



# House of Representatives

General Assembly

**File No. 569**

January Session, 2013

House Bill No. 5724

*House of Representatives, April 18, 2013*

The Committee on Planning and Development reported through REP. ROJAS of the 9th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT PROHIBITING MUNICIPAL EMPLOYEES FROM SERVING ON CERTAIN MUNICIPAL LEGISLATIVE BODIES.**

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

1 Section 1. Subsection (e) of section 7-421 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2013*):

4 (e) Any municipal employee shall have the right to serve on any  
5 governmental body of the town in which such employee resides except  
6 any body which has responsibility for direct supervision of such  
7 employee. Notwithstanding the provisions of this subsection, (1) no  
8 such employee shall serve on any of the following unless such  
9 employee is permitted to serve pursuant to the provisions of a  
10 municipal charter or home rule ordinance; [or serves because of  
11 membership on the legislative body of the municipality:] (A) Any  
12 board of finance created pursuant to chapter 106, [or] any special act or  
13 municipal charter or any body exercising the powers of a board of  
14 finance; (B) any body exercising zoning powers pursuant to chapter

15 124 or any special act or municipal charter; (C) any body exercising  
 16 land use powers pursuant to chapter 125a or any special act or  
 17 municipal charter; (D) any body exercising planning powers pursuant  
 18 to chapter 126 or any special act or municipal charter; or (E) any body  
 19 regulating inland wetlands and watercourses pursuant to chapter 440  
 20 or any special act or municipal charter; and (2) any municipality may,  
 21 by ordinance adopted by its legislative body, authorize such  
 22 employees to serve on (A) any body exercising zoning powers  
 23 pursuant to chapter 124 or any special act or municipal charter; (B) any  
 24 body exercising land use powers pursuant to chapter 125a or any  
 25 special act or municipal charter; (C) any body exercising planning  
 26 powers pursuant to chapter 126 or any special act or municipal charter;  
 27 or (D) any body regulating inland wetlands and watercourses  
 28 pursuant to chapter 440 or any special act or municipal charter.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	7-421(e)

**PD**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which prohibits municipal employees from serving on a local government body that exercises the powers of a board of finance, has no fiscal impact.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

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**OLR Bill Analysis****HB 5724*****AN ACT PROHIBITING MUNICIPAL EMPLOYEES FROM SERVING ON CERTAIN MUNICIPAL LEGISLATIVE BODIES.*****SUMMARY:**

The law, with certain exceptions, prohibits municipal employees from serving on a board of finance, which sets the town budget and mill rate. This bill additionally prohibits them from serving on a local government body that exercises the powers of a board of finance. The prohibition does not apply if a municipal charter or home rule ordinance explicitly permits such service.

By law, municipal employees have the right to serve on a local government body in towns where they both live and work, except (1) boards of finance; (2) bodies exercising zoning, land use, or planning powers; (3) bodies regulating inland wetlands and watercourses; and (4) bodies responsible for supervising them directly as employees. The second and third prohibitions do not apply if a local ordinance authorizes such service. Under current law, the first three prohibitions do not apply if (1) a local charter or home rule ordinance explicitly allows such service or (2) they serve only in their capacity as a member of the town's legislative body. The bill eliminates the exception for legislative body membership.

EFFECTIVE DATE: October 1, 2013

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable

Yea 15    Nay 4    (04/01/2013)