

Government Administration and Elections Committee

JOINT FAVORABLE REPORT

Bill No.: HB-7325

Title: AN ACT CONCERNING STATE MARSHALS' STATEMENTS OF INCOME.

Vote Date: 4/1/2019

Vote Action: Joint Favorable Substitute

PH Date: 3/13/2019

File No.:

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SPONSORS OF BILL:

Government Administration and Elections Committee

REASONS FOR BILL:

The bill eliminates the annual requirement that state marshals file a statement of financial interest with the Office of State Ethics.

Substitute Language LCO 6761: The bill transfers the authority to collect state marshals' statements of income to the Marshal Commission.

RESPONSE FROM ADMINISTRATION/AGENCY:

Carol Carson, Executive Director, Office of State Ethics: The OSE has no jurisdiction to discipline state marshals other than their compliance with the statement of income filings. The Marshal Commission oversees all state marshals and has the authority to appoint and remove them. Because the Marshal Commission oversees all state marshalls' the authority to collect state marshal statements of income should be transferred to the commission. The OSE is presently working with the Department of Administrative Services to consider possible alternatives.

Department of Administrative Services, Josh Geballe, Commissioner: DAS opposes this bill because it is not adequately staffed to receive or review statements of income. The Marshal Commission is staffed by just one employee, a staff attorney. It does not have administrative staff, IT staff, fiscal staff or the additional legal staff required to administer this filing and enforcement against state marshals for noncompliance. The OSE has been charged with receiving statements of income since the office of state marshal was created in 2000. Prior to that, OSE received statements of income from sheriffs and deputy sheriffs who served in a similar capacity to state marshals. Accordingly, the office has been receiving this

filing and has a filing system, experienced staff and an enforcement mechanism in place to ensure compliance. Moreover, the OSE has civil penalty authority and can impose significant monetary penalties for noncompliance with the filing. Historically the OSE has assessed considerable civil penalties against state marshals for noncompliance. DAS has shared its concerns with OSE and remains willing to work OSE and the legislature to identify potential solutions to address the OSE's issues without imposing an unsustainable burden on the State Marshal Commission.

NATURE AND SOURCES OF SUPPORT:

None Expressed.

NATURE AND SOURCES OF OPPOSITION:

None Expressed.

**Reported by: Maureen O'Reilly
Assistant Clerk**

Date: 4/5/19