

**Proposed Substitute
Bill No. 175**

February Session, 2018

LCO No. 2323

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
AUDITORS OF PUBLIC ACCOUNTS.**

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

1 Section 1. Subsection (e) of section 2-90 of the 2018 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (e) (1) If the Auditors of Public Accounts discover, or if it should
5 come to their knowledge, that any unauthorized, illegal, irregular or
6 unsafe handling or expenditure of state funds or quasi-public agency
7 funds or any breakdown in the safekeeping of any resources of the
8 state or a quasi-public agency has occurred or is contemplated, they
9 shall forthwith [present] report the facts to the Governor, the State
10 Comptroller, the clerk of each house of the General Assembly and the
11 Attorney General, [.] except if a matter reported to the Auditors of
12 Public Accounts pursuant to section 4-33a, as amended by this act, is
13 still under investigation by a state or quasi-public agency, the Auditors
14 of Public Accounts may give the agency a reasonable amount of time
15 to conduct such investigation prior to the auditors reporting the matter
16 to said officials. (2) If the Auditors of Public Accounts decide to delay
17 reporting such matter in accordance with subdivision (1) of this
18 subsection, the auditors shall immediately notify the Attorney General
19 of such decision. (3) Any Auditor of Public Accounts neglecting to

20 make [such a] the report required under subdivision (1) of this
21 subsection, or any agent of the auditors neglecting to report to the
22 Auditors of Public Accounts any such matter discovered by [him] such
23 agent or coming to [his] such agent's knowledge, shall be fined not
24 more than one hundred dollars or imprisoned not more than six
25 months or both.

26 Sec. 2. Section 4-33a of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective October 1, 2018*):

28 All boards of trustees of state institutions, state department heads,
29 boards, commissions, other state agencies responsible for state
30 property and funds and quasi-public agencies, as defined in section 1-
31 120, shall promptly notify the Auditors of Public Accounts and the
32 Comptroller of any (1) unauthorized, illegal, irregular or unsafe
33 handling or expenditure of state or quasi-public agency funds, [or] (2)
34 breakdowns in the safekeeping of any other resources of the state or
35 quasi-public agencies, (3) any breach of security, as defined in section
36 36a-701b, or (4) contemplated action to [do the same] commit one of
37 the acts listed in subdivisions (1) to (3), inclusive, of this section within
38 their knowledge. In the case of such notification to the Auditors of
39 Public Accounts, the auditors may permit aggregate reporting in a
40 manner and at a schedule determined by the auditors.

41 Sec. 3. Section 1-101pp of the general statutes is repealed and the
42 following is substituted in lieu thereof (*Effective October 1, 2018*):

43 Any commissioner, deputy commissioner, state agency or quasi-
44 public agency head or deputy, or person in charge of state agency
45 procurement, [and] contracting or human resources who has
46 reasonable cause to believe that a person has violated the provisions of
47 the Code of Ethics for Public Officials set forth in part I of this chapter
48 or any law or regulation concerning ethics in state contracting shall
49 report such belief to the Office of State Ethics, which may further
50 report such information to the [Auditor] Auditors of Public Accounts,
51 the Chief State's Attorney or the Attorney General.

52 Sec. 4. Subdivision (8) of section 4-37f of the general statutes is
53 repealed and the following is substituted in lieu thereof (*Effective*
54 *October 1, 2018*):

55 (8) A foundation which has in any of its fiscal years receipts and
56 earnings from investments totaling [one] two hundred fifty thousand
57 dollars per year or more, or a foundation established for the principal
58 purpose of coordinated emergency recovery that operated in response
59 to an eligible incident, as defined in section 4-37r, during the fiscal year
60 or with funds that exceeded [one] two hundred fifty thousand dollars
61 in the aggregate, shall have completed on its behalf for such fiscal year
62 a full audit of the books and accounts of the foundation. A foundation
63 which has receipts and earnings from investments totaling less than
64 [one] two hundred fifty thousand dollars in each fiscal year during any
65 three of its consecutive fiscal years beginning October 1, 1986, shall
66 have completed on its behalf for the third fiscal year in any such three-
67 year period a full audit of the books and accounts of the foundation,
68 unless such foundation was established for the principal purpose of
69 coordinated emergency recovery and had completed on its behalf such
70 an audit for any year in any such three-year period. For each fiscal year
71 in which an audit is not required pursuant to this subdivision financial
72 statements shall be provided by the foundation to the executive
73 authority of the state agency. Each audit under this subdivision shall
74 be (A) conducted [(A)] by an independent certified public accountant
75 or, if requested by the state agency with the consent of the foundation,
76 the Auditors of Public Accounts, [and] (B) conducted in accordance
77 with generally accepted auditing standards, and (C) completed, and a
78 copy of such audit submitted, in accordance with this section, not later
79 than six months after the end of the applicable fiscal year. The auditor
80 shall submit (i) a report that includes an opinion regarding the
81 financial statements and a management letter, and (ii) a report that
82 includes an opinion on conformance of the operating procedures of the
83 foundation with the provisions of sections 4-37e to 4-37i, inclusive, and
84 recommendations for any corrective actions needed to ensure such
85 conformance. Each audit report shall disclose the receipt or use by the
86 foundation of any public funds in violation of said sections or any

87 other provision of the general statutes. The foundation shall provide a
88 copy of each audit report completed pursuant to this subdivision to the
89 executive authority of the state agency and the Attorney General. Each
90 financial statement required under this subdivision shall include, for
91 the fiscal year to which the statement applies, the total receipts and
92 earnings from investments of the foundation and the amount and
93 purpose of each receipt of funds by the state agency from the
94 foundation. As used in this subdivision, "fiscal year" means any
95 twelve-month period adopted by a foundation as its accounting year;

96 Sec. 5. Subsection (b) of section 4-37g of the general statutes is
97 repealed and the following is substituted in lieu thereof (*Effective*
98 *October 1, 2018*):

99 (b) In the case of an audit required pursuant to section 4-37f, as
100 amended by this act, that was not conducted by the Auditors of Public
101 Accounts, the executive authority and chief financial official of the
102 state agency shall review the audit report received pursuant to said
103 section and, upon such review, the executive authority shall sign a
104 letter indicating that he has reviewed the audit report and transmit a
105 copy of the letter and report to the Auditors of Public Accounts. If such
106 audit report indicates that (1) funds for deposit and retention in state
107 accounts have been deposited and retained in foundation accounts or
108 (2) state funds, personnel, services or facilities may have been used in
109 violation of sections 4-37e to 4-37i, inclusive, or any other provision of
110 the general statutes, the Auditors of Public Accounts may conduct a
111 full audit of the books and accounts of the foundation pertaining to
112 such funds, personnel, services or facilities, in accordance with the
113 provisions of section 2-90, as amended by this act. For the purposes of
114 such audit, the Auditors of Public Accounts shall have access to the
115 working papers compiled by the certified public accountant in the
116 preparation of the audit conducted pursuant to section 4-37f, as
117 amended by this act, which are relevant to such use of state funds,
118 personnel, services or facilities in violation of the provisions of sections
119 4-37e to 4-37i, inclusive, or any other provision of the general statutes.
120 If the audit required pursuant to section 4-37f, as amended by this act,

121 was not conducted, the Auditors of Public Accounts may conduct a
122 full audit of the books and accounts of the foundation, in accordance
123 with the provisions of section 2-90, as amended by this act.

124 Sec. 6. Section 2-90b of the general statutes is repealed and the
125 following is substituted in lieu thereof (*Effective from passage*):

126 The Auditors of Public Accounts shall [annually] biennially conduct
127 an audit of reimbursements made from the Bradley Enterprise Fund to
128 the Department of Emergency Services and Public Protection to cover
129 the cost of Troop W operations carried out in accordance with the
130 memorandum of understanding between the Department of
131 Emergency Services and Public Protection and the Department of
132 Transportation.

133 Sec. 7. Subsection (a) of section 1-123 of the 2018 supplement to the
134 general statutes is repealed and the following is substituted in lieu
135 thereof (*Effective from passage*):

136 (a) The board of directors of each quasi-public agency shall annually
137 submit a report to the Governor and the Auditors of Public Accounts.
138 Such report shall include, but need not be limited to, the following: (1)
139 A list of all bond issues for the preceding fiscal year, including, for
140 each such issue, the financial advisor and underwriters, whether the
141 issue was competitive, negotiated or privately placed, and the issue's
142 face value and net proceeds; (2) a list of all projects other than those
143 pertaining to owner-occupied housing or student loans receiving
144 financial assistance during the preceding fiscal year, including each
145 project's purpose, location, and the amount of funds provided by the
146 agency; (3) a list of all outside individuals and firms receiving in excess
147 of five thousand dollars in the form of loans, grants or payments for
148 services, except for individuals receiving loans for owner-occupied
149 housing and education; (4) a [balance sheet showing all revenues and
150 expenditures] complete set of financial statements; (5) the cumulative
151 value of all bonds issued, the value of outstanding bonds, and the
152 amount of the state's contingent liability; (6) the affirmative action
153 policy statement, a description of the composition of the agency's work

154 force by race, sex, and occupation and a description of the agency's
155 affirmative action efforts; and (7) a description of planned activities for
156 the current fiscal year.

157 Sec. 8. (NEW) (*Effective October 1, 2018*) (a) For the purposes of this
158 section, "state agency" means any department, board, council,
159 commission, institution or other executive branch agency of state
160 government, including, but not limited to, each constituent unit and
161 each public institution of higher education. On and after October 1,
162 2018, no state agency shall make a payment to an employee resigning
163 or retiring from employment with such state agency for the purposes
164 of avoiding costs associated with potential litigation or pursuant to a
165 nondisparagement agreement unless such payment is made pursuant
166 to (1) a settlement agreement entered into by the Attorney General on
167 behalf of the state agency, or (2) an authorization by the Governor
168 pursuant to section 3-7 of the general statutes.

169 (b) No nondisparagement agreement or settlement agreement as
170 described in subsection (a) of this section may prohibit an employee
171 from making a complaint or providing information in accordance with
172 section 4-61dd or sections 4-276 to 4-280, inclusive, of the general
173 statutes.

174 Sec. 9. Section 4-215 of the general statutes is repealed and the
175 following is substituted in lieu thereof (*Effective October 1, 2018*):

176 (a) Each personal service agreement executed on or after July 1,
177 1994, and having a cost of more than twenty thousand dollars but not
178 more than fifty thousand dollars and a term of not more than one year
179 shall be based on competitive negotiation or competitive quotations,
180 unless the state agency purchasing the personal services determines
181 that a sole source purchase is required and applies to the secretary for
182 a waiver from such requirement and the secretary grants the waiver.
183 Not later than March 1, 1994, the secretary shall adopt guidelines for
184 determining the types of services that may qualify for such waivers.
185 The qualifying services shall include, but not be limited to, (1) services
186 for which the cost to the state of a competitive selection procedure

187 would outweigh the benefits of such procedure, as documented by the
188 state agency, (2) proprietary services, (3) services to be provided by a
189 contractor mandated by the general statutes or a public or special act,
190 and (4) emergency services, including services needed for the
191 protection of life or health.

192 (b) The secretary shall immediately notify the Auditors of Public
193 Accounts of any application that the secretary receives for approval of
194 a sole source purchase of audit services and give the auditors the
195 opportunity to review the application to advise the secretary as to
196 whether such services are necessary and, if so, whether such services
197 could be provided by said auditors.

198 Sec. 10. Subsection (k) of section 38a-660 of the general statutes is
199 repealed and the following is substituted in lieu thereof (*Effective July*
200 *1, 2018*):

201 (k) (1) To further the enforcement of this section and sections 38a-
202 660b to 38a-660m, inclusive, and to determine the eligibility of any
203 licensee, the commissioner may, as often as the commissioner deems
204 necessary, examine the books and records of any such licensee. Each
205 person licensed as a surety bail bond agent in this state shall, on or
206 before January thirty-first, annually, pay to the commissioner a fee of
207 four hundred fifty dollars to cover the cost of examinations under this
208 subsection.

209 (2) The fees received by the commissioner pursuant to subdivision
210 (1) of this subsection shall be dedicated to conducting the examinations
211 under said subdivision (1) and shall be deposited in the account
212 established under subdivision (3) of this subsection.

213 (3) There is established an account to be known as the "surety bail
214 bond agent examination account", which shall be a separate,
215 [nonlapsing] account within the Insurance Fund established under
216 section 38a-52a. The account shall contain any moneys required by law
217 to be deposited in the account and any such moneys remaining in the
218 account at the close of the fiscal year shall be transferred to the General

219 Fund.

220 Sec. 11. Section 32-605 of the general statutes is repealed and the
221 following is substituted in lieu thereof (*Effective from passage*):

222 (a) In lieu of the report required under section 1-123, within the first
223 ninety days of each fiscal year of the Capital Region Development
224 Authority, the board of directors of the authority shall submit a report
225 to the Governor, the Auditors of Public Accounts and the joint
226 standing committee of the General Assembly having cognizance of
227 matters relating to finance, revenue and bonding. Such report shall
228 include, but not be limited to, the following: (1) A list of all bonds
229 issued during the preceding fiscal year, including, for each such issue,
230 the financial advisor and underwriters, whether the issue was
231 competitive, negotiated or privately placed, and the issue's face value
232 and net proceeds; (2) a description of the capital city project or any
233 economic development project in the capital region in which the
234 authority is involved, its location and the amount of funds, if any,
235 provided by the authority with respect to the construction of such
236 project; (3) a list of all outside individuals and firms, including
237 principal and other major stockholders, receiving in excess of five
238 thousand dollars as payments for services; (4) a comprehensive annual
239 financial report prepared in accordance with generally accepted
240 accounting principles for governmental enterprises; (5) the cumulative
241 value of all bonds issued, the value of outstanding bonds and the
242 amount of the state's contingent liability; (6) the affirmative action
243 policy statement, a description of the composition of the work force of
244 the authority by race, sex and occupation and a description of the
245 affirmative action efforts of the authority; (7) a description of planned
246 activities for the current fiscal year; (8) a list of all private investments
247 made or committed for commercial development within the capital
248 city economic development district; and (9) an analysis of the
249 authority's success in achieving the purposes stated in section 32-602.

250 [(b) The board of directors of the authority shall annually contract
251 with a person, firm or corporation for a compliance audit of the

252 authority's activities during the preceding authority fiscal year. The
253 audit shall determine whether the authority has complied with its
254 regulations concerning affirmative action, personnel practices, the
255 purchase of goods and services and the use of surplus funds. The
256 board shall submit the audit report to the Governor, the Auditors of
257 Public Accounts and the joint standing committee of the General
258 Assembly having cognizance of matters relating to finance, revenue
259 and bonding.]

260 [(c)] (b) The board of directors of the authority shall annually
261 contract with a firm of certified public accountants to undertake an
262 independent financial audit of the authority in accordance with
263 generally accepted auditing standards. The board shall submit the
264 audit report to the Governor, the Auditors of Public Accounts and the
265 joint standing committee of the General Assembly having cognizance
266 of matters relating to finance, revenue and bonding.

267 [(d)] (c) The authority shall designate a contract compliance officer
268 from the staff of the authority to monitor compliance of the operations
269 of facilities under the management or control of the authority, the
270 convention center, convention center hotel and related parking
271 facilities of the center and the hotel, with the provisions of state law
272 applicable to such operations, including, but not limited to, this section
273 and sections 32-650 to 32-668, inclusive, and with applicable
274 requirements of contracts entered into by the authority, relating to set-
275 asides for small contractors and minority business enterprises and
276 required efforts to hire available and qualified members of minorities,
277 as defined in section 32-9n, and available and qualified residents of the
278 city of Hartford for jobs in such operations. Such officer shall file, each
279 year during the period of facility operations, a written report with the
280 authority as to findings and recommendations regarding such
281 compliance.

282 Sec. 12. Section 32-651 of the general statutes is repealed and the
283 following is substituted in lieu thereof (*Effective from passage*):

284 As used in sections 32-650 to 32-668, inclusive, sections 39 and 40 of

285 public act 98-1 of the December special session, as amended by public
286 act 99-241 and public act 00-140, and subsection [(d)] (c) of section 32-
287 605, as amended by this act:

288 (1) "Adriaen's Landing site" means the area of approximately thirty-
289 three acres of land within the capital city economic development
290 district designated in the master development plan as the location of
291 the convention center, the related parking facilities and the on-site
292 related private development.

293 (2) "Bonds" means the bonds authorized to be issued and sold by the
294 state pursuant to sections 32-652 and 32-653, and, unless the context
295 requires a different meaning, shall include serial, term or variable rate
296 bonds, notes issued in anticipation of the issuance of bonds, and
297 temporary or interim notes or notes issued pursuant to a commercial
298 paper program.

299 (3) "Capital city economic development district" has the meaning
300 assigned to that term in section 32-600.

301 (4) "Comptroller" means the State Comptroller or the deputy
302 comptroller appointed pursuant to section 3-133.

303 (5) "Convention center" has the meaning assigned to that term in
304 section 32-600.

305 (6) "Convention center project" has the meaning assigned to that
306 term in section 32-600.

307 (7) "Convention center hotel" has the meaning assigned to that term
308 in section 32-600.

309 (8) "Costs of issuance" means all costs related to the proceedings
310 under which bonds are issued pursuant to sections 32-652 and 32-653,
311 including, but not limited to, fees and expenses or other similar
312 charges incurred in connection with the execution of reimbursement
313 agreements, remarketing agreements, standby bond purchase
314 agreements, agreements in connection with obtaining any liquidity

315 facility or credit facility with respect to such bonds, trust agreements
316 respecting disbursement of bond proceeds and any other necessary or
317 appropriate agreements related to the marketing and issuance of such
318 bonds and the disbursement of the bond proceeds, auditing and legal
319 expenses and fees, expenses incurred for professional consultants,
320 financial advisors and fiduciaries, fees and expenses of remarketing
321 agents and dealers, fees and expenses of the underwriters to the extent
322 not paid from a discount on the purchase price of such bonds, and fees
323 and expenses of rating agencies, transfer or information agents, and
324 including costs of the publication of advertisements and notices,
325 printers' fees or charges incurred by the state to comply with
326 applicable federal and state securities or tax laws and any other similar
327 costs of issuance.

328 (9) "Design professional" means each duly licensed architect,
329 engineer or other design professional experienced in the design of
330 comparable facilities and related improvements retained by the
331 secretary from time to time to prepare plans and specifications and
332 perform related professional services in connection with the overall
333 project and related development activities.

334 (10) "Stadium facility manager" means each nongovernmental
335 service provider engaged by the secretary to provide overall
336 management services with respect to all or a portion of the stadium
337 facility.

338 (11) "Stadium facility operations" means all activities related to the
339 use, management and operation of the stadium facility including,
340 without limitation, maintenance and repairs, purchases of supplies, the
341 addition or replacement of furniture, fixtures and equipment, safety
342 and security, crowd and traffic control, ticket and premium seating
343 promotion and sales, ticketing and box office operations, event
344 booking, scheduling and promotion, event operations, stadium
345 parking management, marketing, promotion and public relations,
346 advertising sales, media and broadcast activities and merchandising,
347 catering and concessions.

348 (12) "GMP" means guaranteed maximum price.

349 (13) "Governmental authorities" means all federal, state or local
350 governmental bodies, instrumentalities or agencies and all political
351 subdivisions of the state, including municipalities, taxing, fire and
352 water districts and other governmental units.

353 (14) "Governmental permits" means all permits, authorizations,
354 registrations, consents, approvals, waivers, exceptions, variances,
355 orders, judgments, decrees, licenses, exemptions, publications, filings,
356 notices to and declarations of or with, or required by, governmental
357 authorities, including those relating to traffic, environmental
358 protection, wetlands, zoning, site approval, building and public health
359 and safety, that are required for the development and operation of any
360 project or facility.

361 (15) "Stadium facility capital replacement account" means the capital
362 replacement reserve account within the Stadium Facility Enterprise
363 Fund established by section 32-657.

364 (16) "Stadium Facility Enterprise Fund" means the separate fund
365 established by section 32-657.

366 (17) "Infrastructure improvements" means necessary or desirable
367 infrastructure improvements relating to the convention center, the
368 stadium facility, the related parking facilities or the on-site related
369 private development, as the case may be, including, but not limited to,
370 structures over roads and highways, roadway improvements,
371 pedestrian improvements, landscaped plazas, piers, foundations and
372 other structural work on the Adriaen's Landing site or the stadium
373 facility site or off-site as determined by the secretary to be necessary or
374 desirable in connection with the development of the Adriaen's Landing
375 site or the stadium facility site, and whether undertaken by the
376 secretary or any other agency, department or public instrumentality of
377 the state, as more particularly described in the master development
378 plan.

379 (18) "Internal Revenue Code" means the Internal Revenue Code of
380 1986, or any subsequent corresponding internal revenue code of the
381 United States, as from time to time amended, and regulations adopted
382 thereunder.

383 (19) "Master development plan" means the master development
384 plan for the overall project and the on-site related private development
385 prepared by the secretary and the authority with the assistance of the
386 design professional, in the form filed with the clerks of the Senate and
387 the House of Representatives on March 3, 2000, as modified by the
388 secretary after May 2, 2000, in accordance with the provisions of
389 section 32-655b.

390 (20) "NCAA" means the National Collegiate Athletic Association or
391 its successor.

392 (21) "On-site related private development" means the convention
393 center hotel and the other housing, entertainment, recreation, retail
394 and office development on the Adriaen's Landing site contemplated by
395 the master development plan. "On-site related private development"
396 includes the second phase of the convention center hotel as described
397 in the master development plan but excludes any other addition to, or
398 any expansion, demolition, conversion or other modification of, any
399 such on-site related private development unless the secretary certifies
400 in the secretary's discretion that such addition, expansion, demolition,
401 conversion or other modification is being undertaken by agreement
402 with the secretary in furtherance of the objectives of the master
403 development plan.

404 (22) "Overall project" means the convention center project, the
405 stadium facility project and the parking project, or one or more of the
406 foregoing as more particularly described in the master development
407 plan, including all related planning, feasibility, environmental testing
408 and assessment, permitting, engineering, technical and other necessary
409 development activities, including site acquisition, site preparation and
410 infrastructure improvements. As used in sections 32-664, 32-665 and
411 32-668, and subdivision (1) of section 12-412, subsection (a) of section

412 12-498 and subdivision (1) of section 22a-134, and section 32-617a,
413 "overall project" also includes the development, design, construction,
414 finishing, furnishing and equipping of the on-site related private
415 development.

416 (23) "Parking project" means the development, design, construction,
417 finishing, furnishing and equipping of the related parking facilities
418 and related site acquisition and site preparation.

419 (24) "Preliminary costs" means the costs of the state or the authority,
420 as the case may be, relating to planning, preliminary design, feasibility
421 and permitting of the overall project, whether incurred prior to or
422 following July 1, 1999, including, but not limited to, costs of plans,
423 including plans with respect to alternative or prior designs, budgeting,
424 borings, surveys, maps, title examinations, environmental testing,
425 environmental impact evaluations, appraisals, documentation of
426 estimates of costs and revenue increments to the state or the authority
427 in connection with the overall project and the permitting thereof,
428 including feasibility studies, market and impact analysis, preliminary
429 design costs and costs incidental to investigations, preparation and
430 processing of permit applications and preparation and analysis of any
431 proposed agreement, lease or memorandum of understanding with
432 respect to the overall project, including, but not limited to, the fees and
433 expenses of professional, management and technical consultants, and
434 financial and legal advisors, and the reimbursement to any state
435 agency or department, public authority, political subdivision or
436 private entity which has advanced or advances funds for the payment
437 of any such preliminary costs, provided that in the case of any such
438 private entity such advancement was or is at the request of or with the
439 approval of the state as certified by the secretary and would qualify as
440 a preliminary cost if incurred directly by the state or the Capital
441 Region Development Authority.

442 (25) "Prime construction contractor" means each general contractor,
443 construction manager or other construction professional with primary
444 responsibility for construction activities with respect to the stadium

445 facility, the convention center, the related parking facilities or any
446 aspect of the on-site related private development, as the case may be.

447 (26) "Project costs" means and includes all hard and soft costs
448 relating to the overall project, or, in context, any aspect thereof,
449 including, but not limited to, preliminary costs, costs of site
450 acquisition, site preparation and infrastructure improvements,
451 relocation costs, including costs related to interim parking
452 arrangements, costs of issuance, costs of labor and materials employed
453 in the work, fees for project and construction management services,
454 including incentive payments related to timely completion of
455 improvements at or under budget, costs of insurance, including title
456 insurance, the establishment of appropriate reserve funds in
457 connection with the financing of any aspect of the overall project, and
458 costs of accounting, legal, architectural, environmental, permitting,
459 engineering, management, financial and other professional and
460 technical services.

461 (27) "Project manager" means the development professional selected
462 to supervise and coordinate the development of the Adriaen's Landing
463 site on behalf of the secretary and the authority.

464 (28) "Real property" means land and buildings and all estate,
465 interest or right in land or buildings, including land or buildings
466 owned by any person, the state or any political subdivision of the state
467 or instrumentality thereof and including any and all easements, rights
468 of way, air rights and every estate, right or interest therein.

469 (29) "Related parking facilities" means parking structures, facilities
470 or improvements which are necessary or desirable to provide parking
471 for the convention center, the convention center hotel and other on-site
472 related private development, which related parking facilities may also
473 satisfy other public and private parking requirements within the
474 capital city economic development district, or to replace currently
475 available parking which may be displaced by the overall project, other
476 than the stadium facility project, or the on-site related private
477 development, together with equipment, fixtures, furnishings and

478 appurtenances integral and normally associated with the construction
479 and operation of parking facilities, and ancillary infrastructure
480 improvements, all as more particularly described in the master
481 development plan.

482 (30) "Related private development" means privately developed
483 facilities or projects located within the capital city economic
484 development district and associated with the convention center,
485 including the hotel to be developed in conjunction with the convention
486 center and such other privately developed facilities or projects, which
487 may include housing, hotel, retail, entertainment, recreation, office or
488 parking facilities or projects, including privately developed or financed
489 improvements related to the convention center or such facilities or
490 projects, as contemplated by the master development plan. For
491 purposes of this subdivision, the term "associated" means functionally
492 and economically related to the convention center as part of an
493 integrated effort to develop and revitalize the urban core of the city of
494 Hartford as an attractive destination for visitors and location for new
495 businesses and residents.

496 (31) "Secretary" means the Secretary of the Office of Policy and
497 Management or the secretary's designee.

498 (32) "Site acquisition" means the acquisition of real property, by
499 condemnation, purchase, lease, lease-purchase, exchange or otherwise,
500 comprising the Adriaen's Landing site and the stadium facility site,
501 and includes the acquisition of other real property determined by the
502 secretary to be necessary for off-site infrastructure improvements
503 related to the development of the Adriaen's Landing site or the
504 stadium facility site or for temporary use for construction staging or
505 replacement parking during the period of construction, and the
506 exchange or lease, as lessor or lessee, by the secretary or any other
507 agency, department or public instrumentality of the state, of off-site
508 real property to the extent determined by the secretary to be necessary
509 to acquire real property comprising the Adriaen's Landing site, but
510 excludes the acquisition or development by any private party of real

511 property or improvements not on the Adriaen's Landing site.

512 (33) "Site preparation" means the removal and relocation of utilities,
513 including electricity, gas, steam, water and sewer, the installation and
514 connection of additional required utilities, the construction of
515 necessary drainage facilities, the demolition of existing improvements
516 and the removal, containment or other remediation of any hazardous
517 materials and the restoration and compacting of soil, whether
518 undertaken by the secretary or any other agency, department or public
519 instrumentality of the state, all on the Adriaen's Landing site, the
520 stadium facility site, and on other sites where site preparation is
521 necessary for the development of the Adriaen's Landing site and the
522 stadium facility site as contemplated by the master development plan
523 or for the continuation of a public service facility, as defined in section
524 32-658, or utility operations.

525 (34) "Stadium facility" means a multipurpose sports stadium with a
526 minimum of approximately forty thousand seats and with capacity for
527 expansion to a minimum of approximately fifty thousand seats,
528 meeting all applicable requirements for home team facilities for
529 Division I-A football of the NCAA and the college football conference
530 of which the university is expected to be a member, including seating
531 capacity, size and composition of playing surface, locker room and
532 media facilities and other amenities, to be owned by the state on the
533 stadium facility site, together with equipment, fixtures, furnishings
534 and appurtenances integral and normally associated with the
535 construction and operation of such a facility, stadium parking and
536 ancillary infrastructure improvements, all as more particularly
537 described in the master development plan.

538 (35) "Stadium facility project" means the development, design
539 construction, finishing, furnishing and equipping of the stadium
540 facility and related site acquisition and site preparation.

541 (36) "Stadium facility site" means the real property located at
542 Rentschler Field in the town of East Hartford designated for such
543 purpose in the master development plan.

544 (37) "Stadium parking" means improvements, facilities and other
545 arrangements for parking for stadium facility operations and events,
546 including license, lease or other parking use agreements.

547 (38) "State" means the state of Connecticut.

548 (39) "State Bond Commission" means the commission established
549 pursuant to subsection (c) of section 3-20 or any successor thereto.

550 (40) "Treasurer" means the State Treasurer or the deputy treasurer
551 appointed pursuant to section 3-12.

552 (41) "University" means The University of Connecticut, a constituent
553 unit of the state system of public higher education.

554 (42) "Work" means the provision of any or all of the work, labor,
555 materials, equipment, services and other items required for a project
556 including, but not limited to, design, architectural, engineering,
557 development and other technical and professional services,
558 construction and construction management services, permits,
559 construction work and any and all other activities and services
560 necessary to acquire, design, develop, construct, finish, furnish or
561 equip any project.

562 (43) "Connecticut Center for Science and Exploration" means the
563 science center facility constructed and operated in the Adriaen's
564 Landing site.

565 Sec. 13. Subdivision (14) of subsection (a) of section 32-655 of the
566 general statutes is repealed and the following is substituted in lieu
567 thereof (*Effective from passage*):

568 (14) Pay or reimburse the Office of Policy and Management, the
569 authority, the university and other affected state agencies and political
570 subdivisions of the state and any third parties incurring such costs at
571 the request or with the approval of the state as certified by the
572 secretary, for project costs of the overall project including, without
573 limitation, preliminary costs arising prior to July 1, 1999, or costs under

574 subsection [(d)] (c) of section 32-605, as amended by this act, or
575 sections 32-654, 32-654a, 32-655a, 32-655b and 32-666a; and

576 Sec. 14. Section 32-655b of the general statutes is repealed and the
577 following is substituted in lieu thereof (*Effective from passage*):

578 The master development plan may be modified by the secretary
579 after May 2, 2000, to the extent determined by the secretary to be
580 necessary or desirable in light of unforeseen conditions or
581 circumstances, including, without limitation, economic or market
582 conditions or development or cost constraints, provided (1) no such
583 modification shall be inconsistent with any requirements of subsection
584 [(d)] (c) of section 32-605, as amended by this act, or sections 32-650 to
585 32-668, inclusive, and (2) in the event that the secretary determines that
586 any such modification in the master development plan would result in
587 a material change in the purpose or character of the stadium facility,
588 the related parking facilities or the convention center, such
589 modification shall not become effective unless and until (A) the
590 secretary has filed with the house and senate clerks, for transmittal to
591 the joint standing committee of the General Assembly having
592 cognizance of matters relating to finance, revenue and bonding, a
593 description of such modification in reasonable detail, and (B) such
594 committee shall either have (i) approved such modification, or (ii)
595 failed to reject such modification within thirty days of the date of filing
596 by the secretary of the description of such modification with the house
597 and senate clerks.

598 Sec. 15. Subsection (i) of section 32-656 of the general statutes is
599 repealed and the following is substituted in lieu thereof (*Effective from*
600 *passage*):

601 (i) The secretary and the authority shall jointly select and appoint an
602 independent construction contract compliance officer or agent, which
603 may be an officer or agency of a political subdivision of the state, other
604 than the authority, or a private consultant experienced in similar
605 public contract compliance matters, to monitor compliance by the
606 secretary, the authority, the project manager and each prime

607 construction contractor with the provisions of applicable state law,
608 including subdivision (1) of section 12-412, subsection (a) of section 12-
609 498, sections 12-541 and 13a-25, subdivision (1) of section 22a-134,
610 section 32-600, subsection (d) of section 32-602, subsection [(d)] (c) of
611 section 32-605, as amended by this act, section 32-610, subsections (a)
612 and (b) of section 32-614, sections 32-617, 32-617a, 32-650, 32-651 to 32-
613 658, inclusive, as amended by this act, 32-660 and 32-661, subsection
614 (b) of section 32-662, section 32-663, subsections (j) to (l), inclusive, of
615 section 32-664, sections 32-665 to 32-666a, inclusive, sections 32-668 and
616 48-21 and sections 29 and 30 of public act 00-140, and with applicable
617 requirements of contracts with the secretary or the authority, relating
618 to set-asides for small contractors and minority business enterprises
619 and required efforts to hire available and qualified members of
620 minorities and available and qualified residents of the city of Hartford
621 and the town of East Hartford for construction jobs with respect to the
622 overall project and the on-site related private development. Such
623 independent contract compliance officer or agent shall file a written
624 report of his or her findings and recommendations with the secretary
625 and the authority each quarter during the period of project
626 development.

627 Sec. 16. Section 1-82 of the 2018 supplement to the general statutes is
628 repealed and the following is substituted in lieu thereof (*Effective*
629 *October 1, 2018*):

630 (a) (1) Upon the complaint of any person on a form prescribed by
631 the board, signed under penalty of false statement, or upon its own
632 complaint, the ethics enforcement officer of the Office of State Ethics
633 shall investigate any alleged violation of this part, section 1-101bb or
634 section 1-101nn. Not later than five days after the receipt or issuance of
635 such complaint, the board shall provide notice of such receipt or
636 issuance and a copy of the complaint by registered or certified mail to
637 any respondent against whom such complaint is filed and shall
638 provide notice of the receipt of such complaint to the complainant.
639 When the ethics enforcement officer of the Office of State Ethics
640 undertakes an evaluation of a possible violation of this part, section 1-

641 101bb or section 1-101nn prior to the filing of a complaint, the subject
642 of the evaluation shall be notified not later than five business days
643 after an Office of State Ethics staff member's first contact with a third
644 party concerning the matter.

645 (2) In the conduct of its investigation of an alleged violation of this
646 part, section 1-101bb or section 1-101nn, the Office of State Ethics shall
647 have the power to hold hearings, administer oaths, examine witnesses
648 and receive oral and documentary evidence. The Office of State Ethics
649 may subpoena witnesses under procedural rules adopted by the
650 Citizen's Ethics Advisory Board as regulations in accordance with the
651 provisions of chapter 54 to compel attendance before the Office of State
652 Ethics and to require the production for examination by the ethics
653 enforcement officer of the Office of State Ethics of any books and
654 papers which the Office of State Ethics deems relevant in any matter
655 under investigation or in question, provided any such subpoena is
656 issued either pursuant to a majority vote of the Citizen's Ethics
657 Advisory Board or pursuant to the signature of the chairperson of such
658 board. The vice-chairperson of such board may sign any such
659 subpoena if the chairperson of such board is unavailable. In the
660 exercise of such powers, the Office of State Ethics may use the services
661 of the state police, who shall provide the same upon the office's
662 request. The Office of State Ethics shall make a record of all
663 proceedings conducted pursuant to this subsection. The ethics
664 enforcement officer of the Office of State Ethics may bring any alleged
665 violation of this part before a judge trial referee assigned by the Chief
666 Court Administrator for such purpose for a probable cause hearing.
667 Such judge trial referee shall be compensated in accordance with the
668 provisions of section 52-434 from such funds as may be available to the
669 Office of State Ethics. Any witness summoned before the Office of
670 State Ethics or a judge trial referee pursuant to this subsection shall
671 receive the witness fee paid to witnesses in the courts of this state.
672 During any investigation conducted pursuant to this subsection or any
673 probable cause hearing conducted pursuant to this subsection, the
674 respondent shall have the right to appear and be heard and to offer
675 any information which may tend to clear the respondent of probable

676 cause to believe the respondent has violated any provision of this part,
677 section 1-101bb or section 1-101nn. The respondent shall also have the
678 right to be represented by legal counsel and to examine and cross-
679 examine witnesses. Not later than ten days prior to the commencement
680 of any hearing conducted pursuant to this subsection, the Office of
681 State Ethics shall provide the respondent with a list of its intended
682 witnesses. Any finding of probable cause to believe the respondent is
683 in violation of any provisions of this part shall be made by a judge trial
684 referee not later than thirty days after the ethics enforcement officer
685 brings such alleged violation before such judge trial referee, except that
686 such thirty-day limitation period shall not apply if the judge trial
687 referee determines that good cause exists for extending such limitation
688 period.

689 (b) If a judge trial referee determines that probable cause exists for
690 the violation of a provision of this part, section 1-101bb or section 1-
691 101nn, the board shall initiate hearings to determine whether there has
692 been a violation of this part, section 1-101bb or section 1-101nn. Any
693 such hearing shall be initiated by the board not later than thirty days
694 after the finding of probable cause by a judge trial referee and shall be
695 concluded not later than ninety days after its initiation, except that
696 such thirty or ninety-day limitation period shall not apply if the judge
697 trial referee determines that good cause exists for extending such
698 limitation period. A judge trial referee, who has not taken part in the
699 probable cause determination on the matter shall be assigned by the
700 Chief Court Administrator and shall be compensated in accordance
701 with section 52-434 out of funds available to the Office of State Ethics.
702 Such judge trial referee shall preside over such hearing and rule on all
703 issues concerning the application of the rules of evidence, which shall
704 be the same as in judicial proceedings. The judge trial referee shall
705 have no vote in any decision of the board. All hearings of the board
706 held pursuant to this subsection shall be open. At such hearing the
707 board shall have the same powers as the Office of State Ethics under
708 subsection (a) of this section and the respondent shall have the right to
709 be represented by legal counsel, to compel attendance of witnesses and
710 the production of books, documents, records and papers and to

711 examine and cross-examine witnesses. Not later than ten days prior to
712 the commencement of any hearing conducted pursuant to this
713 subsection, the Office of State Ethics shall provide the respondent with
714 a list of its intended witnesses. The judge trial referee shall, while
715 engaged in the discharge of the duties as provided in this subsection,
716 have the same authority as is provided in section 51-35 over witnesses
717 who refuse to obey a subpoena or to testify with respect to any matter
718 upon which such witness may be lawfully interrogated, and may
719 commit any such witness for contempt for a period no longer than
720 thirty days. The Office of State Ethics shall make a record of all
721 proceedings pursuant to this subsection. During the course of any such
722 hearing, no ex-parte communication shall occur between the board, or
723 any of its members, and: (1) The judge trial referee, or (2) any staff
724 member of the Enforcement Division of the Office of State Ethics,
725 concerning the complaint or the respondent. The board shall find no
726 person in violation of any provision of this part, section 1-101bb or
727 section 1-101nn except upon the concurring vote of two-thirds of its
728 members present and voting. No member of the board shall vote on
729 the question of whether a violation of any provision of this part has
730 occurred unless such member was physically present for the duration
731 of any hearing held pursuant to this subsection. Not later than fifteen
732 days after the public hearing conducted in accordance with this
733 subsection, the board shall publish its finding and a memorandum of
734 the reasons therefor. Such finding and memorandum shall be deemed
735 to be the final decision of the board on the matter for the purposes of
736 chapter 54. The respondent, if aggrieved by the finding and
737 memorandum, may appeal therefrom to the Superior Court in
738 accordance with the provisions of section 4-183.

739 (c) If a judge trial referee finds, after a hearing pursuant to this
740 section, that there is no probable cause to believe that a public official
741 or state employee has violated a provision of this part, section 1-101bb
742 or section 1-101nn, or if the board determines that a public official or
743 state employee has not violated any such provision, or if a court of
744 competent jurisdiction overturns a finding by the board of a violation
745 by such a respondent, the state shall pay the reasonable legal expenses

746 of the respondent as determined by the Attorney General or by the
747 court if appropriate. If any complaint brought under the provisions of
748 this part, section 1-101bb or section 1-101nn is made with the
749 knowledge that it is made without foundation in fact, the respondent
750 shall have a cause of action against the complainant for double the
751 amount of damage caused thereby and if the respondent prevails in
752 such action, he may be awarded by the court the costs of such action
753 together with reasonable attorneys' fees.

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

756 (e) No person shall take or threaten to take official action against an
757 individual for such individual's disclosure of information to the board
758 or the general counsel, ethics enforcement officer or staff of the Office
759 of State Ethics under the provisions of this part, section 1-101bb or
760 section 1-101nn. After receipt of information from an individual under
761 the provisions of this part, section 1-101bb or section 1-101nn, the
762 Office of State Ethics shall not disclose the identity of such individual
763 without such individual's consent unless the Office of State Ethics
764 determines that such disclosure is unavoidable during the course of an
765 investigation. No person shall be subject to civil liability for any good
766 faith disclosure that such person makes to the Office of State Ethics.

767 Sec. 17. Subsection (a) of section 1-82a of the general statutes is
768 repealed and the following is substituted in lieu thereof (*Effective*
769 *October 1, 2018*):

770 (a) Unless a judge trial referee makes a finding of probable cause, a
771 complaint alleging a violation of this part, section 1-101bb or section 1-
772 101nn shall be confidential except upon the request of the respondent.
773 An evaluation of a possible violation of this part, section 1-101bb or
774 section 1-101nn by the Office of State Ethics prior to the filing of a
775 complaint shall be confidential except upon the request of the subject
776 of the evaluation. If the evaluation is confidential, any information
777 supplied to or received from the Office of State Ethics shall not be
778 disclosed to any third party by a subject of the evaluation, a person

779 contacted for the purpose of obtaining information or by the ethics
780 enforcement officer or staff of the Office of State Ethics. No provision
781 of this subsection shall prevent the Office of State Ethics from
782 reporting the possible commission of a crime to the Chief State's
783 Attorney or other prosecutorial authority.

784 Sec. 18. Section 1-88 of the 2018 supplement to the general statutes is
785 repealed and the following is substituted in lieu thereof (*Effective*
786 *October 1, 2018*):

787 (a) The board, upon a finding made pursuant to section 1-82 that
788 there has been a violation of any provision of this part, section 1-101bb
789 or section 1-101nn, shall have the authority to order the violator to do
790 any or all of the following: (1) Cease and desist the violation of this
791 part, section 1-101bb or section 1-101nn; (2) file any report, statement
792 or other information as required by this part, section 1-101bb or section
793 1-101nn; and (3) pay a civil penalty of not more than ten thousand
794 dollars for each violation of this part, section 1-101bb or section 1-
795 101nn.

796 (b) Notwithstanding the provisions of subsection (a) of this section,
797 the board may, after a hearing conducted in accordance with sections
798 4-176e to 4-184, inclusive, upon the concurring vote of two-thirds of its
799 members present and voting, impose a civil penalty not to exceed ten
800 dollars per day upon any individual who fails to file any report,
801 statement or other information as required by this part, section 1-101bb
802 or section 1-101nn. Each distinct violation of this subsection shall be a
803 separate offense and in case of a continued violation, each day thereof
804 shall be deemed a separate offense. In no event shall the aggregate
805 penalty imposed for such failure to file exceed ten thousand dollars.

806 (c) The board may also report its finding to the Chief State's
807 Attorney for any action deemed necessary. The board, upon a finding
808 made pursuant to section 1-82, as amended by this act, that a member
809 or member-elect of the General Assembly has violated any provision of
810 this part, section 1-101bb or section 1-101nn, shall notify the
811 appropriate house of the General Assembly, in writing, of such finding

812 and the basis for such finding.

813 (d) Any person who knowingly acts in such person's financial
814 interest in violation of section 1-84, 1-85, 1-86, 1-86d, 1-86e or 1-101nn
815 or any person who knowingly receives a financial advantage resulting
816 from a violation of any of said sections shall be liable for damages in
817 the amount of such advantage. If the board determines that any person
818 may be so liable, it shall immediately inform the Attorney General of
819 that possibility.

820 (e) Any employee of the Office of State Ethics or member of the
821 Citizen's Ethics Advisory Board who, in violation of this part or section
822 1-101nn, discloses information filed in accordance with subparagraph
823 (F) of subdivision (1) of subsection (b) of section 1-83, shall be
824 dismissed, if an employee, or removed from the board, if a member.

825 (f) Any civil penalty imposed by the board pursuant to this section
826 may be enforced by the Office of State Ethics as a money judgment in
827 accordance with chapter 906.

828 Sec. 19. Section 1-89 of the general statutes is repealed and the
829 following is substituted in lieu thereof (*Effective October 1, 2018*):

830 (a) (1) Any person who intentionally violates any provision of this
831 part, section 1-101bb or section 1-101nn shall, [(1)] for a first violation,
832 be guilty of a class A misdemeanor, [except that, if] unless subdivision
833 (2) of this subsection is applicable.

834 (2) If, for a first violation, such person derives a financial benefit of
835 one thousand dollars or more as a result of such violation, such person
836 shall be guilty of a class D felony. [, and (2) for]

837 (3) For a second or subsequent violation, such person shall be guilty
838 of a class D felony. [, provided no]

839 (4) No person may be found guilty of a violation of subsection (f) or
840 (g) of section 1-84 and bribery or bribe receiving under section 53a-147
841 or 53a-148 upon the same incident, but such person may be charged

842 and prosecuted for all or any of such offenses upon the same
843 information.

844 (b) The penalties prescribed in this part or section 1-101nn shall not
845 limit the power of either house of the legislature to discipline its own
846 members or impeach a public official, and shall not limit the power of
847 agencies or commissions to discipline their officials or employees.

848 (c) The Attorney General may bring a civil action against any person
849 who knowingly acts in the person's financial interest in, or knowingly
850 receives a financial advantage resulting from, a violation of section 1-
851 84, 1-85, 1-86, 1-101bb or 1-101nn. In any such action, the Attorney
852 General may, in the discretion of the court, recover any financial
853 benefit that accrued to the person as a result of such violation and
854 additional damages in an amount not exceeding twice the amount of
855 the actual damages.

856 (d) Any fines, penalties or damages paid, collected or recovered
857 under section 1-88 or this section for a violation of any provision of this
858 part or section 1-101bb or 1-101nn applying to the office of the
859 Treasurer shall be deposited on a pro rata basis in any trust funds, as
860 defined in section 3-13c, affected by such violation.

861 Sec. 20. Section 1-93 of the 2018 supplement to the general statutes is
862 repealed and the following is substituted in lieu thereof (*Effective*
863 *October 1, 2018*):

864 (a) (1) Upon the complaint of any person on a form prescribed by
865 the Office of State Ethics, signed under penalty of false statement, or
866 upon its own complaint, the ethics enforcement officer of the Office of
867 State Ethics shall investigate any alleged violation of this part or
868 section 1-101bb. Not later than five days after the receipt or issuance of
869 such complaint, the Office of State Ethics shall provide notice of such
870 receipt or issuance and a copy of the complaint by registered or
871 certified mail to any respondent against whom such complaint is filed
872 and shall provide notice of the receipt of such complaint to the
873 complainant. When the Office of State Ethics undertakes an evaluation

874 of a possible violation of this part or section 1-101bb prior to the filing
875 of a complaint, the subject of the evaluation shall be notified not later
876 than five business days after a staff member of the Office of State
877 Ethics undertakes the first contact with a third party concerning the
878 matter.

879 (2) In the conduct of its investigation of an alleged violation of this
880 part, the Office of State Ethics shall have the power to hold hearings,
881 administer oaths, examine witnesses and receive oral and
882 documentary evidence. The Office of State Ethics may subpoena
883 witnesses under procedural rules adopted by the Citizen's Ethics
884 Advisory Board as regulations in accordance with the provisions of
885 chapter 54 to compel attendance before the Office of State Ethics and to
886 require the production for examination by the ethics enforcement
887 officer of the Office of State Ethics of any books and papers which the
888 ethics enforcement officer of the Office of State Ethics deems relevant
889 in any matter under investigation or in question, provided any such
890 subpoena is issued either pursuant to a majority vote of the Citizen's
891 Ethics Advisory Board or pursuant to the signature of the chairperson
892 of such board. The vice-chairperson of such board may sign any such
893 subpoena if the chairperson of such board is unavailable. In the
894 exercise of such powers, the Office of State Ethics may use the services
895 of the state police, who shall provide the same upon the office's
896 request. The Office of State Ethics shall make a record of all
897 proceedings conducted pursuant to this subsection. Any witness
898 summoned before the Office of State Ethics or a judge trial referee
899 pursuant to this subsection shall receive the witness fee paid to
900 witnesses in the courts of this state. The ethics enforcement officer of
901 the Office of State Ethics may bring any alleged violation of this part or
902 section 1-101bb before a judge trial referee assigned by the Chief Court
903 Administrator for such purpose for a probable cause hearing. Such
904 judge trial referee shall be compensated in accordance with the
905 provisions of section 52-434 from such funds as may be available to the
906 Office of State Ethics. The respondent shall have the right to appear at
907 any hearing held pursuant to this subsection and be heard and to offer
908 any information which may tend to clear the respondent of probable

909 cause to believe the respondent has violated any provision of this part
910 or section 1-101bb. The respondent shall also have the right to be
911 represented by legal counsel and to examine and cross-examine
912 witnesses. Not later than ten days prior to the commencement of any
913 hearing conducted pursuant to this subsection, the Office of State
914 Ethics shall provide the respondent with a list of its intended
915 witnesses. Any finding of probable cause to believe the respondent is
916 in violation of any provision of this part or section 1-101bb shall be
917 made by a judge trial referee not later than thirty days after the ethics
918 enforcement officer brings such alleged violation before such judge
919 trial referee, except that such thirty-day limitation period shall not
920 apply if the judge trial referee determines that good cause exists for
921 extending such limitation period.

922 (b) If a judge trial referee indicates that probable cause exists for the
923 violation of a provision of this part or section 1-101bb, the board shall
924 initiate hearings to determine whether there has been a violation of
925 this part or section 1-101bb. Any such hearing shall be initiated by the
926 board not later than thirty days after the finding of probable cause by a
927 judge trial referee and shall be concluded not later than ninety days
928 after its initiation, except that such thirty-day or ninety-day limitation
929 period shall not apply if the judge trial referee determines that good
930 cause exists for extending such limitation period. A judge trial referee,
931 who has not taken part in the probable cause determination on the
932 matter shall be assigned by the Chief Court Administrator and shall be
933 compensated in accordance with section 52-434 out of funds available
934 to the board. Such judge trial referee shall preside over such hearing
935 and rule on all issues concerning the application of the rules of
936 evidence, which shall be the same as in judicial proceedings. The judge
937 trial referee shall have no vote in any decision of the board. All
938 hearings of the board held pursuant to this subsection shall be open.
939 At such hearing the board shall have the same powers as the Office of
940 State Ethics under subsection (a) of this section and the respondent
941 shall have the right to be represented by legal counsel, to compel
942 attendance of witnesses and the production of books, documents,
943 records and papers and to examine and cross-examine witnesses. Not

944 later than ten days prior to the commencement of any hearing
945 conducted pursuant to this subsection, the Office of State Ethics shall
946 provide the respondent with a list of its intended witnesses. The judge
947 trial referee shall, while engaged in the discharge of the duties as
948 provided in this subsection, have the same authority as is provided in
949 section 51-35 over witnesses who refuse to obey a subpoena or to
950 testify with respect to any matter upon which such witness may be
951 lawfully interrogated, and may commit any such witness for contempt
952 for a period no longer than thirty days. The Office of State Ethics shall
953 make a record of all proceedings pursuant to this subsection. During
954 the course of any such hearing, no ex-parte communication shall occur
955 between the board, or any of its members, and: (1) The judge trial
956 referee, or (2) any staff member of the Enforcement Division of the
957 Office of State Ethics, concerning the complaint or the respondent. The
958 board shall find no person in violation of any provision of this part or
959 section 1-101bb except upon the concurring vote of two-thirds of its
960 members present and voting. No member of the board shall vote on
961 the question of whether a violation of any provision of this part or
962 section 1-101bb has occurred unless such member was physically
963 present for the duration of any hearing held pursuant to this
964 subsection. Not later than fifteen days after the public hearing
965 conducted in accordance with this subsection, the board shall publish
966 its finding and a memorandum of the reasons therefor. Such finding
967 and memorandum shall be deemed to be the final decision of the
968 board on the matter for the purposes of chapter 54. The respondent, if
969 aggrieved by the finding and memorandum, may appeal therefrom to
970 the Superior Court in accordance with the provisions of section 4-183.

971 (c) If any complaint brought under the provisions of this part or
972 section 1-101bb is made with the knowledge that it is made without
973 foundation in fact, the respondent shall have a cause of action against
974 the complainant for double the amount of damage caused thereby and
975 if the respondent prevails in such action, the respondent may be
976 awarded by the court the costs of such action together with reasonable
977 attorneys' fees.

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

981 (e) No person shall take or threaten to take official action against an
982 individual for such individual's disclosure of information to the board
983 or the general counsel, ethics enforcement officer or staff of the Office
984 of State Ethics under the provisions of this part or section 1-101bb.
985 After receipt of information from an individual under the provisions of
986 this part, the Office of State Ethics shall not disclose the identity of
987 such individual without such person's consent unless the Office of
988 State Ethics determines that such disclosure is unavoidable during the
989 course of an investigation.

990 Sec. 21. Subsection (c) of section 1-97 of the general statutes is
991 repealed and the following is substituted in lieu thereof (*Effective*
992 *October 1, 2018*):

993 (c) No lobbyist may: (1) Do anything with the purpose of placing
994 any public official under personal obligation; (2) attempt to influence
995 any legislative or administrative action for the purpose of thereafter
996 being employed to secure its defeat; (3) cause any communication to be
997 sent to any public official in the name of any other individual except
998 with the consent of such individual; or (4) be retained as a lobbyist by a
999 state agency or quasi-public agency.

1000 Sec. 22. Subsection (c) of section 5-164a of the general statutes is
1001 repealed and the following is substituted in lieu thereof (*Effective July*
1002 *1, 2018*):

1003 (c) No member reemployed under this section or under section 5-
1004 164 or elected to serve in the General Assembly or otherwise
1005 reentering state service shall receive a retirement income during such
1006 member's reemployment or other state service except (1) if such
1007 member's services as an employee are rendered for not more than
1008 [ninety] one hundred twenty working days in any one calendar year,
1009 provided that any member reemployed for a period of more than

1010 [ninety] one hundred twenty working days in one calendar year shall
1011 reimburse the state retirement fund for retirement income payments
1012 received during such [ninety] one hundred twenty working days; (2) if
1013 such member's services are as a member of the General Assembly or as
1014 a sessional employee of the General Assembly during the regular
1015 legislative session, such member's retirement income payments shall
1016 not be suspended; or (3) if such member's preretirement services which
1017 counted towards retirement are other than as a special deputy sheriff
1018 pursuant to chapter 78, and if such member's postretirement services
1019 are as a special deputy sheriff or, on and after December 1, 2000, as a
1020 judicial marshal and such member was employed as a special deputy
1021 sheriff on July 1, 1999.

1022 Sec. 23. Section 38a-882 of the general statutes is repealed and the
1023 following is substituted in lieu thereof (*Effective July 1, 2018*):

1024 (a) The Insurance Department shall maintain the Brokered
1025 Transactions Guaranty Fund at a level not to exceed [five] one
1026 hundred thousand dollars and to this intent moneys received under
1027 section 38a-881 shall be credited to such guaranty fund whenever the
1028 fund balance is below [five] one hundred thousand dollars and any
1029 such moneys may be invested or reinvested in the same manner as
1030 funds of the state employees retirement system, and the interest
1031 arising from such investments shall be credited to the General Fund.
1032 Any moneys received under section 38a-881 not required to maintain
1033 such guaranty fund balance shall be deposited to the General Fund. All
1034 moneys in such guaranty fund in excess of [five] one hundred
1035 thousand dollars shall be transferred by the Treasurer to the General
1036 Fund.

1037 (b) If, at any time, the amount deposited in the Brokered
1038 Transactions Guaranty Fund is under one hundred thousand dollars,
1039 the department, in its discretion, may assess all persons licensed as
1040 insurance producers a fee not to exceed ten dollars which shall be
1041 credited to said guaranty fund.

1042 Sec. 24. (*Effective from passage*) Not later than January 1, 2019, the

1043 Commissioner of Early Childhood shall make recommendations, in
 1044 accordance with the provisions of section 11-4a of the general statutes,
 1045 to the joint standing committee of the General Assembly having
 1046 cognizance of matters relating to education, on how a precertification
 1047 process could be implemented for prospective employees of a child
 1048 day care center or group day care home in lieu of the current
 1049 background check requirement set forth in subsection (c) of section
 1050 19a-80 of the general statutes.

1051 Sec. 25. Sections 6-33, 6-33a, 6-36, 6-38j and 6-38l of the general
 1052 statutes are repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	2-90(e)
Sec. 2	<i>October 1, 2018</i>	4-33a
Sec. 3	<i>October 1, 2018</i>	1-101pp
Sec. 4	<i>October 1, 2018</i>	4-37f(8)
Sec. 5	<i>October 1, 2018</i>	4-37g(b)
Sec. 6	<i>from passage</i>	2-90b
Sec. 7	<i>from passage</i>	1-123(a)
Sec. 8	<i>October 1, 2018</i>	New section
Sec. 9	<i>October 1, 2018</i>	4-215
Sec. 10	<i>July 1, 2018</i>	38a-660(k)
Sec. 11	<i>from passage</i>	32-605
Sec. 12	<i>from passage</i>	32-651
Sec. 13	<i>from passage</i>	32-655(a)(14)
Sec. 14	<i>from passage</i>	32-655b
Sec. 15	<i>from passage</i>	32-656(i)
Sec. 16	<i>October 1, 2018</i>	1-82
Sec. 17	<i>October 1, 2018</i>	1-82a(a)
Sec. 18	<i>October 1, 2018</i>	1-88
Sec. 19	<i>October 1, 2018</i>	1-89
Sec. 20	<i>October 1, 2018</i>	1-93
Sec. 21	<i>October 1, 2018</i>	1-97(c)
Sec. 22	<i>July 1, 2018</i>	5-164a(c)
Sec. 23	<i>July 1, 2018</i>	38a-882
Sec. 24	<i>from passage</i>	New section
Sec. 25	<i>from passage</i>	Repealer section