



General Assembly

January Session, 2015

Raised Bill No. 6670

LCO No. 3051



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

AN ACT CONCERNING REVISIONS TO THE CODES OF ETHICS.

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

1 Section 1. Subsection (a) of section 1-80 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2015*):

4 (a) There shall be established, within the Office of Governmental
5 Accountability established under section 1-300, an Office of State
6 Ethics. Said office shall consist of an executive director, general
7 counsel, ethics enforcement officer and such other staff as hired by the
8 executive director. Within the Office of State Ethics, there shall be the
9 Citizen's Ethics Advisory Board that shall consist of nine members,
10 appointed as follows: One member shall be appointed by the speaker
11 of the House of Representatives, one member by the president pro
12 tempore of the Senate, one member by the majority leader of the
13 Senate, one member by the minority leader of the Senate, one member
14 by the majority leader of the House of Representatives, one member by
15 the minority leader of the House of Representatives, and three

16 members by the Governor. Members of the board first appointed for a
17 term commencing October 1, 2005, shall have the following terms: The
18 Governor shall appoint two members for a term of three years and one
19 member for a term of four years; the majority leader of the House of
20 Representatives, minority leader of the House of Representatives and
21 the speaker of the House of Representatives shall each appoint one
22 member for a term of two years; and the president pro tempore of the
23 Senate, the majority leader of the Senate and the minority leader of the
24 Senate shall each appoint one member for a term of four years. The
25 term commencing October 1, 2009, for the member appointed by the
26 Governor and the member appointed by the president pro tempore of
27 the Senate shall be five years. Upon the expiration of such members'
28 five-year terms, such members may not be reappointed. Any member
29 appointed for a term commencing on or after October 1, 2014, shall
30 serve for a term of four years. No individual shall be appointed to
31 more than one four-year [or five-year] term as a member of the board,
32 provided, members may [not] continue in office [after their term has
33 expired and members first appointed may not be reappointed] until a
34 successor is appointed. If a member continues to serve for more than
35 one hundred eighty days after his or her term has expired, his or her
36 successor shall be eligible for appointment to a full four-year term. No
37 more than five members shall be members of the same political party.
38 The members appointed by the majority leader of the Senate and the
39 majority leader of the House of Representatives shall be selected from
40 a list of nominees proposed by a citizen group having an interest in
41 ethical government. The majority leader of the Senate and the majority
42 leader of the House of Representatives shall each determine the citizen
43 group from which each will accept such nominations. One member
44 appointed by the Governor shall be selected from a list of nominees
45 proposed by a citizen group having an interest in ethical government.
46 The Governor shall determine the citizen group from which the
47 Governor will accept such nominations.

48 Sec. 2. Section 1-82 of the general statutes is repealed and the

49 following is substituted in lieu thereof (*Effective October 1, 2015*):

50 (a) (1) Upon the complaint of any person on a form prescribed by
51 the board, signed under penalty of false statement, or upon its own
52 complaint, the ethics enforcement officer of the Office of State Ethics
53 shall investigate any alleged violation of this part or [section 1-101nn]
54 part IV of this chapter. Not later than five days after the receipt or
55 issuance of such complaint, the board shall provide notice of such
56 receipt or issuance and a copy of the complaint by registered or
57 certified mail to any respondent against whom such complaint is filed
58 and shall provide notice of the receipt of such complaint to the
59 complainant. When the ethics enforcement officer of the Office of State
60 Ethics undertakes an evaluation of a possible violation of this part or
61 [section 1-101nn] part IV of this chapter prior to the filing of a
62 complaint, the subject of the evaluation shall be notified not later than
63 five business days after an Office of State Ethics staff member's first
64 contact with a third party concerning the matter.

65 (2) In the conduct of its investigation of an alleged violation of this
66 part or [section 1-101nn] part IV of this chapter, the Office of State
67 Ethics shall have the power to hold hearings, administer oaths,
68 examine witnesses and receive oral and documentary evidence. The
69 Office of State Ethics may subpoena witnesses under procedural rules
70 adopted by the Citizen's Ethics Advisory Board as regulations in
71 accordance with the provisions of chapter 54 to compel attendance
72 before the Office of State Ethics and to require the production for
73 examination by the ethics enforcement officer of the Office of State
74 Ethics of any books and papers which the Office of State Ethics deems
75 relevant in any matter under investigation or in question, provided
76 any such subpoena is issued either pursuant to a majority vote of the
77 Citizen's Ethics Advisory Board or pursuant to the signature of the
78 chairperson of such board. The vice-chairperson of such board may
79 sign any such subpoena if the chairperson of such board is unavailable.
80 In the exercise of such powers, the Office of State Ethics may use the
81 services of the state police, who shall provide the same upon the

82 office's request. The Office of State Ethics shall make a record of all
83 proceedings conducted pursuant to this subsection. The ethics
84 enforcement officer of the Office of State Ethics may bring any alleged
85 violation of this part or part IV of this chapter before a judge trial
86 referee assigned by the Chief Court Administrator for such purpose for
87 a probable cause hearing. Such judge trial referee shall be compensated
88 in accordance with the provisions of section 52-434 from such funds as
89 may be available to the Office of State Ethics. Any witness summoned
90 before the Office of State Ethics or a judge trial referee pursuant to this
91 subsection shall receive the witness fee paid to witnesses in the courts
92 of this state. During any investigation conducted pursuant to this
93 subsection or any probable cause hearing conducted pursuant to this
94 subsection, the respondent shall have the right to appear and be heard
95 and to offer any information which may tend to clear the respondent
96 of probable cause to believe the respondent has violated any provision
97 of this part or [section 1-101nn] part IV of this chapter. The respondent
98 shall also have the right to be represented by legal counsel and to
99 examine and cross-examine witnesses. Not later than ten days prior to
100 the commencement of any hearing conducted pursuant to this
101 subsection, the Office of State Ethics shall provide the respondent with
102 a list of its intended witnesses. Any finding of probable cause to
103 believe the respondent is in violation of any provisions of this part or
104 part IV of this chapter shall be made by a judge trial referee not later
105 than thirty days after the ethics enforcement officer brings such alleged
106 violation before such judge trial referee, except that such thirty-day
107 limitation period shall not apply if the judge trial referee determines
108 that good cause exists for extending such limitation period.

109 (b) If a judge trial referee determines that probable cause exists for
110 the violation of a provision of this part or [section 1-101nn] part IV of
111 this chapter, the board shall initiate hearings to determine whether
112 there has been a violation of this part or [section 1-101nn] part IV of
113 this chapter. Any such hearing shall be initiated by the board not later
114 than thirty days after the finding of probable cause by a judge trial

115 referee and shall be concluded not later than ninety days after its
116 initiation, except that such thirty or ninety-day limitation period shall
117 not apply if the judge trial referee determines that good cause exists for
118 extending such limitation period. A judge trial referee, who has not
119 taken part in the probable cause determination on the matter shall be
120 assigned by the Chief Court Administrator and shall be compensated
121 in accordance with section 52-434 out of funds available to the Office of
122 State Ethics and shall preside over such hearing and rule on all issues
123 concerning the application of the rules of evidence, which shall be the
124 same as in judicial proceedings. The trial referee shall have no vote in
125 any decision of the board. All hearings of the board held pursuant to
126 this subsection shall be open. At such hearing the board shall have the
127 same powers as the Office of State Ethics under subsection (a) of this
128 section and the respondent shall have the right to be represented by
129 legal counsel, the right to compel attendance of witnesses and the
130 production of books, documents, records and papers and to examine
131 and cross-examine witnesses. Not later than ten days prior to the
132 commencement of any hearing conducted pursuant to this subsection,
133 the Office of State Ethics shall provide the respondent with a list of its
134 intended witnesses. The judge trial referee shall, while engaged in the
135 discharge of the duties as provided in this subsection, have the same
136 authority as is provided in section 51-35 over witnesses who refuse to
137 obey a subpoena or to testify with respect to any matter upon which
138 such witness may be lawfully interrogated, and may commit any such
139 witness for contempt for a period no longer than thirty days. The
140 Office of State Ethics shall make a record of all proceedings pursuant
141 to this subsection. During the course of any such hearing, no ex-parte
142 communication shall occur between the board, or any of its members,
143 and: (1) The judge trial referee, or (2) any staff member of the
144 Enforcement Division of the Office of State Ethics, concerning the
145 complaint or the respondent. The board shall find no person in
146 violation of any provision of this part or [section 1-101nn] part IV of
147 this chapter except upon the concurring vote of six of its members
148 present and voting. No member of the board shall vote on the question

149 of whether a violation of any provision of this part or part IV of this
150 chapter has occurred unless such member was physically present for
151 the duration of any hearing held pursuant to this subsection. Not later
152 than fifteen days after the public hearing conducted in accordance with
153 this subsection, the board shall publish its finding and a memorandum
154 of the reasons therefor. Such finding and memorandum shall be
155 deemed to be the final decision of the board on the matter for the
156 purposes of chapter 54. The respondent, if aggrieved by the finding
157 and memorandum, may appeal therefrom to the Superior Court in
158 accordance with the provisions of section 4-183.

159 (c) If a judge trial referee finds, after a hearing pursuant to this
160 section, that there is no probable cause to believe that a public official
161 or state employee has violated a provision of this part or [section 1-
162 101nn] part IV of this chapter, or if the board determines that a public
163 official or state employee has not violated any such provision, or if a
164 court of competent jurisdiction overturns a finding by the board of a
165 violation by such a respondent, the state shall pay the reasonable legal
166 expenses of the respondent as determined by the Attorney General or
167 by the court if appropriate. If any complaint brought under the
168 provisions of this part or [section 1-101nn] part IV of this chapter is
169 made with the knowledge that it is made without foundation in fact,
170 the respondent shall have a cause of action against the complainant for
171 double the amount of damage caused thereby and if the respondent
172 prevails in such action, he may be awarded by the court the costs of
173 such action together with reasonable attorneys' fees.

174 (d) No complaint may be made under this section later than five
175 years after the violation alleged in the complaint has been committed.

176 (e) No person shall take or threaten to take official action against an
177 individual for such individual's disclosure of information to the board
178 or the general counsel, ethics enforcement officer or staff of the Office
179 of State Ethics under the provisions of this part or [section 1-101nn]
180 part IV of this chapter. After receipt of information from an individual

181 under the provisions of this part or [section 1-101nn] part IV of this
182 chapter, the Office of State Ethics shall not disclose the identity of such
183 individual without such individual's consent unless the Office of State
184 Ethics determines that such disclosure is unavoidable during the
185 course of an investigation. No person shall be subject to civil liability
186 for any good faith disclosure that such person makes to the Office of
187 State Ethics.

188 Sec. 3. Subsection (a) of section 1-82a of the general statutes is
189 repealed and the following is substituted in lieu thereof (*Effective*
190 *October 1, 2015*):

191 (a) Unless a judge trial referee makes a finding of probable cause, a
192 complaint alleging a violation of this part or [section 1-101nn] part IV
193 of this chapter shall be confidential except upon the request of the
194 respondent. An evaluation of a possible violation of this part or
195 [section 1-101nn] part IV of this chapter by the Office of State Ethics
196 prior to the filing of a complaint shall be confidential except upon the
197 request of the subject of the evaluation. If the evaluation is
198 confidential, any information supplied to or received from the Office of
199 State Ethics shall not be disclosed to any third party by a subject of the
200 evaluation, a person contacted for the purpose of obtaining
201 information or by the ethics enforcement officer or staff of the Office of
202 State Ethics. No provision of this subsection shall prevent the Office of
203 State Ethics from reporting the possible commission of a crime to the
204 Chief State's Attorney or other prosecutorial authority.

205 Sec. 4. Subsection (i) of section 1-84 of the general statutes is
206 repealed and the following is substituted in lieu thereof (*Effective*
207 *October 1, 2015*):

208 (i) (1) No public official or state employee or member of the official
209 or employee's immediate family or a business with which he is
210 associated shall enter into any contract with the state or a quasi-public
211 agency, valued at one hundred dollars or more, other than a contract

212 (A) of employment as a state employee, (B) with the technical high
213 school system for students enrolled in a school in the system to
214 perform services in conjunction with vocational, technical or
215 technological education and training any such student is receiving at a
216 school in the system, subject to the review process under subdivision
217 (2) of this subsection, (C) with a public institution of higher education
218 to support a collaboration with such institution to develop and
219 commercialize any invention or discovery, or (D) pursuant to a court
220 appointment, unless the contract has been awarded through an open
221 and public process, including prior public offer and subsequent public
222 disclosure of all proposals considered and the contract awarded. In no
223 event shall an executive head of an agency, as defined in section 4-166,
224 including a commissioner of a department, or an executive head of a
225 quasi-public agency, as defined in section 1-79, or the executive head's
226 immediate family or a business with which he is associated enter into
227 any contract with that agency or quasi-public agency. Nothing in this
228 subsection shall be construed as applying to any public official who is
229 appointed as a member of the executive branch or as a member or
230 director of a quasi-public agency and who receives no compensation
231 other than per diem payments or reimbursement for actual or
232 necessary expenses, or both, incurred in the performance of the public
233 official's duties unless such public official has authority or control over
234 the subject matter of the contract. Any contract made in violation of
235 this subsection shall be voidable by a court of competent jurisdiction if
236 the suit is commenced not later than one hundred eighty days after the
237 making of the contract.

238 (2) The superintendent of the technical high school system shall
239 establish an open and transparent process to review any contract
240 entered into under subparagraph (B) of subdivision (1) of this
241 subsection.

242 Sec. 5. Subsection (k) of section 1-84 of the general statutes is
243 repealed and the following is substituted in lieu thereof (*Effective*
244 *October 1, 2015*):

245 (k) No public official, spouse of the Governor or state employee
246 shall accept a fee or honorarium for an article, appearance or speech, or
247 for participation at an event, in the public official's, spouse's or state
248 employee's official capacity, provided a public official, Governor's
249 spouse or state employee may receive payment or reimbursement for
250 necessary expenses for any such activity in his or her official capacity
251 from a sponsor of the event. If a public official, Governor's spouse or
252 state employee receives such a payment or reimbursement for lodging
253 or out-of-state travel, or both, the public official, Governor's spouse or
254 state employee shall, not later than thirty days thereafter, file a report
255 of the payment or reimbursement with the Office of State Ethics,
256 unless the payment or reimbursement is provided by the federal
257 government or another state government. If a public official,
258 Governor's spouse or state employee does not file such report within
259 such period, either intentionally or due to gross negligence on the
260 public official's, Governor's spouse's or state employee's part, the
261 public official, Governor's spouse or state employee shall return the
262 payment or reimbursement. If any failure to file such report is not
263 intentional or due to gross negligence on the part of the public official,
264 Governor's spouse or state employee, the public official, Governor's
265 spouse or state employee shall not be subject to any penalty under this
266 chapter. When a public official, Governor's spouse or state employee
267 attends an event in this state in the public official's, Governor's
268 spouse's or state employee's official capacity and as a principal speaker
269 at such event and receives admission to or food or beverage at such
270 event from [the] a sponsor of the event, such admission or food or
271 beverage shall not be considered a gift and no report shall be required
272 from such public official, spouse or state employee or from the sponsor
273 of the event.

274 Sec. 6. Section 1-86e of the general statutes is repealed and the
275 following is substituted in lieu thereof (*Effective October 1, 2015*):

276 (a) No person hired by the state or a quasi-public agency as a
277 consultant or independent contractor shall:

278 (1) Use the authority provided to the person under the contract, or
279 any confidential information acquired in the performance of the
280 contract, to obtain financial gain for the person, an employee of the
281 person or a member of the immediate family of any such person or
282 employee;

283 (2) Accept another state or quasi-public agency contract which
284 would impair the independent judgment of the person in the
285 performance of the existing contract; or

286 (3) Accept anything of value based on an understanding that the
287 actions of the person on behalf of the state or quasi-public agency
288 would be influenced.

289 (b) No person shall give anything of value to a person hired by the
290 state or a quasi-public agency as a consultant or independent
291 contractor based on an understanding that the actions of the consultant
292 or independent contractor on behalf of the state or quasi-public agency
293 would be influenced.

294 Sec. 7. Section 1-88 of the general statutes is repealed and the
295 following is substituted in lieu thereof (*Effective October 1, 2015*):

296 (a) The board, upon a finding made pursuant to section 1-82 that
297 there has been a violation of any provision of this part or [section 1-
298 101nn] part IV of this chapter, shall have the authority to order the
299 violator to do any or all of the following: (1) Cease and desist the
300 violation of this part or [section 1-101nn] part IV of this chapter; (2) file
301 any report, statement or other information as required by this part or
302 [section 1-101nn] part IV of this chapter; and (3) pay a civil penalty of
303 not more than ten thousand dollars for each violation of this part or
304 [section 1-101nn] part IV of this chapter.

305 (b) Notwithstanding the provisions of subsection (a) of this section,
306 the board may, after a hearing conducted in accordance with sections
307 4-176e to 4-184, inclusive, upon the concurring vote of six of its

308 members, present and voting impose a civil penalty not to exceed ten
309 dollars per day upon any individual who fails to file any report,
310 statement or other information as required by this part or [section 1-
311 101nn] part IV of this chapter. Each distinct violation of this subsection
312 shall be a separate offense and in case of a continued violation, each
313 day thereof shall be deemed a separate offense. In no event shall the
314 aggregate penalty imposed for such failure to file exceed ten thousand
315 dollars.

316 (c) The board may also report its finding to the Chief State's
317 Attorney for any action deemed necessary. The board, upon a finding
318 made pursuant to section 1-82 that a member or member-elect of the
319 General Assembly has violated any provision of this part or [section 1-
320 101nn] part IV of this chapter, shall notify the appropriate house of the
321 General Assembly, in writing, of such finding and the basis for such
322 finding.

323 (d) Any person who knowingly acts in such person's financial
324 interest in violation of section 1-84, 1-85, 1-86, 1-86d, 1-86e or 1-101nn
325 or any person who knowingly receives a financial advantage resulting
326 from a violation of any of said sections shall be liable for damages in
327 the amount of such advantage. If the board determines that any person
328 may be so liable, it shall immediately inform the Attorney General of
329 that possibility.

330 (e) Any employee of the Office of State Ethics or member of the
331 Citizen's Ethics Advisory Board who, in violation of this part or
332 [section 1-101nn] part IV of this chapter, discloses information filed in
333 accordance with subparagraph (F) of subdivision (1) of subsection (b)
334 of section 1-83, shall be dismissed, if an employee, or removed from
335 the board, if a member.

336 Sec. 8. Section 1-89 of the general statutes is repealed and the
337 following is substituted in lieu thereof (*Effective October 1, 2015*):

338 (a) Any person who intentionally violates any provision of this part

339 or [section 1-101nn] part IV of this chapter shall (1) for a first violation,
340 be guilty of a class A misdemeanor, except that, if such person derives
341 a financial benefit of one thousand dollars or more as a result of such
342 violation, such person shall be guilty of a class D felony, and (2) for a
343 second or subsequent violation, be guilty of a class D felony, provided
344 no person may be found guilty of a violation of subsection (f) or (g) of
345 section 1-84 and bribery or bribe receiving under section 53a-147 or
346 53a-148 upon the same incident, but such person may be charged and
347 prosecuted for all or any of such offenses upon the same information.

348 (b) The penalties prescribed in this part or [section 1-101nn] part IV
349 of this chapter shall not limit the power of either house of the
350 legislature to discipline its own members or impeach a public official,
351 and shall not limit the power of agencies or commissions to discipline
352 their officials or employees.

353 (c) The Attorney General may bring a civil action against any person
354 who knowingly acts in the person's financial interest in, or knowingly
355 receives a financial advantage resulting from, a violation of section 1-
356 84, 1-85, 1-86 or 1-101nn. In any such action, the Attorney General may,
357 in the discretion of the court, recover any financial benefit that accrued
358 to the person as a result of such violation and additional damages in an
359 amount not exceeding twice the amount of the actual damages.

360 (d) Any fines, penalties or damages paid, collected or recovered
361 under section 1-88 or this section for a violation of any provision of this
362 part or [section 1-101nn] part IV of this chapter applying to the office
363 of the Treasurer shall be deposited on a pro rata basis in any trust
364 funds, as defined in section 3-13c, affected by such violation.

365 Sec. 9. Section 1-93 of the general statutes is repealed and the
366 following is substituted in lieu thereof (*Effective October 1, 2015*):

367 (a) (1) Upon the complaint of any person on a form prescribed by
368 the Office of State Ethics, signed under penalty of false statement, or
369 upon its own complaint, the ethics enforcement officer of the Office of

370 State Ethics shall investigate any alleged violation of this part or part
371 III of this chapter. Not later than five days after the receipt or issuance
372 of such complaint, the Office of State Ethics shall provide notice of
373 such receipt or issuance and a copy of the complaint by registered or
374 certified mail to any respondent against whom such complaint is filed
375 and shall provide notice of the receipt of such complaint to the
376 complainant. When the Office of State Ethics undertakes an evaluation
377 of a possible violation of this part or part III of this chapter prior to the
378 filing of a complaint, the subject of the evaluation shall be notified not
379 later than five business days after a staff member of the Office of State
380 Ethics undertakes the first contact with a third party concerning the
381 matter.

382 (2) In the conduct of its investigation of an alleged violation of this
383 part or part III of this chapter, the Office of State Ethics shall have the
384 power to hold hearings, administer oaths, examine witnesses and
385 receive oral and documentary evidence. The Office of State Ethics may
386 subpoena witnesses under procedural rules adopted by the Citizen's
387 Ethics Advisory Board as regulations in accordance with the
388 provisions of chapter 54 to compel attendance before the Office of State
389 Ethics and to require the production for examination by the ethics
390 enforcement officer of the Office of State Ethics of any books and
391 papers which the ethics enforcement officer of the Office of State Ethics
392 deems relevant in any matter under investigation or in question,
393 provided any such subpoena is issued either pursuant to a majority
394 vote of the Citizen's Ethics Advisory Board or pursuant to the
395 signature of the chairperson of such board. The vice-chairperson of
396 such board may sign any such subpoena if the chairperson of such
397 board is unavailable. In the exercise of such powers, the Office of State
398 Ethics may use the services of the state police, who shall provide the
399 same upon the office's request. The Office of State Ethics shall make a
400 record of all proceedings conducted pursuant to this subsection. Any
401 witness summoned before the Office of State Ethics or a judge trial
402 referee pursuant to this subsection shall receive the witness fee paid to

403 witnesses in the courts of this state. The ethics enforcement officer of
404 the Office of State Ethics may bring any alleged violation of this part or
405 part III of this chapter before a judge trial referee assigned by the Chief
406 Court Administrator for such purpose for a probable cause hearing.
407 Such judge trial referee shall be compensated in accordance with the
408 provisions of section 52-434 from such funds as may be available to the
409 Office of State Ethics. The respondent shall have the right to appear at
410 any hearing held pursuant to this subsection and be heard and to offer
411 any information which may tend to clear the respondent of probable
412 cause to believe the respondent has violated any provision of this part
413 or part III of this chapter. The respondent shall also have the right to be
414 represented by legal counsel and to examine and cross-examine
415 witnesses. Not later than ten days prior to the commencement of any
416 hearing conducted pursuant to this subsection, the Office of State
417 Ethics shall provide the respondent with a list of its intended
418 witnesses. Any finding of probable cause to believe the respondent is
419 in violation of any provision of this part or part III of this chapter shall
420 be made by a judge trial referee not later than thirty days after the
421 ethics enforcement officer brings such alleged violation before such
422 judge trial referee, except that such thirty-day limitation period shall
423 not apply if the judge trial referee determines that good cause exists for
424 extending such limitation period.

425 (b) If a judge trial referee indicates that probable cause exists for the
426 violation of a provision of this part or part III of this chapter, the board
427 shall initiate hearings to determine whether there has been a violation
428 of this part or part III of this chapter. Any such hearing shall be
429 initiated by the board not later than thirty days after the finding of
430 probable cause by a judge trial referee and shall be concluded not later
431 than ninety days after its initiation, except that such thirty-day or
432 ninety-day limitation period shall not apply if the judge trial referee
433 determines that good cause exists for extending such limitation period.
434 A judge trial referee, who has not taken part in the probable cause
435 determination on the matter shall be assigned by the Chief Court

436 Administrator and shall be compensated in accordance with section
437 52-434 out of funds available to the board and shall preside over such
438 hearing and rule on all issues concerning the application of the rules of
439 evidence, which shall be the same as in judicial proceedings. The trial
440 referee shall have no vote in any decision of the board. All hearings of
441 the board held pursuant to this subsection shall be open. At such
442 hearing the board shall have the same powers as the Office of State
443 Ethics under subsection (a) of this section and the respondent shall
444 have the right to be represented by legal counsel, the right to compel
445 attendance of witnesses and the production of books, documents,
446 records and papers and to examine and cross-examine witnesses. Not
447 later than ten days prior to the commencement of any hearing
448 conducted pursuant to this subsection, the Office of State Ethics shall
449 provide the respondent with a list of its intended witnesses. The judge
450 trial referee shall, while engaged in the discharge of the duties as
451 provided in this subsection, have the same authority as is provided in
452 section 51-35 over witnesses who refuse to obey a subpoena or to
453 testify with respect to any matter upon which such witness may be
454 lawfully interrogated, and may commit any such witness for contempt
455 for a period no longer than thirty days. The Office of State Ethics shall
456 make a record of all proceedings pursuant to this subsection. During
457 the course of any such hearing, no ex-parte communication shall occur
458 between the board, or any of its members, and: (1) The judge trial
459 referee, or (2) any staff member of the Enforcement Division of the
460 Office of State Ethics, concerning the complaint or the respondent. The
461 board shall find no person in violation of any provision of this part or
462 part III of this chapter except upon the concurring vote of six of its
463 members present and voting. No member of the board shall vote on
464 the question of whether a violation of any provision of this part or part
465 III of this chapter has occurred unless such member was physically
466 present for the duration of any hearing held pursuant to this
467 subsection. Not later than fifteen days after the public hearing
468 conducted in accordance with this subsection, the board shall publish
469 its finding and a memorandum of the reasons therefor. Such finding

470 and memorandum shall be deemed to be the final decision of the
471 board on the matter for the purposes of chapter 54. The respondent, if
472 aggrieved by the finding and memorandum, may appeal therefrom to
473 the Superior Court in accordance with the provisions of section 4-183.

474 (c) If any complaint brought under the provisions of this part or part
475 III of this chapter is made with the knowledge that it is made without
476 foundation in fact, the respondent shall have a cause of action against
477 the complainant for double the amount of damage caused thereby and
478 if the respondent prevails in such action, the respondent may be
479 awarded by the court the costs of such action together with reasonable
480 attorneys' fees.

481 (d) No complaint may be made under this section except within five
482 years next after the violation alleged in the complaint has been
483 committed.

484 (e) No person shall take or threaten to take official action against an
485 individual for such individual's disclosure of information to the board
486 or the general counsel, ethics enforcement officer or staff of the Office
487 of State Ethics under the provisions of this part or part III of this
488 chapter. After receipt of information from an individual under the
489 provisions of this part or part III of this chapter, the Office of State
490 Ethics shall not disclose the identity of such individual without such
491 person's consent unless the Office of State Ethics determines that such
492 disclosure is unavoidable during the course of an investigation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	1-80(a)
Sec. 2	<i>October 1, 2015</i>	1-82
Sec. 3	<i>October 1, 2015</i>	1-82a(a)
Sec. 4	<i>October 1, 2015</i>	1-84(i)
Sec. 5	<i>October 1, 2015</i>	1-84(k)
Sec. 6	<i>October 1, 2015</i>	1-86e
Sec. 7	<i>October 1, 2015</i>	1-88

Sec. 8	October 1, 2015	1-89
Sec. 9	October 1, 2015	1-93

Statement of Purpose:

To make various revisions to the state codes of ethics, including to permit members of the Citizen's Ethics Advisory Board to serve until a successor is appointed, to provide the Office of State Ethics with enforcement authority over parts III and IV of chapter 10 of the general statutes, to amend provisions in the code concerning contracting to add references to quasi-public agencies and to specify that payment of necessary expenses is restricted to sponsors of an event.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]