



General Assembly

**Amendment**

January Session, 2015

LCO No. 6886



Offered by:

SEN. FASANO, 34<sup>th</sup> Dist.  
SEN. WITKOS, 8<sup>th</sup> Dist.  
SEN. BOUCHER, 26<sup>th</sup> Dist.  
SEN. CHAPIN, 30<sup>th</sup> Dist.  
SEN. FORMICA, 20<sup>th</sup> Dist.  
SEN. FRANTZ, 36<sup>th</sup> Dist.  
SEN. GUGLIELMO, 35<sup>th</sup> Dist.  
SEN. HWANG, 28<sup>th</sup> Dist.

SEN. KANE, 32<sup>nd</sup> Dist.  
SEN. KELLY, 21<sup>st</sup> Dist.  
SEN. KISSEL, 7<sup>th</sup> Dist.  
SEN. LINARES, 33<sup>rd</sup> Dist.  
SEN. MARKLEY, 16<sup>th</sup> Dist.  
SEN. MARTIN, 31<sup>st</sup> Dist.  
SEN. MCLACHLAN, 24<sup>th</sup> Dist.

To: Subst. Senate Bill No. 847

File No. 612

Cal. No. 350

**"AN ACT ESTABLISHING A MUNICIPAL ETHICS TASK FORCE."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2015*) Each member of the  
4 General Assembly shall:

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

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

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

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

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

16 (6) Be informed about, and abide by, the rules that govern the  
17 proceedings of the General Assembly, including, but not limited to, the  
18 Joint Rules of the Senate and the House of Representatives, rules to  
19 regulate the proceedings of the Senate and the rules to regulate the  
20 proceedings of the House of Representatives, as applicable;

21 (7) Uphold the Constitution of the state and the Constitution of the  
22 United States;

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

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

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

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

35 (12) Consider at all times whether his or her conduct would create  
36 in reasonable minds the perception that his or her ability to carry out

37 legislative responsibilities with integrity and independence is  
38 impaired.

39 Sec. 502. (NEW) (*Effective from passage*) (a) Any member of the Senate  
40 may submit a complaint, under penalty of false statement, concerning  
41 alleged misconduct by a member of the Senate to the president pro  
42 tempore of the Senate and the minority leader of the Senate. Not later  
43 than seven days after receipt of such a complaint, the president pro  
44 tempore shall appoint a bipartisan committee on ethics that shall  
45 consist of six members, three of whom shall be appointed with the  
46 concurrence of the minority leader of the Senate. The president pro  
47 tempore shall appoint two cochairpersons of the committee, one of  
48 whom shall be appointed upon the recommendation of the minority  
49 leader of the Senate. Said committee shall have cognizance of any  
50 official Senate action in response to any such complaint or misconduct  
51 by any member of the Senate.

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

67 (c) As used in this section, "misconduct" means (1) any conviction or  
68 finding by a state agency of a substantial violation of state or federal  
69 election laws, or of the state code of ethics, or (2) any legal wrong that

70 materially impairs the ability of the member to perform the duties of  
71 his or her office or that substantially undermines public trust and  
72 confidence in the Senate or House of Representatives, as applicable.  
73 Nothing in this section shall be construed to affect the powers and  
74 duties of the Office of State Ethics or the Citizen's Ethics Advisory  
75 Board. The provisions of subsections (d) to (i), inclusive, of this section  
76 shall set forth the procedures and requirements for any committee  
77 established in accordance with subsection (a) or (b) of this section.

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

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

98 (f) Any such preliminary investigation of a complaint shall be  
99 confidential and not subject to disclosure. Upon the conclusion of any  
100 preliminary investigation, the committee shall vote to either (1)  
101 dismiss the complaint, or (2) make a finding of probable cause that  
102 misconduct has occurred. Upon a finding of probable cause by the

103 committee, all information relating to the preliminary investigation  
 104 shall, to the extent allowed by state and federal law, be made available  
 105 to the public.

106 (g) The committee shall undertake a full investigation only after a  
 107 finding of probable cause. All information relating to a full  
 108 investigation shall, to the extent allowed by state and federal law, be  
 109 made available to the public. All proceedings relating to a full  
 110 investigation shall be open to the public. Upon the completion of a full  
 111 investigation, the committee shall report its findings and  
 112 recommendation in the form of a resolution to be voted upon by the  
 113 Senate or House of Representatives, as applicable. Such  
 114 recommendation shall include one of the following: (1) Expulsion, (2)  
 115 censure, (3) reprimand, or (4) no action. The full Senate or House of  
 116 Representatives, as applicable, shall vote on any such resolution not  
 117 later than ten days after the committee reports out any such resolution.

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

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

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|---|------------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |                        |             |
| Sec. 501  | <i>October 1, 2015</i> | New section |
| Sec. 502  | <i>from passage</i>    | New section |