilities Authority, Connecticut Higher Education
163 Supplemental Loan Authority, Connecticut Housing Finance
164 Authority, [Connecticut] State Housing Authority, Connecticut
165 Resources Recovery Authority, Lower Fairfield County Convention
166 Center Authority, Capital City Economic Development Authority,
167 Connecticut Lottery Corporation, Connecticut Airport Authority,
168 Health Information Technology Exchange of Connecticut and
169 Connecticut Health Insurance Exchange.

170 [(m)] (13) "State employee" means any employee in the executive,
171 legislative or judicial branch of state government, whether in the
172 classified or unclassified service and whether full or part-time, and any
173 employee of a quasi-public agency, but [shall] does not include a judge

174 of any court, either elected or appointed.

175 [(n)] (14) "Trust" means a trust in which any public official or state
176 employee or member of his immediate family has a present or future
177 interest which exceeds ten per cent of the value of the trust or exceeds
178 fifty thousand dollars, whichever is less, but [shall] does not include
179 blind trusts.

180 [(o)] (15) "Business organization" means a sole proprietorship,
181 corporation, limited liability company, association, firm or partnership,
182 other than a client lobbyist, which is owned by, or employs, one or
183 more individual lobbyists.

184 [(p)] (16) "Client lobbyist" means a [person] lobbyist on behalf of
185 whom lobbying takes place and who makes expenditures for lobbying
186 and in furtherance of lobbying.

187 [(q)] (17) "Necessary expenses" means a public official's or state
188 employee's expenses for an article, appearance or speech or for
189 participation at an event, in his official capacity, which shall be limited
190 to necessary travel expenses, lodging for the nights before, of and after
191 the appearance, speech or event, meals and any related conference or
192 seminar registration fees.

193 [(r)] (18) "Lobbyist" and "registrant" shall be construed as defined in
194 section 1-91, as amended by this act.

195 [(s)] (19) "Legal defense fund" means a fund established for the
196 payment of legal expenses of a public official or state employee
197 incurred as a result of defending himself or herself in an
198 administrative, civil, criminal or constitutional proceeding concerning
199 matters related to the official's or employee's service or employment
200 with the state or a quasi-public agency.

201 [(t)] (20) "State agency" means any office, department, board,
202 council, commission, institution, constituent unit of the state system of
203 higher education, vocational-technical school or other agency in the

204 executive, legislative or judicial branch of state government.

205 Sec. 2. Section 1-84c of the general statutes is repealed and the
206 following is substituted in lieu thereof (*Effective July 1, 2012*):

207 (a) Nothing in this chapter shall prohibit the donation of goods or
208 services, as described in [subdivision (5) of subsection (e)]
209 subparagraph (E) of subdivision (5) of section 1-79, as amended by this
210 act, to a state agency or quasi-public agency, the donation of the use of
211 facilities to facilitate state agency or quasi-public agency action or
212 functions or the donation of real property to a state agency or quasi-
213 public agency. As used in this section, "state agency" and "quasi-public
214 agency" have the same meanings as provided in section 1-79, as
215 amended by this act.

216 (b) The head of the state agency or the quasi-public agency
217 employing the public official or state employee who is to receive a
218 donated good or service to support the participation by such official or
219 employee at an event as described in subparagraph (E) of subdivision
220 (5) of section 1-79, as amended by this act, shall certify to the Office of
221 State Ethics, prior to acceptance of such good or service, on an
222 electronic form prescribed by the board, that such good or service
223 facilitates state action or functions. In the case where there is no head
224 of the state agency, such official or employee shall make such
225 certification to the Office of State Ethics.

226 Sec. 3. Subsection (a) of section 1-80 of the 2012 supplement to the
227 general statutes is repealed and the following is substituted in lieu
228 thereof (*Effective from passage*):

229 (a) There shall be established, within the Office of Governmental
230 Accountability established under section 1-300, an Office of State
231 Ethics. Said office shall consist of an executive director, general
232 counsel, ethics enforcement officer and such other staff as hired by the
233 executive director. Within the Office of State Ethics, there shall be the
234 Citizen's Ethics Advisory Board that shall consist of nine members,
235 appointed as follows: One member shall be appointed by the speaker

236 of the House of Representatives, one member by the president pro
237 tempore of the Senate, one member by the majority leader of the
238 Senate, one member by the minority leader of the Senate, one member
239 by the majority leader of the House of Representatives, one member by
240 the minority leader of the House of Representatives, and three
241 members by the Governor. Members of the board [shall serve for four-
242 year terms which shall commence on October 1, 2005, except that
243 members] first appointed for a term commencing on October 1, 2005,
244 shall have the following terms: The Governor shall appoint two
245 members for a term of three years and one member for a term of four
246 years; the majority leader of the House of Representatives, minority
247 leader of the House of Representatives and the speaker of the House of
248 Representatives shall each appoint one member for a term of two
249 years; and the president pro tempore of the Senate, the majority leader
250 of the Senate and the minority leader of the Senate shall each appoint
251 one member for a term of four years. The term commencing October 1,
252 2009, for the member appointed by the Governor and the member
253 appointed by the president pro tempore of the Senate, shall be five
254 years. Upon the expiration of such members' five-year terms, such
255 members may not be reappointed. Any member appointed on or after
256 October 1, 2014, shall serve for a term of four years. No individual
257 shall be appointed to more than one four-year term as a member of the
258 board. [, provided, members] Members may not continue in office once
259 their term has expired and members first appointed may not be
260 reappointed, provided any member may continue to adjudicate at a
261 hearing under subsection (b) of section 1-82 or subsection (b) of section
262 1-93 that commenced during such member's term of office. No more
263 than five members shall be members of the same political party. The
264 members appointed by the majority leader of the Senate and the
265 majority leader of the House of Representatives shall be selected from
266 a list of nominees proposed by a citizen group having an interest in
267 ethical government. The majority leader of the Senate and the majority
268 leader of the House of Representatives shall each determine the citizen
269 group from which each will accept such nominations. One member
270 appointed by the Governor shall be selected from a list of nominees

271 proposed by a citizen group having an interest in ethical government.
272 The Governor shall determine the citizen group from which the
273 Governor will accept such nominations.

274 Sec. 4. Subsection (b) of section 1-80 of the 2012 supplement to the
275 general statutes is repealed and the following is substituted in lieu
276 thereof (*Effective October 1, 2012*):

277 (b) All members shall be electors of the state. No member shall be a
278 state employee. No member or employee of [such] said board shall (1)
279 hold or campaign for any public office; (2) have held public office or
280 have been a candidate for public office for a three-year period prior to
281 appointment; (3) hold office in any political party or political
282 committee or be a member of any organization or association
283 organized primarily for the purpose of influencing legislation or
284 decisions of public agencies; or (4) be an individual who is a registrant
285 as defined in [subsection (q)] subdivision (17) of section 1-91, as
286 amended by this act. For purposes of this subsection, "public office"
287 does not include the offices of justice of the peace or notary public.

288 Sec. 5. Subsection (d) of section 1-80 of the 2012 supplement to the
289 general statutes is repealed and the following is substituted in lieu
290 thereof (*Effective October 1, 2012*):

291 (d) The board shall elect a chairperson who shall, except as
292 provided in subsection (b) of section 1-82 and subsection (b) of section
293 1-93, preside at meetings of the board and a vice-chairperson to
294 preside in the absence of the chairperson. Six members of the board
295 shall constitute a quorum. Except as provided in subdivision (3) of
296 subsection (a) of section 1-81, as amended by this act, subsections (a)
297 and (b) of section 1-82, subsection (b) of section 1-88, [subdivision (5)]
298 subsection (e) of section 1-92, as amended by this act, subsections (a)
299 and (b) of section 1-93 and subsection (b) of section 1-99, a majority
300 vote of the members shall be required for action of the board. The
301 chairperson or any three members may call a meeting.

302 Sec. 6. Subsections (i) to (k), inclusive, of section 1-80 of the 2012

303 supplement to the general statutes are repealed and the following is
304 substituted in lieu thereof (*Effective October 1, 2012*):

305 (i) No member or employee of the board or Office of State Ethics
306 may (1) make a contribution, as defined in section 9-601a, to any
307 [person] public official, state employee or candidate for public office
308 subject to the provisions of this part; or (2) participate in the political
309 campaign of any candidate for public office subject to the provisions of
310 this part by (A) publicly endorsing or opposing a candidate on behalf
311 of the political campaign of a candidate for public office; (B)
312 organizing, selling tickets to, promoting or actively participating in a
313 fund-raising activity of a candidate, political party or political
314 committee; (C) directly or indirectly soliciting, receiving, collecting,
315 handling, disbursing or accounting for contributions or other funds for
316 the political campaign of any candidate for public office; (D) soliciting
317 votes in support of or in opposition to a candidate on behalf of the
318 political campaign of any candidate for public office; and (E) providing
319 any other compensated or uncompensated services for the political
320 campaign of any candidate for public office.

321 (j) Members of the board shall recuse themselves from participating
322 in any proceeding or matter undertaken pursuant to this chapter that
323 involves the person who appointed such member to the board.

324 (k) No former member of the board may represent any business or
325 person, other than himself or herself, before the board for a period of
326 one year following the end of such former member's service on the
327 board. No business or person that appears before the board shall
328 employ or otherwise engage the services of a former member of the
329 board for a period of one year following the end of such former
330 member's service on the board.

331 Sec. 7. Section 1-80 of the 2012 supplement to the general statutes is
332 amended by adding subsection (n) as follows (*Effective October 1, 2012*):

333 (NEW) (n) Each person appointed to the board shall sign a
334 certification indicating that such person is aware of the provisions

335 contained in subsections (b) and (h) to (l), inclusive, of this section.
336 Each such person shall file such certification with the Office of State
337 Ethics prior to taking the oath of office as member of the board.

338 Sec. 8. Section 1-81 of the general statutes is repealed and the
339 following is substituted in lieu thereof (*Effective October 1, 2012*):

340 (a) The board and general counsel and staff of the Office of State
341 Ethics shall:

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

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

351 (3) Upon the concurring vote of a majority of the board present and
352 voting, issue advisory opinions with regard to the requirements of this
353 part or part IV of this chapter, upon the request of any person subject
354 to the provisions of this part or part IV of this chapter, and publish
355 such advisory opinions in the Connecticut Law Journal. Advisory
356 opinions rendered by the board, until amended or revoked, shall be
357 binding on the board and shall be deemed to be final decisions of the
358 board for purposes of appeal to the superior court, in accordance with
359 the provisions of section 4-175 or 4-183. Any advisory opinion
360 concerning the person who requested the opinion and who acted in
361 reliance thereon, in good faith, shall be binding upon the board, and it
362 shall be an absolute defense in any criminal action brought under the
363 provisions of this part or part IV of this chapter, that the accused acted
364 in reliance upon such advisory opinion;

365 (4) Respond to inquiries and provide advice regarding the code of

366 ethics either verbally or through informal letters;

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

369 (6) Make legislative recommendations to the General Assembly and
370 report annually, [prior to April] not later than February fifteenth, to the
371 Governor summarizing the activities of the [commission;] Office of
372 State Ethics; and

373 (7) Meet not less than once per month with the office's executive
374 director and ethics enforcement officer. [; and]

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

379 [(b)] (c) The Office of State Ethics shall employ an executive director,
380 general counsel and ethics enforcement officer, each of whom shall be
381 exempt from classified state service. The salary for the executive
382 director, general counsel and the ethics enforcement officer shall be
383 determined by the Commissioner of Administrative Services in
384 accordance with accepted personnel practices. No one person may
385 serve in more than one of the positions described in this subsection.
386 The Office of State Ethics may employ necessary staff within available
387 appropriations. Such necessary staff of the Office of State Ethics shall
388 be in classified state service.

389 [(c)] (d) The executive director, described in subsection [(b)] (c) of
390 this section, shall be appointed by the Citizen's Ethics Advisory Board
391 for an open-ended term. Such appointment shall not be made until all
392 the initial board members appointed to terms commencing on October
393 1, 2005, are appointed by their respective appointing authorities,
394 pursuant to subsection (a) of section 1-80, as amended by this act. The
395 board shall annually evaluate the performance of the executive
396 director, in writing, and may remove the executive director, in

397 accordance with the provisions of chapter 67.

398 [(d)] (e) The general counsel and ethics enforcement officer
399 described in subsection [(b)] (c) of this section, and other staff of the
400 Office of State Ethics shall be appointed by the executive director of the
401 Office of State Ethics. The executive director shall annually evaluate
402 the performance of the general counsel, ethics enforcement officer and
403 such other staff, in writing, and may remove the general counsel or
404 ethics enforcement officer, in accordance with the provisions of
405 chapter 67, or such other staff, in accordance with any applicable
406 collective bargaining agreement.

407 [(e)] (f) There shall be a legal division within the Office of State
408 Ethics. The legal division shall provide the board with legal advice on
409 matters before said board and shall represent the board in all matters
410 in which the board is a party, without the assistance of the Attorney
411 General unless the board requests such assistance. The legal division
412 shall, under the direction of the general counsel, provide information
413 and written and verbal opinions to persons subject to the code and to
414 the general public. The general counsel, described in subsection [(b)]
415 (c) of this section, shall supervise such division. The investigation or
416 instigation of a complaint may not occur solely because of information
417 received by the legal division.

418 [(f)] (g) There shall be an enforcement division within the Office of
419 State Ethics. The enforcement division shall be responsible for
420 investigating complaints brought to or by the board. The ethics
421 enforcement officer, described in subsection [(b)] (c) of this section,
422 shall supervise the enforcement division. The enforcement division
423 shall employ such attorneys and investigators, as necessary, within
424 available appropriations, and may refer matters to the office of the
425 Chief State's Attorney, as appropriate.

426 [(g)] (h) The Citizen's Ethics Advisory Board shall adopt regulations
427 in accordance with chapter 54 to carry out the purposes of this part.
428 Such regulations shall not be deemed to govern the conduct of any

429 judge trial referee in the performance of such judge trial referee's
430 duties pursuant to this chapter.

431 [(h) In] (i) The general counsel shall, in consultation with the
432 executive director of the Office of State Ethics, [the general counsel
433 shall] oversee yearly training of all state personnel in the code of ethics,
434 provide training on the code of ethics to other individuals or entities
435 subject to the code and shall make recommendations as to public
436 education regarding ethics.

437 Sec. 9. Subsection (e) of section 1-82 of the general statutes is
438 repealed and the following is substituted in lieu thereof (*Effective from*
439 *passage*):

440 (e) No person shall take or threaten to take official action against an
441 individual for such individual's disclosure of information to the board
442 or the general counsel, ethics enforcement officer or staff of the Office
443 of State Ethics under the provisions of this part or section 1-101nn.
444 After receipt of information from an individual under the provisions of
445 this part or section 1-101nn, the Office of State Ethics shall not disclose
446 the identity of such individual without such individual's consent
447 unless the Office of State Ethics determines that such disclosure is
448 unavoidable during the course of an investigation. No person shall be
449 subject to civil liability for any good faith disclosure that such person
450 makes to the [commission] Office of State Ethics.

451 Sec. 10. Subsection (a) of section 1-83 of the 2012 supplement to the
452 general statutes is repealed and the following is substituted in lieu
453 thereof (*Effective from passage*):

454 (a) (1) All state-wide elected officers, members of the General
455 Assembly, department heads and their deputies, members of the
456 Gaming Policy Board, members or directors of each quasi-public
457 agency, members of the Investment Advisory Council, state marshals
458 and such members of the Executive Department and such employees
459 of quasi-public agencies as the Governor shall require, shall file, under
460 penalty of false statement, a statement of financial interests for the

461 preceding calendar year with the Office of State Ethics on or before
462 [the] May first next in any year in which they hold such [a] an office or
463 position. If, in any year, May first falls on a weekend or legal holiday,
464 such statement shall be filed not later than the next business day. Any
465 such individual who leaves his or her office or position shall file a
466 statement of financial interests covering that portion of the year during
467 which such individual held his or her office or position. The Office of
468 State Ethics shall notify such individuals of the requirements of this
469 subsection not later than thirty days after their departure from such
470 office or position. Such individuals shall file such statement [within]
471 not later than sixty days after receipt of the notification.

472 (2) Each state agency, department, board and commission shall
473 develop and implement, in cooperation with the Office of State Ethics,
474 an ethics statement as it relates to the mission of the agency,
475 department, board or commission. The executive head of each such
476 agency, department, board or commission shall be directly responsible
477 for the development and enforcement of such ethics statement and
478 shall file a copy of such ethics statement with the Department of
479 Administrative Services and the Office of State Ethics.

480 Sec. 11. Subsection (j) of section 1-84 of the 2012 supplement to the
481 general statutes is repealed and the following is substituted in lieu
482 thereof (*Effective July 1, 2012*):

483 (j) No public official, state employee or candidate for public office,
484 or a member of any such person's staff or immediate family shall
485 knowingly accept any gift, as defined in [subsection (e) of] subdivision
486 (5) of section 1-79, as amended by this act, from a person known to be a
487 registrant or anyone known to be acting on behalf of a registrant.

488 Sec. 12. Subsection (m) of section 1-84 of the 2012 supplement to the
489 general statutes is repealed and the following is substituted in lieu
490 thereof (*Effective July 1, 2012*):

491 (m) No public official or state employee shall knowingly accept,
492 directly or indirectly, any gift, as defined in [subsection (e) of]

493 subdivision (5) of section 1-79, as amended by this act, from any
494 person the public official or state employee knows or has reason to
495 know: (1) Is doing business with or seeking to do business with the
496 department or agency in which the public official or state employee is
497 employed; (2) is engaged in activities which are directly regulated by
498 such department or agency; or (3) is prequalified under section 4a-100.
499 No person shall knowingly give, directly or indirectly, any gift or gifts
500 in violation of this provision. For the purposes of this subsection, the
501 exclusion to the term "gift" in [subdivision (12) of subsection (e)]
502 subparagraph (L) of subdivision (5) of section 1-79, as amended by this
503 act, for a gift for the celebration of a major life event shall not apply.
504 Any person prohibited from making a gift under this subsection shall
505 report to the Office of State Ethics any solicitation of a gift from such
506 person by a state employee or public official.

507 Sec. 13. Subsection (q) of section 1-84 of the 2012 supplement to the
508 general statutes is repealed and the following is substituted in lieu
509 thereof (*Effective October 1, 2012*):

510 (q) No public official or state employee shall knowingly counsel,
511 authorize or otherwise sanction action that violates any provision of
512 this part.

513 Sec. 14. Subsection (d) of section 1-88 of the general statutes is
514 repealed and the following is substituted in lieu thereof (*Effective*
515 *October 1, 2012*):

516 (d) Any person who knowingly acts in such person's financial
517 interest in violation of section 1-84, as amended by this act 1-85, 1-86,
518 [or] 1-86d, 1-86e or 1-101nn or any person who knowingly receives a
519 financial advantage resulting from a violation of any of said sections
520 shall be liable for damages in the amount of such advantage. If the
521 board determines that any person may be so liable, it shall
522 immediately inform the Attorney General of that possibility.

523 Sec. 15. Section 1-91 of the general statutes is repealed and the
524 following is substituted in lieu thereof (*Effective October 1, 2012*):

525 When used in this part, unless the context otherwise requires:

526 [(a)] (1) "Administrative action" means any action or nonaction of
527 any executive agency of the state with respect to the proposal, drafting,
528 development, consideration, amendment, adoption or repeal of any
529 rule, regulation or utility rate, and any action or nonaction of any
530 executive agency or quasi-public agency, as defined in section 1-79, as
531 amended by this act, regarding a contract, grant, award, purchasing
532 agreement, loan, bond, certificate, license, permit or any other matter
533 which is within the official jurisdiction or cognizance of such an
534 agency.

535 [(b)] (2) "Candidate for public office" means any person who has
536 filed a declaration of candidacy or a petition to appear on the ballot for
537 election as a public official, or who has raised or expended money in
538 furtherance of such candidacy, or who has been nominated for
539 appointment to serve as a public official; but [shall] does not include a
540 candidate for the office of senator or representative in Congress.

541 [(c)] (3) "Board" means the Citizen's Ethics Advisory Board
542 established under section 1-80, as amended by this act.

543 [(d)] (4) "Compensation" means any value received or to be received
544 by a person acting as a lobbyist, whether in the form of a fee, salary or
545 forbearance.

546 [(e)] (5) "Executive agency" means a commission, board, agency, or
547 other body or official in the executive branch of the state government
548 and any independent body of the state government that is not a part of
549 the legislative or judicial branch.

550 [(f)] (6) "Expenditure" means any advance, conveyance, deposit,
551 distribution, transfer of funds, loan, payment, unless expressly
552 excluded; any payments for telephone, mailing, postage, printing and
553 other clerical or office services and materials; any paid
554 communications, costing fifty dollars or more in any calendar year,
555 disseminated by means of any printing, broadcasting or other

556 medium, provided such communications refer to pending
557 administrative or legislative action; any contract, agreement, promise
558 or other obligation; any solicitation or solicitations, costing fifty dollars
559 or more in the aggregate for any calendar year, of other persons to
560 communicate with a public official or state employee for the purpose
561 of influencing any legislative or administrative act and any pledge,
562 subscription of money or anything of value. "Expenditure" [shall] does
563 not include the payment of a registrant's fee pursuant to section 1-95,
564 as amended by this act, any expenditure made by any club, committee,
565 partnership, organization, business, union, association or corporation
566 for the purpose of publishing a newsletter or other release to its
567 members, shareholders or employees, or contributions, membership
568 dues or other fees paid to associations, nonstock corporations or tax-
569 exempt organizations under Section 501(c) of the Internal Revenue
570 Code of 1986, or any subsequent corresponding internal revenue code
571 of the United States, as from time to time amended.

572 [(g)] (Z) "Gift" means anything of value, which is directly and
573 personally received, unless consideration of equal or greater value is
574 given in return. "Gift" [shall] does not include:

575 [(1)] (A) A political contribution otherwise reported as required by
576 law or a donation or payment described in subdivision (9) or (10) of
577 subsection (b) of section 9-601a;

578 [(2)] (B) Services provided by persons volunteering their time, if
579 provided to aid or promote the success or defeat of any political party,
580 any candidate or candidates for public office or the position of
581 convention delegate or town committee member or any referendum
582 question;

583 [(3)] (C) A commercially reasonable loan made on terms not more
584 favorable than loans made in the ordinary course of business;

585 [(4)] (D) A gift received from [(A)] (i) the individual's spouse, fiance
586 or fiancée, [(B)] (ii) the parent, brother or sister of such spouse or such
587 individual, or [(C)] (iii) the child of such individual or the spouse of

588 such child;

589 [(5)] ~~(E)~~ Goods or services [(A) which] ~~(i)~~ that are provided to a state
590 agency or quasi-public agency [(i)] ~~(I)~~ for use on state or quasi-public
591 agency property, or [(ii)] ~~(II)~~ that support an event or the participation
592 by a public official or state employee at an event, and [(B) which] ~~(ii)~~
593 that facilitate state or quasi-public agency action or functions. As used
594 in this [subdivision] subparagraph, "state property" means [(i)]
595 property owned by the state or a quasi-public agency, or [(ii)] property
596 leased to a state or quasi-public agency;

597 [(6)] ~~(F)~~ A certificate, plaque or other ceremonial award costing less
598 than one hundred dollars;

599 [(7)] ~~(G)~~ A rebate, discount or promotional item available to the
600 general public;

601 [(8)] ~~(H)~~ Printed or recorded informational material germane to
602 state action or functions;

603 [(9)] ~~(I)~~ Food or beverage or both, costing less than fifty dollars in
604 the aggregate per recipient in a calendar year, and consumed on an
605 occasion or occasions at which the person paying, directly or
606 indirectly, for the food or beverage, or his representative, is in
607 attendance;

608 [(10)] ~~(J)~~ Food or beverage or both, costing less than fifty dollars per
609 person and consumed at a publicly noticed legislative reception to
610 which all members of the General Assembly are invited and which is
611 hosted not more than once in any calendar year by a lobbyist or
612 business organization. For the purposes of such limit, [(A)] ~~(i)~~ a
613 reception hosted by a lobbyist who is an individual shall be deemed to
614 have also been hosted by the business organization which he owns or
615 is employed by, and [(B)] ~~(ii)~~ a reception hosted by a business
616 organization shall be deemed to have also been hosted by all owners
617 and employees of the business organization who are lobbyists. In
618 making the calculation for the purposes of such fifty-dollar limit, the

619 donor shall divide the amount spent on food and beverage by the
620 number of persons whom the donor reasonably expects to attend the
621 reception;

622 [(11)] (K) Food or beverage or both, costing less than fifty dollars per
623 person and consumed at a publicly noticed reception to which all
624 members of the General Assembly from a region of the state are
625 invited and which is hosted not more than once in any calendar year
626 by a lobbyist or business organization. For the purposes of such limit,
627 [(A)] (i) a reception hosted by a lobbyist who is an individual shall be
628 deemed to have also been hosted by the business organization which
629 he owns or is employed by, and [(B)] (ii) a reception hosted by a
630 business organization shall be deemed to have also been hosted by all
631 owners and employees of the business organization who are lobbyists.
632 In making the calculation for the purposes of such fifty-dollar limit, the
633 donor shall divide the amount spent on food and beverage by the
634 number of persons whom the donor reasonably expects to attend the
635 reception. As used in this [subdivision] subparagraph, "region of the
636 state" means the established geographic service area of the
637 organization hosting the reception;

638 [(12)] (L) A gift, including, but not limited to, food or beverage or
639 both, provided by an individual for the celebration of a major life
640 event, provided any such gift provided by an individual who is not a
641 member of the family of the recipient [shall] does not exceed one
642 thousand dollars in value;

643 [(13)] (M) Gifts costing less than one hundred dollars in the
644 aggregate or food or beverage provided at a hospitality suite at a
645 meeting or conference of an interstate legislative association, by a
646 person who is not a registrant or is not doing business with the state of
647 Connecticut;

648 [(14)] (N) Admission to a charitable or civic event, including food
649 and beverage provided at such event, but excluding lodging or travel
650 expenses, at which a public official or state employee participates in

651 his or her official capacity, provided such admission is provided by the
652 primary sponsoring entity;

653 [(15)] (O) Anything of value provided by an employer of [(A)] (i) a
654 public official, [(B)] (ii) a state employee, or [(C)] (iii) a spouse of a
655 public official or state employee, to such official, employee or spouse,
656 provided such benefits are customarily and ordinarily provided to
657 others in similar circumstances;

658 [(16)] (P) Anything having a value of not more than ten dollars,
659 provided the aggregate value of all things provided by a donor to a
660 recipient under this subdivision in any calendar year [shall] does not
661 exceed fifty dollars; or

662 [(17)] (Q) Training that is provided by a vendor for a product
663 purchased by a state or quasi-public agency which is offered to all
664 customers of such vendor.

665 [(h)] (8) "Immediate family" means any spouse, dependent children
666 or dependent relatives who reside in the individual's household.

667 [(i)] (9) "Individual" means a natural person.

668 [(j)] (10) "Legislative action" means introduction, sponsorship,
669 consideration, debate, amendment, passage, defeat, approval, veto,
670 overriding of a veto or any other official action or nonaction with
671 regard to any bill, resolution, amendment, nomination, appointment,
672 report, or any other matter pending or proposed in a committee or in
673 either house of the legislature, or any matter which is within the
674 official jurisdiction or cognizance of the legislature.

675 [(k)] (11) "Lobbying" means communicating directly or soliciting
676 others to communicate with any official or his staff in the legislative or
677 executive branch of government or in a quasi-public agency, for the
678 purpose of influencing any legislative or administrative action except
679 that the term "lobbying" does not include [(1)] (A) communications by
680 or on behalf of a party to, or an intervenor in, a contested case, as

681 described in regulations adopted by the [commission] Office of State
682 Ethics in accordance with the provisions of chapter 54, before an
683 executive agency or a quasi-public agency, as defined in section 1-79,
684 as amended by this act, [(2)] (B) communications by a representative of
685 a vendor or by an employee of the registered client lobbyist which
686 representative or employee acts as a salesperson and does not
687 otherwise engage in lobbying regarding any administrative action,
688 [(3)] (C) communications by an attorney made while engaging in the
689 practice of law and regarding any matter other than legislative action
690 as defined in [subsection (j)] subdivision (10) of this section or the
691 proposal, drafting, development, consideration, amendment, adoption
692 or repeal of any rule or regulation, or [(4)] (D) other communications
693 exempted by regulations adopted by the [commission] Office of State
694 Ethics in accordance with the provisions of chapter 54.

695 [(1)] (12) "Lobbyist" means a person who in lobbying and in
696 furtherance of lobbying makes or agrees to make expenditures, or
697 receives or agrees to receive compensation, reimbursement, or both,
698 and such compensation, reimbursement or expenditures are [two]
699 three thousand dollars or more in any calendar year or the combined
700 amount thereof is [two] three thousand dollars or more in any such
701 calendar year. [Lobbyist shall] "Lobbyist" does not include:

702 [(1)] (A) A public official, employee of a branch of state government
703 or a subdivision thereof, or elected or appointed official of a
704 municipality or his or her designee other than an independent
705 contractor, who is acting within the scope of his or her authority or
706 employment;

707 [(2)] (B) A publisher, owner or an employee of the press, radio or
708 television while disseminating news or editorial comment to the
709 general public in the ordinary course of business;

710 [(3)] (C) An individual representing himself or herself or another
711 person before the legislature or a state agency other than for the
712 purpose of influencing legislative or administrative action;

713 [(4)] (D) Any individual or employee who receives no compensation
714 or reimbursement specifically for lobbying and who limits his or her
715 activities solely to formal appearances to give testimony before public
716 sessions of committees of the General Assembly or public hearings of
717 state agencies and who, if he or she testifies, registers his or her
718 appearance in the records of such committees or agencies;

719 [(5)] (E) A member of an advisory board acting within the scope of
720 his or her appointment;

721 [(6)] (F) A senator or representative in Congress acting within the
722 scope of his or her office;

723 [(7)] (G) Any person who receives no compensation or
724 reimbursement specifically for lobbying and who spends no more than
725 five hours in furtherance of lobbying unless such person [(A)] (i)
726 exclusive of salary, receives compensation or makes expenditures, or
727 both, of [two] three thousand dollars or more in any calendar year for
728 lobbying or the combined amount thereof is [two] three thousand
729 dollars or more in any such calendar year, or [(B)] (ii) expends fifty
730 dollars or more for the benefit of a public official in the legislative or
731 executive branch, a member of his or her staff or immediate family;

732 [(8)] (H) A communicator lobbyist who receives or agrees to receive
733 compensation, reimbursement, or both, the aggregate amount of which
734 is less than [two] three thousand dollars from each client in any
735 calendar year.

736 [(m)] (13) "Member of an advisory board" means any person
737 appointed by a public official as an advisor or consultant or member of
738 a committee, commission or council established to advise, recommend
739 or consult with a public official or branch of government or committee
740 thereof and who receives no public funds other than per diem
741 payments or reimbursement for his or her actual and necessary
742 expenses incurred in the performance of his or her official duties and
743 who has no authority to expend any public funds or to exercise the
744 power of the state.

745 [(n)] (14) "Person" means an individual, a business, corporation,
746 limited liability company, union, association, firm, partnership,
747 committee, club or other organization or group of persons.

748 [(o)] (15) "Political contribution" has the same meaning as in section
749 9-601a except that for purposes of this part, the provisions of
750 subsection (b) of [that] said section shall not apply.

751 [(p)] (16) "Public official" means any state-wide elected state officer,
752 any member or member-elect of the General Assembly, any person
753 appointed to any office of the legislative, judicial or executive branch
754 of state government by the Governor, with or without the advice and
755 consent of the General Assembly, the spouse of the Governor and any
756 person appointed or elected by the General Assembly or any member
757 of either house thereof; but [shall] does not include a member of an
758 advisory board or a senator or representative in Congress.

759 [(q)] (17) "Registrant" means a person who is required to register
760 pursuant to section 1-94, as amended by this act.

761 [(r)] (18) "Reimbursement" means any money or thing of value
762 received or to be received in the form of payment for expenses as a
763 lobbyist, not including compensation.

764 [(s)] (19) "State employee" means any employee in the executive,
765 judicial or legislative branch of state government, whether in the
766 classified or unclassified service and whether full or part-time.

767 [(t)] (20) "Business organization" means a sole proprietorship,
768 corporation, limited liability company, association, firm or partnership,
769 other than a client lobbyist, [which] that is owned by, or employs one
770 or more individual lobbyists.

771 [(u)] (21) "Client lobbyist" means a lobbyist on behalf of whom
772 lobbying takes place and who makes expenditures for lobbying and in
773 furtherance of lobbying.

774 [(v)] (22) "Communicator lobbyist" means a lobbyist who

775 communicates directly or solicits others to communicate with an
776 official or [his] the official's staff in the legislative or executive branch
777 of government or in a quasi-public agency for the purpose of
778 influencing legislative or administrative action.

779 [(w)] (23) "State agency" means any office, department, board,
780 council, commission, institution, constituent unit of the state system of
781 higher education, vocational-technical school or other agency in the
782 executive, legislative or judicial branch of state government.

783 [(x)] (24) "Quasi-public agency" means quasi-public agency, as
784 defined in section 1-79, as amended by this act.

785 Sec. 16. Subsection (a) of section 1-92 of the general statutes is
786 repealed and the following is substituted in lieu thereof (*Effective July*
787 *1, 2012*):

788 (a) The Citizen's Ethics Advisory Board shall adopt regulations, in
789 accordance with chapter 54, to carry out the purposes of this part. Such
790 regulations shall not be deemed to govern the conduct of any judge
791 trial referee in the performance of such judge trial referee's duties
792 pursuant to this chapter. Not later than January 1, 1992, the board shall
793 adopt regulations which further clarify the meaning of the terms
794 "directly and personally received" and "major life event", as used in
795 [subsection (e)] subdivision (5) of section 1-79, as amended by this act,
796 and [subsection (g)] subdivision (7) of section 1-91, as amended by this
797 act.

798 Sec. 17. Subsection (e) of section 1-92 of the general statutes is
799 repealed and the following is substituted in lieu thereof (*Effective*
800 *October 1, 2012*):

801 (e) Upon the concurring vote of a majority of its members present
802 and voting, the board shall issue advisory opinions with regard to the
803 requirements of this part or part III of this chapter, upon the request of
804 any person, subject to the provisions of this part or part III of this
805 chapter, and publish such advisory opinions in the Connecticut Law

806 Journal. Advisory opinions rendered by the board, until amended or
807 revoked, shall be binding on the board and shall be deemed to be final
808 decisions of the board for purposes of appeal to the superior court, in
809 accordance with the provisions of section 4-175 or 4-183. Any advisory
810 opinion concerning any person subject to the provisions of this part or
811 part III of this chapter who requested the opinion and who acted in
812 reliance thereon, in good faith, shall be binding upon the board, and it
813 shall be an absolute defense in any criminal action brought under the
814 provisions of this part that the accused acted in reliance upon such
815 advisory opinion.

816 Sec. 18. Section 1-94 of the general statutes is repealed and the
817 following is substituted in lieu thereof (*Effective October 1, 2012*):

818 (a) A lobbyist shall register with the Office of State Ethics pursuant
819 to this part if it or he:

820 (1) Receives or agrees to receive compensation or reimbursement for
821 actual expenses, or both, in a combined amount of [two] three
822 thousand dollars or more in a calendar year for lobbying, whether that
823 receipt of compensation or reimbursement or agreement to receive
824 such compensation or reimbursement is solely for lobbying or the
825 lobbying is [incidental to that] within the scope of such person's
826 [regular] employment; or

827 (2) Makes or incurs an obligation to make expenditures of [two]
828 three thousand dollars or more in a calendar year for lobbying.

829 (b) Any person who lobbies within the scope of such person's
830 employment shall maintain a record of his or her time and
831 expenditures in furtherance of lobbying for the purpose of reporting
832 and potential registration with the Office of State Ethics.

833 (c) The Office of State Ethics may adopt regulations, in accordance
834 with the provisions of chapter 54, to establish guidelines for the
835 determination of when lobbying is within the scope of a person's
836 employment, as described in this section and section 1-96, as amended

837 by this act. Such regulations shall, at a minimum, address the
838 distinction between a person who is specifically directed by such
839 person's employer to lobby and a person who is not specifically
840 directed by such person's employer to lobby.

841 Sec. 19. Subsection (a) of section 1-95 of the general statutes is
842 repealed and the following is substituted in lieu thereof (*Effective*
843 *October 1, 2012*):

844 (a) Each registrant shall file every two years with the Office of State
845 Ethics on a registration form signed under penalty of false statement
846 on or before January fifteenth of odd-numbered years or prior to the
847 commencement of lobbying, whichever is later. If the registrant is not
848 an individual, an authorized officer or agent of the registrant shall sign
849 the form. Such registration shall be on a form prescribed by the board
850 and shall include:

851 (1) If the registrant is an individual, the registrant's name,
852 permanent address and temporary address while lobbying and the
853 name, address and nature of business of any person who compensates
854 or reimburses, or agrees to compensate or reimburse the registrant and
855 the terms of the compensation, reimbursement or agreement, but shall
856 not include the compensation paid to an employee for his involvement
857 in activities other than lobbying;

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

860 (3) If the registrant is an association, group of persons or an
861 organization, the name and address of the principal officers and
862 directors of such association, group of persons or organization. If the
863 registrant is formed primarily for the purpose of lobbying, it shall
864 disclose the name and address of any person contributing [two] three
865 thousand dollars or more to the registrant's lobbying activities in any
866 calendar year;

867 (4) If the registrant is not an individual, the name and address of

868 each individual who will lobby on the registrant's behalf; and

869 (5) The identification, with reasonable particularity, of areas of
870 legislative or administrative action on which the registrant expects to
871 lobby, including the names of executive agencies and quasi-public
872 agencies and, where applicable, solicitations for state contracts and
873 procurements.

874 Sec. 20. Subsection (e) of section 1-96 of the general statutes is
875 repealed and the following is substituted in lieu thereof (*Effective*
876 *October 1, 2012*):

877 (e) Each client lobbyist registrant financial report shall be on a form
878 prescribed by the board and shall state expenditures made and the
879 fundamental terms of contracts, agreements or promises to pay
880 compensation or reimbursement or to make expenditures in
881 furtherance of lobbying. Any such fundamental terms shall be
882 reported once in the monthly, quarterly or post-termination report
883 next following the entering into of such contract. Such financial report
884 shall include an itemized statement of each expenditure of ten dollars
885 or more per person for each occasion made by the reporting registrant
886 or a group of registrants which includes the reporting registrant for the
887 benefit of a public official in the legislative or executive branch, a
888 member of his staff or immediate family, itemized by date, beneficiary,
889 amount and circumstances of the transaction. The requirement of an
890 itemized statement shall not apply to an expenditure made by a
891 reporting registrant or a group of registrants which includes the
892 reporting registrant for (1) the benefit of the members of the General
893 Assembly at an event that is a reception to which all such members are
894 invited or all members of a region of the state, as such term is used in
895 [subdivision (11) of subsection (g)] subparagraph (K) of subdivision (7)
896 of section 1-91, as amended by this act, are invited, unless the
897 expenditure is thirty dollars or more per person, or (2) benefits
898 personally and directly received by a public official or state employee
899 at a charitable or civic event at which the public official or state
900 employee participates in his official capacity, unless the expenditure is

901 thirty dollars or more per person, per event. If the compensation is
902 required to be reported for an individual whose lobbying is [incidental
903 to his regular] within the scope of such person's employment, it shall
904 be sufficient to report a prorated amount based on the value of the
905 time devoted to lobbying. On the first financial report following
906 registration each client lobbyist registrant shall include any
907 expenditures incident to lobbying activities [which] that were received
908 or expended prior to registration and not previously reported to the
909 Office of State Ethics.

910 Sec. 21. Subsection (a) of section 1-97 of the general statutes is
911 repealed and the following is substituted in lieu thereof (*Effective*
912 *October 1, 2012*):

913 (a) No registrant or anyone acting on behalf of a registrant shall
914 knowingly give a gift, as defined in [subsection (g)] subdivision (7) of
915 section 1-91, as amended by this act, to any state employee, public
916 official, candidate for public office or a member of any such person's
917 staff or immediate family. Nothing in this section shall be construed to
918 permit any activity prohibited under section 53a-147 or 53a-148.

919 Sec. 22. Subsection (a) of section 1-100b of the general statutes is
920 repealed and the following is substituted in lieu thereof (*Effective from*
921 *passage*):

922 (a) The Office of State Ethics, upon a finding that a communicator
923 lobbyist has violated the provisions of subsection [(i)] (h) of section 9-
924 610, may suspend [said] such lobbyist's registration for a period of not
925 more than the remainder of the term of such registration and may
926 prohibit [said] such lobbyist from engaging in the profession of
927 lobbyist for a period of not more than three years.

928 Sec. 23. Subsection (c) of section 1-100b of the general statutes is
929 repealed and the following is substituted in lieu thereof (*Effective from*
930 *passage*):

931 (c) The Office of State Ethics shall make any finding under

932 subsection (a) or (b) of this section in accordance with the same
933 procedure set forth in section 1-93 for a finding by the [commission]
934 board of a violation of part II of chapter 10.

935 Sec. 24. Section 2-16a of the general statutes is repealed and the
936 following is substituted in lieu thereof (*Effective October 1, 2012*):

937 No state representative or state senator who is elected at the 1994
938 state election or any election thereafter shall engage in the profession
939 of lobbyist, as that term is defined in [subsection (l)] subdivision (12) of
940 section 1-91, as amended by this act, until one year after the expiration
941 of the term for which such state representative or state senator was
942 elected.

943 Sec. 25. Subsection (b) of section 3-13l of the general statutes is
944 repealed and the following is substituted in lieu thereof (*Effective*
945 *October 1, 2012*):

946 (b) For purposes of this section:

947 (1) "Finder's fee" means compensation in the form of cash, cash
948 equivalents or other things of value paid to or received by a third party
949 in connection with an investment transaction to which the state, any
950 political subdivision of the state or any quasi-public agency, as defined
951 in section 1-120, is a party for any services, and includes, but is not
952 limited to, any fee paid for lobbying, as defined in [subsection (k)]
953 subdivision (11) of section 1-91, as amended by this act, and as defined
954 by the Citizen's Ethics Advisory Board, in consultation with the
955 Treasurer, in the regulations adopted under subparagraph (C)(ii) of
956 subdivision (3) of this subsection or as prescribed by the Treasurer
957 until such regulations are adopted.

958 (2) "Finder's fee" does not mean (A)(i) compensation earned for the
959 rendering of investment services, as defined in subsection (f) of section
960 9-612, or for acting as a licensed real estate broker or real estate sales
961 person under the provisions of section 20-312, or under a comparable
962 statute of the jurisdiction in which the subject property is located, or

963 (ii) marketing fees or due diligence fees earned by the payee in
964 connection with the offer, sale or purchase of any security or
965 investment interest, in accordance with criteria prescribed under
966 subparagraph (C)(ii) of subdivision (3) of this subsection, (B)
967 compensation paid to (i) persons who are investment professionals
968 engaged in the ongoing business of representing investment services
969 providers, or (ii) third parties for services connected to the issuance of
970 debt by the state, any political subdivision of the state or any quasi-
971 public agency, as defined in section 1-120, and (C) any compensation
972 which is so defined by the regulations adopted under subparagraph
973 (C)(ii) of subdivision (3) of this subsection, or any compensation which
974 meets criteria prescribed by the Treasurer until such regulations are
975 adopted. As used in this section, "offer" and "sale" have the meaning
976 provided in section 36b-3.

977 (3) "Investment professional" means an individual or firm whose
978 primary business is bringing together institutional funds and
979 investment opportunities and who (A) is a broker-dealer or investment
980 adviser agent licensed or registered (i) under the Connecticut Uniform
981 Securities Act; (ii) in the case of an investment adviser agent, with the
982 Securities and Exchange Commission, in accordance with the
983 Investment Advisors' Act of 1940; or (iii) in the case of a broker-dealer,
984 with the National Association of Securities Dealers in accordance with
985 the Securities Exchange Act of 1934, or (B) is licensed under section 20-
986 312, or under a comparable statute of the jurisdiction in which the
987 subject property is located, or (C) (i) furnishes an investment manager
988 with marketing services including, but not limited to, developing an
989 overall marketing strategy focusing on more than one institutional
990 fund, designing or publishing marketing brochures or other
991 presentation material such as logos and brands for investment
992 products, responding to requests for proposals, completing due
993 diligence questionnaires, identifying a range of potential investors, or
994 such other services as may be identified in regulations adopted under
995 clause (ii) of this subparagraph; and (ii) meets criteria prescribed (I) by
996 the Treasurer until regulations are adopted under this subparagraph,

997 or (II) by the Citizen's Ethics Advisory Board, in consultation with the
998 Treasurer, in regulations adopted in accordance with the provisions of
999 chapter 54. Prior to adopting such regulations, the Citizen's Ethics
1000 Advisory Board shall transmit the proposed regulations to the
1001 Treasurer not later than one hundred twenty days before any period
1002 for public comment on such regulations commences and shall consider
1003 any comments or recommendations the Treasurer may have regarding
1004 such regulations. In developing such regulations, the Citizen's Ethics
1005 Advisory Board shall ensure that the state will not be competitively
1006 disadvantaged by such regulations relative to any legitimate financial
1007 market.

1008 Sec. 26. Section 4-250 of the general statutes is repealed and the
1009 following is substituted in lieu thereof (*Effective July 1, 2012*):

1010 As used in sections 4-250 to 4-252:

1011 (1) "Gift" has the same meaning as provided in section 1-79, as
1012 amended by this act, except that the exclusion in [subdivision (12) of
1013 subsection (e)] subparagraph (L) of subdivision (5) of [said] section 1-
1014 79, as amended by this act, for a gift for the celebration of a major life
1015 event shall not apply;

1016 (2) "Quasi-public agency", "public official" and "state employee"
1017 have the same meanings as provided in section 1-79, as amended by
1018 this act;

1019 (3) "State agency" means any office, department, board, council,
1020 commission, institution or other agency in the executive, legislative or
1021 judicial branch of state government;

1022 (4) "Large state contract" means an agreement or a combination or
1023 series of agreements between a state agency or a quasi-public agency
1024 and a person, firm or corporation, having a total value of more than
1025 five hundred thousand dollars in a calendar or fiscal year, for (A) a
1026 project for the construction, alteration or repair of any public building
1027 or public work, (B) services, including, but not limited to, consulting

1028 and professional services, (C) the procurement of supplies, materials or
1029 equipment, (D) a lease, or (E) a licensing arrangement. The term "large
1030 state contract" [shall] does not include a contract between a state
1031 agency or a quasi-public agency and a political subdivision of the state;

1032 (5) "Principals and key personnel" means officers, directors,
1033 shareholders, members, partners and managerial employees; and

1034 (6) "Participated substantially" means participation that is direct,
1035 extensive and substantive, and not peripheral, clerical or ministerial.

1036 Sec. 27. Subsection (b) of section 4e-34 of the general statutes is
1037 repealed and the following is substituted in lieu thereof (*Effective*
1038 *October 1, 2012*):

1039 (b) Causes for such disqualification shall include the following:

1040 (1) Conviction of, or entry of a plea of guilty or nolo contendere or
1041 admission to, the commission of a criminal offense as an incident to
1042 obtaining or attempting to obtain a public or private contract or
1043 subcontract, or in the performance of such contract or subcontract;

1044 (2) Conviction of, or entry of a plea of guilty or nolo contendere or
1045 admission to, the violation of any state or federal law for
1046 embezzlement, theft, forgery, bribery, falsification or destruction of
1047 records, receiving stolen property or any other offense indicating a
1048 lack of business integrity or business honesty which affects
1049 responsibility as a state contractor;

1050 (3) Conviction of, or entry of a plea of guilty or nolo contendere or
1051 admission to, a violation of any state or federal antitrust, collusion or
1052 conspiracy law arising out of the submission of bids or proposals on a
1053 public or private contract or subcontract;

1054 (4) Accumulation of two or more suspensions pursuant to section
1055 4e-35 within a twenty-four-month period;

1056 (5) A wilful, negligent or reckless failure to perform in accordance

1057 with the terms of one or more contracts or subcontracts, agreements or
1058 transactions with state contracting agencies;

1059 (6) A history of failure to perform or of unsatisfactory performance
1060 on one or more public contracts, agreements or transactions with state
1061 contracting agencies;

1062 (7) A wilful violation of a statutory or regulatory provision or
1063 requirement applicable to a contract, agreement or transaction with
1064 state contracting agencies;

1065 (8) A wilful or egregious violation of the ethical standards set forth
1066 in sections 1-84, as amended by this act, [and] 1-86e and 1-101nn, as
1067 determined by the Citizen's Ethics Advisory Board; or

1068 (9) Any other cause or conduct the board determines to be so
1069 serious and compelling as to affect responsibility as a state contractor,
1070 including, but not limited to:

1071 (A) Disqualification by another state for cause;

1072 (B) The fraudulent or criminal conduct of any officer, director,
1073 shareholder, partner, employee or other individual associated with a
1074 contractor, bidder or proposer of such contractor, bidder or proposer,
1075 provided such conduct occurred in connection with the individual's
1076 performance of duties for or on behalf of such contractor, bidder or
1077 proposer and such contractor, bidder or proposer knew or had reason
1078 to know of such conduct;

1079 (C) The existence of an informal or formal business relationship
1080 with a contractor who has been disqualified from bidding or
1081 proposing on state contracts of any state contracting agency.

1082 Sec. 28. Section 12-557d of the 2012 supplement to the general
1083 statutes is repealed and the following is substituted in lieu thereof
1084 (*Effective October 1, 2012*):

1085 (a) There shall be a Gaming Policy Board within the Department of

1086 Consumer Protection. Said board shall consist of five members
1087 appointed by the Governor with the advice and consent of both houses
1088 of the General Assembly. Not more than three members of said board
1089 in office at any one time shall be members of the same political party.
1090 Members shall serve for a term of four years and the procedure
1091 prescribed by section 4-7 shall apply to such appointments, except that
1092 the Governor shall submit such nominations on or before May first,
1093 and both houses shall confirm or reject the nominations before
1094 adjournment sine die. Members shall receive fifty dollars per day for
1095 each day they are engaged in the business of the board and shall be
1096 reimbursed for necessary expenses incurred in the performance of
1097 their duties. The commissioner shall serve on the board ex officio
1098 without voting rights.

1099 (b) To insure the highest standard of legalized gambling regulation,
1100 at least four of the board members shall have training or experience in
1101 at least one of the following fields: Corporate finance, economics, law,
1102 accounting, law enforcement, computer science or the pari-mutuel
1103 industry. At least two of these fields shall be represented on the board
1104 at any one time.

1105 (c) No board member shall accept any form of employment by a
1106 business organization regulated under this chapter for a period of two
1107 years following the termination of his service as a board member. The
1108 provisions of sections 1-82, as amended by this act, 1-82a and 1-88, as
1109 amended by this act, shall apply to any alleged violation of this
1110 subsection.

1111 (d) No board member shall engage in any oral ex parte
1112 communications with any representative, agent, officer or employee of
1113 any business organization regulated under this chapter concerning any
1114 matter pending or impending before the board.

1115 (e) The members of the board shall not participate actively in
1116 political management and campaigns. Such activity includes holding
1117 office in a political party, political organization or political club,

1118 campaigning for a candidate in a partisan election by making speeches,
1119 writing on behalf of a candidate, soliciting votes in support of or in
1120 opposition to a candidate and making contributions of time and
1121 money to political parties.

1122 (f) The Department of Consumer Protection shall provide staff
1123 support for the board.

1124 Sec. 29. Subsection (d) of section 16-2 of the 2012 supplement to the
1125 general statutes is repealed and the following is substituted in lieu
1126 thereof (*Effective October 1, 2012*):

1127 (d) The directors of the authority shall serve full time and shall
1128 [make full public disclosure of their assets, liabilities and income at the
1129 time of their appointment, and thereafter each member of the authority
1130 shall make such disclosure on or before July thirtieth of each year of
1131 such member's term, and shall file such disclosure with the office of
1132 the Secretary of the State] file a statement of financial interests with the
1133 Office of State Ethics in accordance with section 1-83, as amended by
1134 this act. Each director shall receive annually a salary equal to that
1135 established for management pay plan salary group seventy-five by the
1136 Commissioner of Administrative Services, except that the chairperson
1137 shall receive annually a salary equal to that established for
1138 management pay plan salary group seventy-seven.

1139 Sec. 30. Subsection (a) of section 52-259a of the general statutes is
1140 repealed and the following is substituted in lieu thereof (*Effective from*
1141 *passage*):

1142 (a) Any member of the Division of Criminal Justice or the Division
1143 of Public Defender Services, any employee of the Judicial Department,
1144 acting in the performance of such employee's duties, the Attorney
1145 General, an assistant attorney general, the Consumer Counsel, any
1146 attorney employed by the Office of Consumer Counsel within the
1147 Department of Energy and Environmental Protection, the Department
1148 of Revenue Services, the Commission on Human Rights and
1149 Opportunities, the Freedom of Information Commission, the Board of

1150 Labor Relations, the Office of Protection and Advocacy for Persons
1151 with Disabilities, the Office of the Victim Advocate or the Department
1152 of Social Services, the Office of State Ethics, or any attorney appointed
1153 by the court to assist any of them or to act for any of them in a special
1154 case or cases, while acting in such attorney's official capacity or in the
1155 capacity for which such attorney was appointed, shall not be required
1156 to pay the fees specified in sections 52-258, 52-259, and 52-259c,
1157 subsection (a) of section 52-356a, subsection (a) of section 52-361a,
1158 section 52-367a, subsection (b) of section 52-367b and subsection (n) of
1159 section 46b-231.

1160 Sec. 31. Subsection (d) of section 15-120bb of the 2012 supplement to
1161 the general statutes is repealed and the following is substituted in lieu
1162 thereof (*Effective July 1, 2012*):

1163 (d) The board of directors of the authority shall appoint an executive
1164 director who shall not be a member of the board and who shall serve at
1165 the pleasure of the board and receive such compensation as shall be
1166 fixed by the board. The executive director shall be the chief
1167 administrative officer of the authority and shall direct and supervise
1168 administrative affairs and technical activities in accordance with the
1169 directives of the board. The executive director shall approve all
1170 accounts for salaries, allowable expenses of the authority or of any
1171 employee or consultant thereof, and expenses incidental to the
1172 operation of the authority. The executive director shall perform such
1173 other duties as may be directed by the board in carrying out the
1174 purposes of [subsection (l)] subdivision (12) of section 1-79, as
1175 amended by this act, sections 1-120, 1-124 and 1-125, subsection (f) of
1176 section 4b-3, sections 13b-4 and 13b-42, subsection (a) of section 13b-44
1177 and sections 15-101aa and 15-120aa to 15-120oo, inclusive. The
1178 executive director shall be exempt from the classified service. The
1179 executive director shall attend all meetings of the board, keep a record
1180 of the proceedings of the authority and shall maintain and be
1181 custodian of all books, documents and papers filed with the authority
1182 and of the minute book or journal of the authority and of its official
1183 seal. The executive director may cause copies to be made of all minutes

1184 and other records and documents of the authority and may give
1185 certificates under the official seal of the authority to the effect that such
1186 copies are true copies, and all persons dealing with the authority may
1187 rely upon such certificates.

1188 Sec. 32. Subsection (f) of section 15-120ll of the 2012 supplement to
1189 the general statutes is repealed and the following is substituted in lieu
1190 thereof (*Effective July 1, 2012*):

1191 (f) The Comptroller may establish such funds and accounts for the
1192 authority as may be requested by the authority or as may be necessary
1193 or appropriate to effect the terms of any memorandum of
1194 understanding or as may be convenient to effect the purposes of
1195 [subsection (l)] subdivision (12) of section 1-79, as amended by this act,
1196 sections 1-120, 1-124 and 1-125, subsection (f) of section 4b-3, sections
1197 13b-4 and 13b-42, subsection (a) of section 13b-44 and sections 15-101aa
1198 and 15-120aa to 15-120oo, inclusive, including, without limitation, a
1199 fund to support the general aviation airports and a fund for the
1200 authority's general operations. All revenue from the licensing of state
1201 airports and use of services of the authority shall be paid into the fund
1202 established for the authority's general operations, to be used by the
1203 authority according to the authority's budget for its authorized
1204 purposes.

1205 Sec. 33. Section 1-96d of the general statutes is repealed and the
1206 following is substituted in lieu thereof (*Effective October 1, 2012*):

1207 Each registrant or business organization that hosts a legislative
1208 reception to which all members are invited, or all members of a region
1209 in the state, as such term is used in [subdivision (11) of subsection (g)]
1210 subparagraph (K) of subdivision (7) of section 1-91, as amended by this
1211 act, are invited, shall include in its invitation or any published notice of
1212 such reception whether the registrant or business organization
1213 reasonably expects such expenditures to be reportable pursuant to
1214 subsection (e) of section 1-96.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2012</i>	1-79
Sec. 2	<i>July 1, 2012</i>	1-84c
Sec. 3	<i>from passage</i>	1-80(a)
Sec. 4	<i>October 1, 2012</i>	1-80(b)
Sec. 5	<i>October 1, 2012</i>	1-80(d)
Sec. 6	<i>October 1, 2012</i>	1-80(i) to (k)
Sec. 7	<i>October 1, 2012</i>	1-80
Sec. 8	<i>October 1, 2012</i>	1-81
Sec. 9	<i>from passage</i>	1-82(e)
Sec. 10	<i>from passage</i>	1-83(a)
Sec. 11	<i>July 1, 2012</i>	1-84(j)
Sec. 12	<i>July 1, 2012</i>	1-84(m)
Sec. 13	<i>October 1, 2012</i>	1-84(q)
Sec. 14	<i>October 1, 2012</i>	1-88(d)
Sec. 15	<i>October 1, 2012</i>	1-91
Sec. 16	<i>July 1, 2012</i>	1-92(a)
Sec. 17	<i>October 1, 2012</i>	1-92(e)
Sec. 18	<i>October 1, 2012</i>	1-94
Sec. 19	<i>October 1, 2012</i>	1-95(a)
Sec. 20	<i>October 1, 2012</i>	1-96(e)
Sec. 21	<i>October 1, 2012</i>	1-97(a)
Sec. 22	<i>from passage</i>	1-100b(a)
Sec. 23	<i>from passage</i>	1-100b(c)
Sec. 24	<i>October 1, 2012</i>	2-16a
Sec. 25	<i>October 1, 2012</i>	3-131(b)
Sec. 26	<i>July 1, 2012</i>	4-250
Sec. 27	<i>October 1, 2012</i>	4e-34(b)
Sec. 28	<i>October 1, 2012</i>	12-557d
Sec. 29	<i>October 1, 2012</i>	16-2(d)
Sec. 30	<i>from passage</i>	52-259a(a)
Sec. 31	<i>July 1, 2012</i>	15-120bb(d)
Sec. 32	<i>July 1, 2012</i>	15-120ll(f)
Sec. 33	<i>October 1, 2012</i>	1-96d

Statement of Legislative Commissioners:

Section 33 was added for statutory consistency.

GAE *Joint Favorable Subst.*