



General Assembly

January Session, 2019

Raised Bill No. 7327

LCO No. 5403



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING REVISIONS TO THE STATE CODES OF
ETHICS.***

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

1 Section 1. Subdivision (5) of section 1-79 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2019*):

4 (5) "Gift" means anything of value, which is directly and personally
5 received, unless consideration of equal or greater value is given in
6 return. "Gift" does not include:

7 (A) A political contribution otherwise reported as required by law
8 or a donation or payment as described in subdivision (9) or (10) of
9 subsection (b) of section 9-601a;

10 (B) Services provided by persons volunteering their time, if
11 provided to aid or promote the success or defeat of any political party,
12 any candidate or candidates for public office or the position of
13 convention delegate or town committee member or any referendum

14 question;

15 (C) A commercially reasonable loan made on terms not more
16 favorable than loans made in the ordinary course of business;

17 (D) A gift received from (i) an individual's spouse, [fiance or
18 fiancee] fiancé or fiancée, (ii) the parent, grandparent, brother or sister
19 of such spouse or such individual, or (iii) the child of such individual
20 or the spouse of such child;

21 (E) Goods or services (i) that are provided to a state agency or quasi-
22 public agency (I) for use on state or quasi-public agency property, or
23 (II) that support an event or the participation by a public official or
24 state employee at an event, and (ii) that facilitate state or quasi-public
25 agency action or functions. As used in this subparagraph, "state
26 property" means property owned by the state or a quasi-public agency
27 or property leased to a state agency or quasi-public agency;

28 (F) A certificate, plaque or other ceremonial award costing less than
29 one hundred dollars;

30 (G) A rebate, discount or promotional item available to the general
31 public;

32 (H) Printed or recorded informational material germane to state
33 action or functions;

34 (I) Food or beverage or both, costing less than fifty dollars in the
35 aggregate per recipient in a calendar year, and consumed on an
36 occasion or occasions at which the person paying, directly or
37 indirectly, for the food or beverage, or his representative, is in
38 attendance;

39 (J) Food or beverage or both, costing less than fifty dollars per
40 person and consumed at a publicly noticed legislative reception to
41 which all members of the General Assembly are invited and which is
42 hosted not more than once in any calendar year by a lobbyist or
43 business organization. For the purposes of such limit, (i) a reception

44 hosted by a lobbyist who is an individual shall be deemed to have also
45 been hosted by the business organization which such lobbyist owns or
46 is employed by, and (ii) a reception hosted by a business organization
47 shall be deemed to have also been hosted by all owners and employees
48 of the business organization who are lobbyists. In making the
49 calculation for the purposes of such fifty-dollar limit, the donor shall
50 divide the amount spent on food and beverage by the number of
51 persons whom the donor reasonably expects to attend the reception;

52 (K) Food or beverage or both, costing less than fifty dollars per
53 person and consumed at a publicly noticed reception to which all
54 members of the General Assembly from a region of the state are
55 invited and which is hosted not more than once in any calendar year
56 by a lobbyist or business organization. For the purposes of such limit,
57 (i) a reception hosted by a lobbyist who is an individual shall be
58 deemed to have also been hosted by the business organization which
59 such lobbyist owns or is employed by, and (ii) a reception hosted by a
60 business organization shall be deemed to have also been hosted by all
61 owners and employees of the business organization who are lobbyists.
62 In making the calculation for the purposes of such fifty-dollar limit, the
63 donor shall divide the amount spent on food and beverage by the
64 number of persons whom the donor reasonably expects to attend the
65 reception. As used in this subparagraph, "region of the state" means
66 the established geographic service area of the organization hosting the
67 reception;

68 (L) A gift, including, but not limited to, food or beverage or both,
69 provided by an individual for the celebration of a major life event,
70 provided any such gift provided by an individual who is not a
71 member of the family of the recipient does not exceed one thousand
72 dollars in value;

73 (M) Gifts costing less than one hundred dollars in the aggregate or
74 food or beverage provided at a hospitality suite at a meeting or
75 conference of an interstate legislative association, by a person who is
76 not a registrant or is not doing business with the state of Connecticut;

77 (N) Admission to a charitable or civic event, including food and
78 beverage provided at such event, but excluding lodging or travel
79 expenses, at which a public official or state employee participates in
80 his or her official capacity, provided such admission is provided by the
81 primary sponsoring entity;

82 (O) Anything of value provided by an employer of (i) a public
83 official, (ii) a state employee, or (iii) a spouse of a public official or state
84 employee, to such official, employee or spouse, provided such benefits
85 are customarily and ordinarily provided to others in similar
86 circumstances;

87 (P) Anything having a value of not more than ten dollars, provided
88 the aggregate value of all things provided by a donor to a recipient
89 under this subdivision in any calendar year does not exceed fifty
90 dollars;

91 (Q) Training that is provided by a vendor for a product purchased
92 by a state or quasi-public agency that is offered to all customers of
93 such vendor;

94 (R) Travel expenses, lodging, food, beverage and other benefits
95 customarily provided by a prospective employer, when provided to a
96 student at a public institution of higher education whose employment
97 is derived from such student's status as a student at such institution, in
98 connection with bona fide employment discussions; or

99 (S) Expenses of a public official, paid by the party committee of
100 which party such official is a member, for the purpose of
101 accomplishing the lawful purposes of the committee. As used in this
102 subparagraph, "party committee" has the same meaning as provided in
103 subdivision (2) of section 9-601 and "lawful purposes of the committee"
104 has the same meaning as provided in subsection (g) of section 9-607.

105 Sec. 2. Section 1-79 of the general statutes is amended by adding
106 subdivision (21) as follows (*Effective October 1, 2019*):

107 (NEW) (21) "Confidential information" means any information in
108 the possession of the state, a state employee or a public official,
109 whatever its form, which (A) is required not to be disclosed to the
110 general public (i) under any state or federal statute, regulation, policy
111 or provision, or (ii) pursuant to a state contract or the order of any
112 court of competent jurisdiction; or (B) falls within a category of
113 permissibly nondisclosable information under the Freedom of
114 Information Act, as defined in section 1-200, and which the
115 appropriate agency, state employee or public official has decided not
116 to disclose to the general public.

117 Sec. 3. Subdivision (7) of section 1-91 of the general statutes is
118 repealed and the following is substituted in lieu thereof (*Effective*
119 *October 1, 2019*):

120 (7) "Gift" means anything of value, which is directly and personally
121 received, unless consideration of equal or greater value is given in
122 return. "Gift" does not include:

123 (A) A political contribution otherwise reported as required by law
124 or a donation or payment described in subdivision (9) or (10) of
125 subsection (b) of section 9-601a;

126 (B) Services provided by persons volunteering their time, if
127 provided to aid or promote the success or defeat of any political party,
128 any candidate or candidates for public office or the position of
129 convention delegate or town committee member or any referendum
130 question;

131 (C) A commercially reasonable loan made on terms not more
132 favorable than loans made in the ordinary course of business;

133 (D) A gift received from (i) the individual's spouse, fiancé or fiancée,
134 (ii) the parent, grandparent, brother or sister of such spouse or such
135 individual, or (iii) the child of such individual or the spouse of such
136 child;

137 (E) Goods or services (i) that are provided to a state agency or quasi-
138 public agency (I) for use on state or quasi-public agency property, or
139 (II) that support an event or the participation by a public official or
140 state employee at an event, and (ii) that facilitate state or quasi-public
141 agency action or functions. As used in this subparagraph, "state
142 property" means property owned by the state or a quasi-public agency
143 or property leased to a state or quasi-public agency;

144 (F) A certificate, plaque or other ceremonial award costing less than
145 one hundred dollars;

146 (G) A rebate, discount or promotional item available to the general
147 public;

148 (H) Printed or recorded informational material germane to state
149 action or functions;

150 (I) Food or beverage or both, costing less than fifty dollars in the
151 aggregate per recipient in a calendar year, and consumed on an
152 occasion or occasions at which the person paying, directly or
153 indirectly, for the food or beverage, or his representative, is in
154 attendance;

155 (J) Food or beverage or both, costing less than fifty dollars per
156 person and consumed at a publicly noticed legislative reception to
157 which all members of the General Assembly are invited and which is
158 hosted not more than once in any calendar year by a lobbyist or
159 business organization. For the purposes of such limit, (i) a reception
160 hosted by a lobbyist who is an individual shall be deemed to have also
161 been hosted by the business organization which he owns or is
162 employed by, and (ii) a reception hosted by a business organization
163 shall be deemed to have also been hosted by all owners and employees
164 of the business organization who are lobbyists. In making the
165 calculation for the purposes of such fifty-dollar limit, the donor shall
166 divide the amount spent on food and beverage by the number of
167 persons whom the donor reasonably expects to attend the reception;

168 (K) Food or beverage or both, costing less than fifty dollars per
169 person and consumed at a publicly noticed reception to which all
170 members of the General Assembly from a region of the state are
171 invited and which is hosted not more than once in any calendar year
172 by a lobbyist or business organization. For the purposes of such limit,
173 (i) a reception hosted by a lobbyist who is an individual shall be
174 deemed to have also been hosted by the business organization which
175 he owns or is employed by, and (ii) a reception hosted by a business
176 organization shall be deemed to have also been hosted by all owners
177 and employees of the business organization who are lobbyists. In
178 making the calculation for the purposes of such fifty-dollar limit, the
179 donor shall divide the amount spent on food and beverage by the
180 number of persons whom the donor reasonably expects to attend the
181 reception. As used in this subparagraph, "region of the state" means
182 the established geographic service area of the organization hosting the
183 reception;

184 (L) A gift, including, but not limited to, food or beverage or both,
185 provided by an individual for the celebration of a major life event,
186 provided any such gift provided by an individual who is not a
187 member of the family of the recipient does not exceed one thousand
188 dollars in value;

189 (M) Gifts costing less than one hundred dollars in the aggregate or
190 food or beverage provided at a hospitality suite at a meeting or
191 conference of an interstate legislative association, by a person who is
192 not a registrant or is not doing business with the state of Connecticut;

193 (N) Admission to a charitable or civic event, including food and
194 beverage provided at such event, but excluding lodging or travel
195 expenses, at which a public official or state employee participates in
196 his or her official capacity, provided such admission is provided by the
197 primary sponsoring entity;

198 (O) Anything of value provided by an employer of (i) a public
199 official, (ii) a state employee, or (iii) a spouse of a public official or state

200 employee, to such official, employee or spouse, provided such benefits
201 are customarily and ordinarily provided to others in similar
202 circumstances;

203 (P) Anything having a value of not more than ten dollars, provided
204 the aggregate value of all things provided by a donor to a recipient
205 under this subdivision in any calendar year does not exceed fifty
206 dollars; or

207 (Q) Training that is provided by a vendor for a product purchased
208 by a state or quasi-public agency that is offered to all customers of
209 such vendor.

210 Sec. 4. Subsection (c) of section 1-81 of the general statutes is
211 repealed and the following is substituted in lieu thereof (*Effective*
212 *October 1, 2019*):

213 (c) The Office of State Ethics shall employ an executive director,
214 general counsel and ethics enforcement officer, each of whom shall be
215 exempt from classified state service. The ethics enforcement officer
216 shall be a member of the bar of this state. The salary for the executive
217 director, general counsel and the ethics enforcement officer shall be
218 determined by the Commissioner of Administrative Services in
219 accordance with accepted personnel practices. No one person may
220 serve in more than one of the positions described in this subsection.
221 The Office of State Ethics may employ necessary staff within available
222 appropriations. Such necessary staff of the Office of State Ethics shall
223 be in classified state service.

224 Sec. 5. Subsection (g) of section 1-81 of the general statutes is
225 repealed and the following is substituted in lieu thereof (*Effective*
226 *October 1, 2019*):

227 (g) There shall be an enforcement division within the Office of State
228 Ethics. The enforcement division shall be responsible for investigating
229 complaints brought to or by the board. The ethics enforcement officer,
230 described in subsection (c) of this section, shall supervise the

231 enforcement division. The ethics enforcement officer may represent the
232 Office of State Ethics before the Superior Court in an appeal of any
233 ruling or finding pursuant to, or any matter arising under, section 1-82,
234 as amended by this act, 1-93, as amended by this act, or 1-101nn,
235 provided the board is not a party in any such appeal. The enforcement
236 division shall employ such attorneys and investigators, as necessary,
237 within available appropriations, and may refer matters to the office of
238 the Chief State's Attorney, as appropriate.

239 Sec. 6. Subsection (b) of section 1-82 of the general statutes is
240 repealed and the following is substituted in lieu thereof (*Effective*
241 *October 1, 2019*):

242 (b) If a judge trial referee determines that probable cause exists for
243 the violation of a provision of this part, section 1-101bb or section 1-
244 101nn, the board shall initiate hearings to determine whether there has
245 been a violation of this part, section 1-101bb or section 1-101nn. Any
246 such hearing shall be initiated by the board not later than thirty days
247 after the finding of probable cause by a judge trial referee and shall be
248 concluded not later than ninety days after its initiation, except that
249 such thirty or ninety-day limitation period shall not apply if the judge
250 trial referee determines that good cause exists for extending such
251 limitation period. A judge trial referee, who has not taken part in the
252 probable cause determination on the matter shall be assigned by the
253 Chief Court Administrator and shall be compensated in accordance
254 with section 52-434 out of funds available to the Office of State Ethics.
255 Such judge trial referee shall preside over such hearing and rule on all
256 issues concerning the application of the rules of evidence, which shall
257 be the same as in judicial proceedings. The judge trial referee shall
258 have no vote in any decision of the board. All hearings of the board
259 held pursuant to this subsection shall be open. At such hearing the
260 board shall have the same powers as the Office of State Ethics under
261 subsection (a) of this section and the respondent shall have the right to
262 be represented by legal counsel, to compel attendance of witnesses and
263 the production of books, documents, records and papers and to
264 examine and cross-examine witnesses. Not later than ten days prior to

265 the commencement of any hearing conducted pursuant to this
266 subsection, the Office of State Ethics shall provide the respondent with
267 a list of its intended witnesses. The judge trial referee shall, while
268 engaged in the discharge of the duties as provided in this subsection,
269 have the same authority as is provided in section 51-35 over witnesses
270 who refuse to obey a subpoena or to testify with respect to any matter
271 upon which such witness may be lawfully interrogated, and may
272 commit any such witness for contempt for a period no longer than
273 thirty days. The Office of State Ethics shall make a record of all
274 proceedings pursuant to this subsection. During the course of any such
275 hearing, no ex-parte communication shall occur between the board, or
276 any of its members, and: (1) The judge trial referee, or (2) any staff
277 member of the Enforcement Division of the Office of State Ethics,
278 concerning the complaint or the respondent. The board shall find no
279 person in violation of any provision of this part, section 1-101bb or
280 section 1-101nn except upon the concurring vote of two-thirds of its
281 members present and voting. No member of the board shall vote on
282 the question of whether a violation of any provision of this part has
283 occurred unless such member was physically present for the duration
284 of any hearing held pursuant to this subsection. Not later than [fifteen]
285 forty-five days after the public hearing conducted in accordance with
286 this subsection, the board shall publish its finding and a memorandum
287 of the reasons therefor. Such finding and memorandum shall be
288 deemed to be the final decision of the board on the matter for the
289 purposes of chapter 54. The respondent, if aggrieved by the finding
290 and memorandum, may appeal therefrom to the Superior Court in
291 accordance with the provisions of section 4-183.

292 Sec. 7. Subdivision (2) of section 1-79 of the general statutes is
293 repealed and the following is substituted in lieu thereof (*Effective*
294 *October 1, 2019*):

295 (2) "Business with which [he] the person is associated" means any
296 sole proprietorship, partnership, firm, corporation, trust or other entity
297 through which business for profit or not for profit is conducted in
298 which the public official or state employee or member of his or her

299 immediate family is a director, officer, owner, limited or general
300 partner, beneficiary of a trust or holder of stock constituting five per
301 cent or more of the total outstanding stock of any class, provided, a
302 public official or state employee, or member of his or her immediate
303 family, shall not be deemed to be associated with a not for profit entity
304 solely by virtue of the fact that the public official or state employee or
305 member of his or her immediate family is an unpaid director or officer
306 of the not for profit entity. "Officer" refers only to the president,
307 executive or senior vice president or treasurer of such business.

308 Sec. 8. Subsection (b) of section 1-83 of the general statutes is
309 repealed and the following is substituted in lieu thereof (*Effective*
310 *October 1, 2019*):

311 (b) (1) The statement of financial interests, except as provided in
312 subdivisions (2) and (3) of this subsection, shall include the following
313 information for the preceding calendar year in regard to the individual
314 required to file the statement and the individual's spouse and
315 dependent children residing in the individual's household: (A) The
316 names of all businesses with which the person is associated; (B) all
317 sources of income, including the name of each employer, with a
318 description of the type of income received, in excess of one thousand
319 dollars, without specifying amounts of income; (C) the name of
320 securities in excess of five thousand dollars at fair market value owned
321 by such individual, spouse or dependent children or held in the name
322 of a corporation, partnership or trust for the benefit of such individual,
323 spouse or dependent children; (D) the existence of any known blind
324 trust and the names of the trustees; (E) all real property and its
325 location, whether owned by such individual, spouse or dependent
326 children or held in the name of a corporation, partnership or trust for
327 the benefit of such individual, spouse or dependent children; (F) the
328 names and addresses of creditors to whom the individual, the
329 individual's spouse or dependent children, individually, owed debts of
330 more than ten thousand dollars; (G) any leases or contracts with the
331 state or a quasi-public agency held or entered into by the individual or
332 a business with which he or she was associated; and (H) the name of

333 any of the following that is a partner or owner of, or has a similar
334 business affiliation with, the business included under subparagraph
335 (A) of this subdivision: (i) Any lobbyist, (ii) any person the individual
336 filing the statement knows or has reason to know is doing business
337 with or seeking to do business with the state or is engaged in activities
338 that are directly regulated by the department or agency in which the
339 individual is employed, or (iii) any business with which such lobbyist
340 or person is associated.

341 (2) The statement of financial interests filed by state marshals shall
342 include only amounts and sources of income earned in their capacity
343 as state marshals.

344 (3) In the case of securities in excess of five thousand dollars at fair
345 market value held within (A) a retirement savings plan, as described in
346 Section 401 of the Internal Revenue Code of 1986, or any subsequent
347 corresponding internal revenue code of the United States, as amended
348 from time to time, (B) a payroll deduction individual retirement
349 account plan, as described in Section 408 or 408A of said Internal
350 Revenue Code, (C) a governmental deferred compensation plan, as
351 described in Section 457 of said Internal Revenue Code, or (D) an
352 education savings plan, as described in Section 529 of said Internal
353 Revenue Code, the names of such securities shall not be required to be
354 disclosed in any statement of financial interests and only the name of
355 such retirement savings plan, individual retirement account plan,
356 deferred compensation plan or education savings plan holding such
357 securities shall be required.

358 Sec. 9. Section 1-84 of the general statutes is repealed and the
359 following is substituted in lieu thereof (*Effective October 1, 2019*):

360 (a) No public official or state employee shall, while serving as such,
361 have any financial interest in, or engage in, any business, employment,
362 transaction or professional activity, which is in substantial conflict with
363 the proper discharge of his or her duties or employment in the public
364 interest and of his or her responsibilities as prescribed in the laws of

365 this state, as defined in section 1-85, as amended by this act.

366 (b) No public official or state employee shall accept other
367 employment which will either impair his or her independence of
368 judgment as to his or her official duties or employment or require
369 [him] such official or state employee, or induce him or her, to disclose
370 confidential information acquired by him or her in the course of and
371 by reason of [his] such official's or state employee's official duties.

372 (c) No public official or state employee shall wilfully and knowingly
373 disclose, for financial gain, to any other person, confidential
374 information acquired by him or her in the course of and by reason of
375 his or her official duties or employment and no public official or state
376 employee shall use his or her public office or position or any
377 confidential information received through [his] holding such public
378 office or position to obtain financial gain for himself or herself, his or
379 her spouse, child, child's spouse, parent, brother or sister or a business
380 with which [he] the person is associated.

381 (d) No public official or state employee or employee of such public
382 official or state employee shall agree to accept, or be a member or
383 employee of a partnership, association, professional corporation or
384 sole proprietorship which partnership, association, professional
385 corporation or sole proprietorship agrees to accept any employment,
386 fee or other thing of value, or portion thereof, for appearing, agreeing
387 to appear, or taking any other action on behalf of another person
388 before the Department of Banking, the Office of the Claims
389 Commissioner, the Health Systems Planning Unit of the Office of
390 Health Strategy, the Insurance Department, the Department of
391 Consumer Protection, the Department of Motor Vehicles, the State
392 Insurance and Risk Management Board, the Department of Energy and
393 Environmental Protection, the Public Utilities Regulatory Authority,
394 the Connecticut Siting Council or the Connecticut Real Estate
395 Commission; provided this provision shall not prohibit any such
396 person from making inquiry for information on behalf of another
397 before any of said commissions or commissioners if no fee or reward is

398 given or promised in consequence thereof. For the purpose of this
399 subsection, partnerships, associations, professional corporations or
400 sole proprietorships refer only to such partnerships, associations,
401 professional corporations or sole proprietorships which have been
402 formed to carry on the business or profession directly relating to the
403 employment, appearing, agreeing to appear or taking of action
404 provided for in this subsection. Nothing in this subsection shall
405 prohibit any employment, appearing, agreeing to appear or taking
406 action before any municipal board, commission or council. Nothing in
407 this subsection shall be construed as applying (1) to the actions of any
408 teaching or research professional employee of a public institution of
409 higher education if such actions are not in violation of any other
410 provision of this chapter, (2) to the actions of any other professional
411 employee of a public institution of higher education if such actions are
412 not compensated and are not in violation of any other provision of this
413 chapter, (3) to any member of a board or commission who receives no
414 compensation other than per diem payments or reimbursement for
415 actual or necessary expenses, or both, incurred in the performance of
416 the member's duties, or (4) to any member or director of a quasi-public
417 agency. Notwithstanding the provisions of this subsection to the
418 contrary, a legislator, an officer of the General Assembly or part-time
419 legislative employee may be or become a member or employee of a
420 firm, partnership, association or professional corporation which
421 represents clients for compensation before agencies listed in this
422 subsection, provided the legislator, officer of the General Assembly or
423 part-time legislative employee shall take no part in any matter
424 involving the agency listed in this subsection and shall not receive
425 compensation from any such matter. Receipt of a previously
426 established salary, not based on the current or anticipated business of
427 the firm, partnership, association or professional corporation involving
428 the agencies listed in this subsection, shall be permitted.

429 (e) No legislative commissioner or his or her partners, employees or
430 associates shall represent any person subject to the provisions of part II
431 concerning the promotion of or opposition to legislation before the

432 General Assembly, or accept any employment which includes an
433 agreement or understanding to influence, or which is inconsistent
434 with, the performance of his or her official duties.

435 (f) No person shall offer or give to a public official or state employee
436 or candidate for public office or [his] such official's, employee's or
437 candidate's spouse, [his] parent, brother, sister or child or spouse of
438 such child or a business with which [he] the person is associated,
439 anything of value, including, but not limited to, a gift, loan, political
440 contribution, reward or promise of future employment based on any
441 understanding that the vote, official action or judgment of the public
442 official, state employee or candidate for public office would be or had
443 been influenced thereby.

444 (g) No public official or state employee or candidate for public office
445 shall solicit or accept anything of value, including, but not limited to, a
446 gift, loan, political contribution, reward or promise of future
447 employment based on any understanding that the vote, official action
448 or judgment of the public official or state employee or candidate for
449 public office would be or had been influenced thereby.

450 (h) Nothing in subsection (f) or (g) of this section shall be construed
451 (1) to apply to any promise made in violation of subdivision (6) of
452 section 9-622, or (2) to permit any activity otherwise prohibited in
453 section 53a-147 or 53a-148.

454 (i) (1) No public official or state employee or member of the official
455 or employee's immediate family or a business with which [he] the
456 person is associated shall enter into any contract with the state or a
457 quasi-public agency, valued at one hundred dollars or more, other
458 than a contract (A) of employment as a state employee, (B) with the
459 Technical Education and Career System for students enrolled in a
460 school in the system to perform services in conjunction with
461 vocational, technical, technological or postsecondary education and
462 training any such student is receiving at a school in the system, subject
463 to the review process under subdivision (2) of this subsection, (C) with

464 a public institution of higher education to support a collaboration with
465 such institution to develop and commercialize any invention or
466 discovery, or (D) pursuant to a court appointment, unless the contract
467 has been awarded through an open and public process, including prior
468 public offer and subsequent public disclosure of all proposals
469 considered and the contract awarded. In no event shall an executive
470 head of an agency, as defined in section 4-166, including a
471 commissioner of a department, or an executive head of a quasi-public
472 agency, as defined in section 1-79, as amended by this act, or the
473 executive head's immediate family or a business with which [he] the
474 person is associated enter into any contract with [that] such agency or
475 quasi-public agency. Nothing in this subsection shall be construed as
476 applying to any public official who is appointed as a member of the
477 executive branch or as a member or director of a quasi-public agency
478 and who receives no compensation other than per diem payments or
479 reimbursement for actual or necessary expenses, or both, incurred in
480 the performance of the public official's duties unless such public
481 official has authority or control over the subject matter of the contract.
482 Any contract made in violation of this subsection shall be voidable by
483 a court of competent jurisdiction if the suit is commenced not later
484 than one hundred eighty days after the making of the contract.

485 (2) The superintendent of the Technical Education and Career
486 System shall establish an open and transparent process to review any
487 contract entered into under subparagraph (B) of subdivision (1) of this
488 subsection.

489 (j) No public official, state employee or candidate for public office,
490 or a member of any such person's staff or immediate family shall
491 knowingly accept any gift, as defined in subdivision (5) of section 1-79,
492 as amended by this act, from a person known to be a registrant or
493 anyone known to be acting on behalf of a registrant.

494 (k) No public official, spouse of the Governor or state employee
495 shall accept a fee or honorarium for an article, appearance or speech, or
496 for participation at an event, in the public official's, spouse's or state

497 employee's official capacity, provided a public official, Governor's
498 spouse or state employee may receive payment or reimbursement for
499 necessary expenses for any such activity in his or her official capacity.
500 If a public official, Governor's spouse or state employee receives such a
501 payment or reimbursement for lodging or out-of-state travel, or both,
502 the public official, Governor's spouse or state employee shall, not later
503 than thirty days thereafter, file a report of the payment or
504 reimbursement with the Office of State Ethics, unless the payment or
505 reimbursement is provided by the federal government or another state
506 government. If a public official, Governor's spouse or state employee
507 does not file such report within such period, either intentionally or due
508 to gross negligence on the public official's, Governor's spouse's or state
509 employee's part, the public official, Governor's spouse or state
510 employee shall return the payment or reimbursement. If any failure to
511 file such report is not intentional or due to gross negligence on the part
512 of the public official, Governor's spouse or state employee, the public
513 official, Governor's spouse or state employee shall not be subject to any
514 penalty under this chapter. When a public official, Governor's spouse
515 or state employee attends an event in this state in the public official's,
516 Governor's spouse's or state employee's official capacity and as a
517 principal speaker at such event and receives admission to or food or
518 beverage at such event from the sponsor of the event, such admission
519 or food or beverage shall not be considered a gift and no report shall
520 be required from such public official, spouse or state employee or from
521 the sponsor of the event.

522 (l) No public official or state employee, or any person acting on
523 behalf of a public official or state employee, shall wilfully and
524 knowingly interfere with, influence, direct or solicit existing or new
525 lobbying contracts, agreements or business relationships for or on
526 behalf of any person.

527 (m) No public official or state employee shall knowingly accept,
528 directly or indirectly, any gift, as defined in subdivision (5) of section
529 1-79, as amended by this act, from any person the public official or
530 state employee knows or has reason to know: (1) Is doing business

531 with or seeking to do business with the department or agency in which
532 the public official or state employee is employed; (2) is engaged in
533 activities which are directly regulated by such department or agency;
534 or (3) is prequalified under section 4a-100. No person shall knowingly
535 give, directly or indirectly, any gift or gifts in violation of this
536 provision. For the purposes of this subsection, the exclusion to the
537 term "gift" in subparagraph (L) of subdivision (5) of section 1-79, as
538 amended by this act, for a gift for the celebration of a major life event
539 shall not apply. Any person prohibited from making a gift under this
540 subsection shall report to the Office of State Ethics any solicitation of a
541 gift from such person by a state employee or public official.

542 (n) (1) As used in this subsection, (A) "investment services" means
543 investment legal services, investment banking services, investment
544 advisory services, underwriting services, financial advisory services or
545 brokerage firm services, and (B) "principal of an investment services
546 firm" means (i) an individual who is a director of or has an ownership
547 interest in an investment services firm, except for an individual who
548 owns less than five per cent of the shares of an investment services
549 firm which is a publicly traded corporation, (ii) an individual who is
550 employed by an investment services firm as president, treasurer, or
551 executive or senior vice president, (iii) an employee of such an
552 investment services firm who has managerial or discretionary
553 responsibilities with respect to any investment services, (iv) the spouse
554 or dependent child of an individual described in this subparagraph, or
555 (v) a political committee established by or on behalf of an individual
556 described in this subparagraph.

557 (2) The State Treasurer shall not pay any compensation, expenses or
558 fees or issue any contract to any firm which provides investment
559 services when (A) a political committee, as defined in section 9-601,
560 established by such firm, or (B) a principal of the investment services
561 firm has made a contribution, as defined in section 9-601a, to, or
562 solicited contributions on behalf of, any exploratory committee or
563 candidate committee, as defined in section 9-601, established by the
564 State Treasurer as a candidate for nomination or election to the office

565 of State Treasurer. The State Treasurer shall not pay any compensation,
566 expenses or fees or issue any contract to such firms or principals
567 during the term of office as State Treasurer, including, for an
568 incumbent State Treasurer seeking reelection, any remainder of the
569 current term of office.

570 (o) If (1) any person (A) is doing business with or seeking to do
571 business with the department or agency in which a public official or
572 state employee is employed, or (B) is engaged in activities which are
573 directly regulated by such department or agency, and (2) such person
574 or a representative of such person gives to such public official or state
575 employee anything [of value which is subject to the reporting
576 requirements pursuant to subsection (e) of section 1-96] having a value
577 of more than ten dollars, such person or representative shall, not later
578 than ten days thereafter, give such recipient and the executive head of
579 the recipient's department or agency a written report stating the name
580 of the donor, a description of the item or items given, the value of such
581 items and the cumulative value of all items given to such recipient
582 during that calendar year. The provisions of this subsection shall not
583 apply to a political contribution otherwise reported as required by law.

584 (p) (1) No public official or state employee or member of the
585 immediate family of a public official or state employee shall knowingly
586 accept, directly or indirectly, any gift costing one hundred dollars or
587 more from a public official or state employee who is under the
588 supervision of such public official or state employee.

589 (2) No public official or state employee or member of the immediate
590 family of a public official or state employee shall knowingly accept,
591 directly or indirectly, any gift costing one hundred dollars or more
592 from a public official or state employee who is a supervisor of such
593 public official or state employee.

594 (3) No public official or state employee shall knowingly give,
595 directly or indirectly, any gift in violation of subdivision (1) or (2) of
596 this subsection.

597 (q) No public official or state employee shall intentionally counsel,
598 authorize or otherwise sanction action that violates any provision of
599 this part.

600 (r) (1) Notwithstanding the provisions of subsections (b) and (c) of
601 this section, a member of the faculty or a member of a faculty
602 bargaining unit of a constituent unit of the state system of higher
603 education may enter into a consulting agreement or engage in a
604 research project with a public or private entity, provided such
605 agreement or project does not conflict with the member's employment
606 with the constituent unit, as determined by policies established by the
607 board of trustees for such constituent unit.

608 (2) The board of trustees for each constituent unit of the state system
609 of higher education shall establish policies to ensure that any such
610 member who enters such a consulting agreement or engages in such a
611 research project (A) is not inappropriately using university proprietary
612 information in connection with such agreement or project, (B) does not
613 have an interest in such agreement or project that interferes with the
614 proper discharge of his or her employment with the constituent unit,
615 and (C) is not inappropriately using such member's association with
616 the constituent unit in connection with such agreement or project. Such
617 policies shall (i) establish procedures for the disclosure, review and
618 management of conflicts of interest relating to any such agreement or
619 project, (ii) require the approval by the chief academic officer of the
620 constituent unit, or his or her designee, prior to any such member
621 entering into any such agreement or engaging in any such project, and
622 (iii) include procedures that impose sanctions and penalties on any
623 member for failing to comply with the provisions of the policies.
624 Annually, the internal audit office of each constituent unit shall audit
625 the constituent unit's compliance with such policies and report its
626 findings to the committee of the constituent unit established pursuant
627 to subdivision (3) of this subsection. For purposes of this subsection,
628 "consulting" means the provision of services for compensation to a
629 public or private entity by a member of the faculty or member of a
630 faculty bargaining unit of a constituent unit of the state system of

631 higher education: (I) When the request to provide such services is
632 based on such member's expertise in a field or prominence in such
633 field, and (II) while such member is not acting in the capacity of a state
634 employee, and "research" means a systematic investigation, including,
635 but not limited to, research development, testing and evaluation,
636 designed to develop or contribute to general knowledge in the
637 applicable field of study.

638 (3) There is established a committee for each constituent unit of the
639 state system of higher education to monitor the constituent unit's
640 compliance with the policies and procedures described in subdivision
641 (2) of this subsection governing consulting agreements and research
642 projects with public or private entities by a member of the faculty or a
643 member of a faculty bargaining unit of such constituent unit. Each
644 committee shall consist of nine members as follows: (A) Three
645 members, appointed jointly by the Governor, the speaker of the House
646 of Representatives, the president pro tempore of the Senate, the
647 majority leader of the House of Representatives, the majority leader of
648 the Senate, the minority leader of the House of Representatives and the
649 minority leader of the Senate, who shall serve as members for each
650 such committee; (B) one member appointed by the chairperson of the
651 constituent unit's board of trustees from the membership of such
652 board; (C) the chief academic officer of the constituent unit, or his or
653 her designee; (D) three members appointed by the chief executive
654 officer of the constituent unit; and (E) one member appointed by the
655 chairperson of the Citizen's Ethics Advisory Board from the
656 membership of such board. Members shall serve for a term of two
657 years. Any vacancies shall be filled by the appointing authority. Each
658 committee shall (i) review the annual reports submitted by the internal
659 audit office for the constituent unit, pursuant to subdivision (2) of this
660 subsection, (ii) make recommendations, annually, to the board of
661 trustees of the constituent unit concerning the policies and procedures
662 of the constituent unit established pursuant to subdivision (2) of this
663 subsection, including any changes to such policies and procedures,
664 and (iii) send a copy of such recommendations, in accordance with

665 section 11-4a, to the joint standing committees of the General
666 Assembly having cognizance of matters relating to higher education
667 and government administration.

668 (4) The provisions of subsections (b) and (c) of this section shall
669 apply to any member of the faculty or member of a faculty bargaining
670 unit of a constituent unit of the state system of higher education who
671 enters such a consulting agreement or engages in such a research
672 project without prior approval, as described in subdivision (2) of this
673 subsection.

674 (s) Notwithstanding the provisions of this section or any other
675 provision of this part, a state employee who is employed at a
676 constituent unit of the state system of higher education and a member
677 of the immediate family of such state employee may be employed in
678 the same department or division of such constituent unit, provided the
679 constituent unit has determined that procedures have been
680 implemented to ensure that any final decisions impacting the financial
681 interests of either such state employee, including decisions to hire,
682 promote, increase the compensation of or renew the employment of
683 such state employee, are made by another state employee who is not a
684 member of the immediate family of such state employee.

685 Sec. 10. Section 1-85 of the general statutes is repealed and the
686 following is substituted in lieu thereof (*Effective October 1, 2019*):

687 A public official, including an elected state official, or state
688 employee has an interest which is in substantial conflict with the
689 proper discharge of his or her duties or employment in the public
690 interest and of his or her responsibilities as prescribed in the laws of
691 this state, if [he] such public official or state employee has reason to
692 believe or expect that he or she, his or her spouse, a dependent child,
693 or a business with which [he] the person is associated will derive a
694 direct monetary gain or suffer a direct monetary loss, as the case may
695 be, by reason of his or her official activity. A public official, including
696 an elected state official, or state employee does not have an interest

697 which is in substantial conflict with the proper discharge of his or her
698 duties in the public interest and of his or her responsibilities as
699 prescribed by the laws of this state, if any benefit or detriment accrues
700 to [him] such public official or state employee, his or her spouse, a
701 dependent child, or a business with which [he] the person, [his] such
702 official's or employee's spouse or [such] dependent child is associated
703 as a member of a profession, occupation or group to no greater extent
704 than any other member of such profession, occupation or group. A
705 public official, including an elected state official, or state employee
706 who has a substantial conflict may not take official action on the
707 matter.

708 Sec. 11. Subsection (j) of section 4e-2 of the general statutes is
709 repealed and the following is substituted in lieu thereof (*Effective*
710 *October 1, 2019*):

711 (j) No employee of the State Contracting Standards Board shall hold
712 another state or municipal position. No nonclerical employee of the
713 board or any spouse, child, stepchild, parent or sibling of such
714 employee, shall be associated with an enterprise that does business
715 with the state. For purposes of this subsection, "associated with" means
716 "business with which [he] the person is associated", as defined in
717 section 1-79, as amended by this act. Each member and employee of
718 the State Contracting Standards Board shall file, with the board and
719 with the Office of State Ethics, a statement of financial interests, as
720 described in section 1-83. Such statement shall be a public record. Such
721 statements for the preceding calendar year shall be filed with the
722 Office of State Ethics, as required by law, if such employee or member
723 held such a position during the preceding calendar year.

724 Sec. 12. Subsection (b) of section 7-148h of the general statutes is
725 repealed and the following is substituted in lieu thereof (*Effective*
726 *October 1, 2019*):

727 (b) Notwithstanding the provisions of any special act, municipal
728 charter or ordinance to the contrary, an elected official of any town,

729 city, district or borough that has established a board, commission,
730 council, committee or other agency under subsection (a) of this section,
731 has an interest that is in substantial conflict with the proper discharge
732 of the official's duties or employment in the public interest and of the
733 official's responsibilities as prescribed by the laws of this state, if the
734 official has reason to believe or expect that the official, the official's
735 spouse or dependent child, or a business with which [he] the person is
736 associated, as defined in section 1-79, as amended by this act, will
737 derive a direct monetary gain or suffer a direct monetary loss, as the
738 case may be, by reason of the official's official activity. Any such
739 elected official does not have an interest that is in substantial conflict
740 with the proper discharge of the official's duties in the public interest
741 and of the official's responsibilities as prescribed by the laws of this
742 state, if any benefit or detriment accrues to the official, the official's
743 spouse or dependent child, or a business with which he or she, his or
744 her spouse or such dependent child is associated as a member of a
745 profession, occupation or group to no greater extent than to any other
746 member of such profession, occupation or group. Any such elected
747 official who has a substantial conflict may not take official action on
748 the matter.

749 Sec. 13. Section 1-86e of the general statutes is repealed and the
750 following is substituted in lieu thereof (*Effective October 1, 2019*):

751 (a) No person hired by the state or a quasi-public agency as a
752 consultant or independent contractor and no person employed by such
753 consultant or independent contractor, shall:

754 (1) Use the authority provided [to the person] under the contract, or
755 any confidential information acquired in the performance of the
756 contract, to obtain financial gain for the [person] consultant or
757 independent contractor, an employee of the [person] consultant or
758 independent contractor or a member of the immediate family of any
759 such [person] consultant, independent contractor or employee;

760 (2) Accept another state or quasi-public agency contract which

761 would impair the independent judgment of the person in the
762 performance of the existing contract; or

763 (3) Accept anything of value based on an understanding that the
764 actions of the person on behalf of the state or a quasi-public agency
765 would be influenced.

766 (b) No person shall give anything of value to a person hired by the
767 state or a quasi-public agency as a consultant or independent
768 contractor or an employee of a consultant or independent contractor
769 based on an understanding that the actions of the consultant, [or]
770 independent contractor or employee on behalf of the state or a quasi-
771 public agency would be influenced.

772 Sec. 14. Subsection (a) of section 1-90a of the general statutes is
773 repealed and the following is substituted in lieu thereof (*Effective*
774 *October 1, 2019*):

775 (a) Notwithstanding the provisions of sections 1-84, as amended by
776 this act, 1-84a, 1-85, as amended by this act, and 1-86, a public official
777 or state employee of a public institution of higher education whose
778 employment is derived from such official's or employee's status as a
779 student at such institution shall not be subject to the provisions of said
780 sections, if (1) such institution has adopted written policies and
781 procedures to regulate student conduct concerning conflicts of interest
782 relating to student public office holding or state employment, and (2)
783 such policies and procedures have been approved by the Citizen's
784 Ethics Advisory Board in accordance with subsection (b) of this
785 section.

786 Sec. 15. Subsection (b) of section 1-93 of the general statutes is
787 repealed and the following is substituted in lieu thereof (*Effective*
788 *October 1, 2019*):

789 (b) If a judge trial referee indicates that probable cause exists for the
790 violation of a provision of this part or section 1-101bb, the board shall
791 initiate hearings to determine whether there has been a violation of

792 this part or section 1-101bb. Any such hearing shall be initiated by the
793 board not later than thirty days after the finding of probable cause by a
794 judge trial referee and shall be concluded not later than ninety days
795 after its initiation, except that such thirty-day or ninety-day limitation
796 period shall not apply if the judge trial referee determines that good
797 cause exists for extending such limitation period. A judge trial referee,
798 who has not taken part in the probable cause determination on the
799 matter shall be assigned by the Chief Court Administrator and shall be
800 compensated in accordance with section 52-434 out of funds available
801 to the board. Such judge trial referee shall preside over such hearing
802 and rule on all issues concerning the application of the rules of
803 evidence, which shall be the same as in judicial proceedings. The judge
804 trial referee shall have no vote in any decision of the board. All
805 hearings of the board held pursuant to this subsection shall be open.
806 At such hearing the board shall have the same powers as the Office of
807 State Ethics under subsection (a) of this section and the respondent
808 shall have the right to be represented by legal counsel, to compel
809 attendance of witnesses and the production of books, documents,
810 records and papers and to examine and cross-examine witnesses. Not
811 later than ten days prior to the commencement of any hearing
812 conducted pursuant to this subsection, the Office of State Ethics shall
813 provide the respondent with a list of its intended witnesses. The judge
814 trial referee shall, while engaged in the discharge of the duties as
815 provided in this subsection, have the same authority as is provided in
816 section 51-35 over witnesses who refuse to obey a subpoena or to
817 testify with respect to any matter upon which such witness may be
818 lawfully interrogated, and may commit any such witness for contempt
819 for a period no longer than thirty days. The Office of State Ethics shall
820 make a record of all proceedings pursuant to this subsection. During
821 the course of any such hearing, no ex-parte communication shall occur
822 between the board, or any of its members, and: (1) The judge trial
823 referee, or (2) any staff member of the Enforcement Division of the
824 Office of State Ethics, concerning the complaint or the respondent. The
825 board shall find no person in violation of any provision of this part or
826 section 1-101bb except upon the concurring vote of two-thirds of its

827 members present and voting. No member of the board shall vote on
828 the question of whether a violation of any provision of this part or
829 section 1-101bb has occurred unless such member was physically
830 present for the duration of any hearing held pursuant to this
831 subsection. Not later than [fifteen] forty-five days after the public
832 hearing conducted in accordance with this subsection, the board shall
833 publish its finding and a memorandum of the reasons therefor. Such
834 finding and memorandum shall be deemed to be the final decision of
835 the board on the matter for the purposes of chapter 54. The
836 respondent, if aggrieved by the finding and memorandum, may
837 appeal therefrom to the Superior Court in accordance with the
838 provisions of section 4-183.

839 Sec. 16. Section 1-95 of the general statutes is amended by adding
840 subsection (e) as follows (*Effective July 1, 2019*):

841 (NEW) (e) There is established an account to be known as the
842 "lobbyist registration credit card fees account" which shall be a
843 separate, nonlapsing account within the General Fund. The account
844 shall contain any moneys required by law to be deposited in the
845 account. Moneys in the account shall be expended by the executive
846 director of the Office of State Ethics for the purposes of paying credit
847 card processing fees charged to the office in the collection of lobbyist
848 registration fees, in accordance with subsection (b) of this section. In
849 each fiscal year, upon the request of the executive director, the General
850 Assembly shall appropriate sufficient funds to the lobbyist registration
851 credit card fees account in the annual appropriations act for such fiscal
852 year to be designated for use in paying for such credit card processing
853 fees.

854 Sec. 17. Sections 1-80b to 1-80d, inclusive, 1-82b and 1-89a of the
855 general statutes are repealed. (*Effective October 1, 2019*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	1-79(5)

Sec. 2	<i>October 1, 2019</i>	1-79
Sec. 3	<i>October 1, 2019</i>	1-91(7)
Sec. 4	<i>October 1, 2019</i>	1-81(c)
Sec. 5	<i>October 1, 2019</i>	1-81(g)
Sec. 6	<i>October 1, 2019</i>	1-82(b)
Sec. 7	<i>October 1, 2019</i>	1-79(2)
Sec. 8	<i>October 1, 2019</i>	1-83(b)
Sec. 9	<i>October 1, 2019</i>	1-84
Sec. 10	<i>October 1, 2019</i>	1-85
Sec. 11	<i>October 1, 2019</i>	4e-2(j)
Sec. 12	<i>October 1, 2019</i>	7-148h(b)
Sec. 13	<i>October 1, 2019</i>	1-86e
Sec. 14	<i>October 1, 2019</i>	1-90a(a)
Sec. 15	<i>October 1, 2019</i>	1-93(b)
Sec. 16	<i>July 1, 2019</i>	1-95
Sec. 17	<i>October 1, 2019</i>	Repealer section

Statement of Purpose:

To make revisions to the State Codes of Ethics concerning the scope of gift prohibitions, reporting of gifts, authority of the ethics enforcement officer, contracting with quasi-public agencies, activities involving consultants and independent contractors, findings of ethics violations, appropriating funds to reimburse credit card processing fees and the repeal of certain provisions.

[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.]