



General Assembly

January Session, 2019

Raised Bill No. 7325

LCO No. 5407



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

**AN ACT CONCERNING STATE MARSHALS' STATEMENTS OF
INCOME.**

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

1 Section 1. Section 1-83 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2019*):

3 (a) (1) All state-wide elected officers, members of the General
4 Assembly, department heads and their deputies, members or directors
5 of each quasi-public agency, members of the Investment Advisory
6 Council [, state marshals] and such members of the Executive
7 Department and such employees of quasi-public agencies as the
8 Governor shall require, shall file, under penalty of false statement, a
9 statement of financial interests for the preceding calendar year with the
10 Office of State Ethics on or before the May first next in any year in
11 which they hold such an office or position. If, in any year, May first
12 falls on a weekend or legal holiday, such statement shall be filed not
13 later than the next business day. Any such individual who leaves his
14 or her office or position shall file a statement of financial interests

15 covering that portion of the year during which such individual held
16 his or her office or position. The Office of State Ethics shall notify such
17 individuals of the requirements of this subsection not later than sixty
18 days after their departure from such office or position. Such
19 individuals shall file such statement not later than sixty days after
20 receipt of the notification.

21 (2) Each state agency, department, board and commission shall
22 develop and implement, in cooperation with the Office of State Ethics,
23 an ethics statement as it relates to the mission of the agency,
24 department, board or commission. The executive head of each such
25 agency, department, board or commission shall be directly responsible
26 for the development and enforcement of such ethics statement and
27 shall file a copy of such ethics statement with the Department of
28 Administrative Services and the Office of State Ethics.

29 (b) (1) The statement of financial interests, except as provided in
30 [subdivisions (2) and (3)] subdivision (2) of this subsection, shall
31 include the following information for the preceding calendar year in
32 regard to the individual required to file the statement and the
33 individual's spouse and dependent children residing in the
34 individual's household: (A) The names of all businesses with which
35 associated; (B) all sources of income, including the name of each
36 employer, with a description of the type of income received, in excess
37 of one thousand dollars, without specifying amounts of income; (C)
38 the name of securities in excess of five thousand dollars at fair market
39 value owned by such individual, spouse or dependent children or held
40 in the name of a corporation, partnership or trust for the benefit of
41 such individual, spouse or dependent children; (D) the existence of any
42 known blind trust and the names of the trustees; (E) all real property
43 and its location, whether owned by such individual, spouse or
44 dependent children or held in the name of a corporation, partnership
45 or trust for the benefit of such individual, spouse or dependent
46 children; (F) the names and addresses of creditors to whom the
47 individual, the individual's spouse or dependent children,
48 individually, owed debts of more than ten thousand dollars; (G) any

49 leases or contracts with the state or a quasi-public agency held or
50 entered into by the individual or a business with which he or she was
51 associated; and (H) the name of any of the following that is a partner
52 or owner of, or has a similar business affiliation with, the business
53 included under subparagraph (A) of this subdivision: (i) Any lobbyist,
54 (ii) any person the individual filing the statement knows or has reason
55 to know is doing business with or seeking to do business with the state
56 or is engaged in activities that are directly regulated by the department
57 or agency in which the individual is employed, or (iii) any business
58 with which such lobbyist or person is associated.

59 [(2) The statement of financial interests filed by state marshals shall
60 include only amounts and sources of income earned in their capacity
61 as state marshals.]

62 [(3)] (2) In the case of securities in excess of five thousand dollars at
63 fair market value held within (A) a retirement savings plan, as
64 described in Section 401 of the Internal Revenue Code of 1986, or any
65 subsequent corresponding internal revenue code of the United States,
66 as amended from time to time, (B) a payroll deduction individual
67 retirement account plan, as described in Section 408 or 408A of said
68 Internal Revenue Code, (C) a governmental deferred compensation
69 plan, as described in Section 457 of said Internal Revenue Code, or (D)
70 an education savings plan, as described in Section 529 of said Internal
71 Revenue Code, the names of such securities shall not be required to be
72 disclosed in any statement of financial interests and only the name of
73 such retirement savings plan, individual retirement account plan,
74 deferred compensation plan or education savings plan holding such
75 securities shall be required.

76 (c) The statement of financial interests filed pursuant to this section
77 shall be a matter of public information, except the list of names, filed in
78 accordance with subparagraph (F) of subdivision (1) of subsection (b)
79 of this section shall be sealed and confidential and for the use of the
80 Office of State Ethics only after a complaint has been filed under
81 section 1-82 and such complaint has been determined by a vote of the

82 board to be of sufficient merit and gravity to justify the unsealing of
83 such list or lists and not open to public inspection unless the
84 respondent requests otherwise. If the board reports its findings to the
85 Chief State's Attorney in accordance with subsection (c) of section 1-88,
86 the board shall turn over to the Chief State's Attorney such relevant
87 information contained in the statement as may be germane to the
88 specific violation or violations or a prosecutorial official may subpoena
89 such statement in a criminal action. Unless otherwise a matter of
90 public record, the Office of State Ethics shall not disclose to the public
91 any such subpoena which would be exempt from disclosure by the
92 issuing agency.

93 (d) Any individual who is unable to provide information required
94 under the provisions of subdivision (1) of subsection (b) of this section
95 by reason of impossibility may petition the board for a waiver of the
96 requirements.

97 Sec. 2. Section 6-38e of the general statutes is repealed and the
98 following is substituted in lieu thereof (*Effective October 1, 2019*):

99 (a) Each state marshal shall file with the State Marshal Commission,
100 under penalty of false statement, a statement of income for the
101 preceding calendar year on or before the May first next in any year in
102 which he or she holds the position of state marshal. Any state marshal
103 who leaves or is removed from his or her position as a state marshal
104 shall file a statement of income covering that portion of the year
105 during which such individual held his or her position of state marshal
106 not later than sixty days after his or her departure from the position.
107 The statement of income shall be on a form prescribed by the State
108 Marshal Commission and shall include only amounts and sources of
109 income earned in the filer's capacity as a state marshal.

110 (b) The State Marshal Commission shall periodically review and
111 audit the records and accounts of the state marshals. Upon the death or
112 disability of a state marshal, the commission shall appoint a qualified
113 individual to oversee and audit the records and accounts of such state

114 marshal and render an accounting to the commission. All information
115 obtained by the commission from any audit conducted pursuant to this
116 [section] subsection shall be confidential and shall not be subject to
117 disclosure under the Freedom of Information Act, as defined in section
118 1-200.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	1-83
Sec. 2	<i>October 1, 2019</i>	6-38e

Statement of Purpose:

To transfer the authority for receiving state marshals' statements of income from the Office of State Ethics to the State Marshal Commission.

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