



General Assembly

Substitute Bill No. 6670

January Session, 2015



**AN ACT CONCERNING APPOINTMENTS TO THE CITIZEN'S ETHICS
ADVISORY BOARD AND REVISIONS TO THE CODE OF ETHICS FOR
PUBLIC OFFICIALS.**

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2 repealed and the following is substituted in lieu thereof (*Effective*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. Subsection (i) of section 1-84 of the general statutes is
49 repealed and the following is substituted in lieu thereof (*Effective*
50 *October 1, 2015*):

51 (i) (1) No public official or state employee or member of the official
52 or employee's immediate family or a business with which he is

53 associated shall enter into any contract with the state or a quasi-public
54 agency, valued at one hundred dollars or more, other than a contract
55 (A) of employment as a state employee, (B) with the technical high
56 school system for students enrolled in a school in the system to
57 perform services in conjunction with vocational, technical or
58 technological education and training any such student is receiving at a
59 school in the system, subject to the review process under subdivision
60 (2) of this subsection, (C) with a public institution of higher education
61 to support a collaboration with such institution to develop and
62 commercialize any invention or discovery, or (D) pursuant to a court
63 appointment, unless the contract has been awarded through an open
64 and public process, including prior public offer and subsequent public
65 disclosure of all proposals considered and the contract awarded. In no
66 event shall an executive head of an agency, as defined in section 4-166,
67 including a commissioner of a department, or an executive head of a
68 quasi-public agency, as defined in section 1-79, or the executive head's
69 immediate family or a business with which he is associated enter into
70 any contract with that agency or quasi-public agency. Nothing in this
71 subsection shall be construed as applying to any public official who is
72 appointed as a member of the executive branch or as a member or
73 director of a quasi-public agency and who receives no compensation
74 other than per diem payments or reimbursement for actual or
75 necessary expenses, or both, incurred in the performance of the public
76 official's duties unless such public official has authority or control over
77 the subject matter of the contract. Any contract made in violation of
78 this subsection shall be voidable by a court of competent jurisdiction if
79 the suit is commenced not later than one hundred eighty days after the
80 making of the contract.

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

85 Sec. 3. Subsection (k) of section 1-84 of the general statutes is

86 repealed and the following is substituted in lieu thereof (*Effective*
87 *October 1, 2015*):

88 (k) No public official, spouse of the Governor or state employee
89 shall accept a fee or honorarium for an article, appearance or speech, or
90 for participation at an event, in the public official's, spouse's or state
91 employee's official capacity, provided a public official, Governor's
92 spouse or state employee may receive payment or reimbursement for
93 necessary expenses for any such activity in his or her official capacity
94 from a sponsor of the activity. If a public official, Governor's spouse or
95 state employee receives such a payment or reimbursement for lodging
96 or out-of-state travel, or both, the public official, Governor's spouse or
97 state employee shall, not later than thirty days thereafter, file a report
98 of the payment or reimbursement with the Office of State Ethics,
99 unless the payment or reimbursement is provided by the federal
100 government or another state government. If a public official,
101 Governor's spouse or state employee does not file such report within
102 such period, either intentionally or due to gross negligence on the
103 public official's, Governor's spouse's or state employee's part, the
104 public official, Governor's spouse or state employee shall return the
105 payment or reimbursement. If any failure to file such report is not
106 intentional or due to gross negligence on the part of the public official,
107 Governor's spouse or state employee, the public official, Governor's
108 spouse or state employee shall not be subject to any penalty under this
109 chapter. When a public official, Governor's spouse or state employee
110 attends an event in this state in the public official's, Governor's
111 spouse's or state employee's official capacity and as a principal speaker
112 at such event and receives admission to or food or beverage at such
113 event from [the] a sponsor of the event, such admission or food or
114 beverage shall not be considered a gift and no report shall be required
115 from such public official, spouse or state employee or from the sponsor
116 of the event.

117 Sec. 4. Section 1-86e of the general statutes is repealed and the
118 following is substituted in lieu thereof (*Effective October 1, 2015*):

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

121 (1) Use the authority provided to the person under the contract, or
122 any confidential information acquired in the performance of the
123 contract, to obtain financial gain for the person, an employee of the
124 person or a member of the immediate family of any such person or
125 employee;

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

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

132 (b) No person shall give anything of value to a person hired by the
133 state or a quasi-public agency as a consultant or independent
134 contractor based on an understanding that the actions of the consultant
135 or independent contractor on behalf of the state or quasi-public agency
136 would be influenced.

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

Statement of Legislative Commissioners:

In Section 3, "event" was changed to "activity" for consistency with other provisions of the sentence.

GAE *Joint Favorable Subst.*