



General Assembly

January Session, 2023

Raised Bill No. 6828

LCO No. 4222



Referred to Committee on GOVERNMENT
ADMINISTRATION AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING CONFLICTS OF INTEREST DUE TO AN
EMPLOYER OTHER THAN THE STATE UNDER THE STATE CODE OF
ETHICS.***

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

1 Section 1. Section 1-85 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2023*):

3 (a) For purposes of this section, "business with which the public
4 official or state employee is associated" has the same meaning as
5 "business with which he is associated", as provided in section 1-79. A
6 public official, including an elected state official, or state employee has
7 an interest which is in substantial conflict with the proper discharge of
8 [his] such official's or employee's duties or employment in the public
9 interest and of [his] such official's or employee's responsibilities as
10 prescribed in the laws of this state, if [he] such official or employee has
11 reason to believe or expect that [he, his] such official or employee or
12 such official's or employee's spouse, [a] dependent child, employer
13 other than the state, spouse's employer or a business with which [he]
14 the public official or state employee is associated will derive a direct

15 monetary gain or suffer a direct monetary loss, as the case may be, by
16 reason of [his] such official's or employee's official activity. A public
17 official, including an elected state official, or state employee does not
18 have an interest which is in substantial conflict with the proper
19 discharge of [his] such official's or employee's duties in the public
20 interest and of [his] such official's or employee's responsibilities as
21 prescribed by the laws of this state, if any benefit or detriment accrues
22 to [him, his] such official or employee, such official's or employee's
23 spouse, [a] dependent child, employer other than the state, spouse's
24 employer or a business with which [he, his spouse or such dependent
25 child] the public official or state employee is associated as a member of
26 a profession, occupation or group to no greater extent than any other
27 member of such profession, occupation or group. [A] Except as
28 provided in subsection (b) of this section, a public official, including an
29 elected state official, or state employee who has a substantial conflict
30 may not take official action on the matter.

31 (b) If an elected state official has a substantial conflict regarding a
32 matter that concerns a direct monetary gain or direct monetary loss for
33 the other employer of such official or the employer of such official's
34 spouse, such official shall either excuse himself or herself from the
35 matter or, prior to taking official action on the matter, prepare a
36 written statement signed under penalty of false statement describing
37 the matter requiring action, the nature of the conflict and explaining
38 why, despite the conflict, such official is able to vote or otherwise
39 participate fairly, objectively and in the public interest in such matter.
40 Such official shall submit a copy of such statement to the Office of State
41 Ethics and enter a copy of the statement in the journal or minutes of
42 the state agency to which such official has been elected, or, if such
43 agency does not have a journal or minutes, submit the copy to such
44 agency.

45 Sec. 2. Subsection (a) of section 1-86 of the general statutes is
46 repealed and the following is substituted in lieu thereof (*Effective*
47 *October 1, 2023*):

48 (a) For purposes of this section, "business with which such public
49 official or employee is associated" has the same meaning as "business
50 with which he is associated", as provided in section 1-79. Any public
51 official or state employee, other than an elected state official, who, in
52 the discharge of such official's or employee's official duties, would be
53 required to take an action that would affect a financial interest of such
54 official or employee, such official's or employee's spouse, parent,
55 brother, sister, child, [or] the spouse of a child, employer other than the
56 state, employer of the official's or employee's spouse or a business with
57 which such official or employee is associated, other than an interest of
58 a de minimis nature, an interest that is not distinct from that of a
59 substantial segment of the general public or an interest in substantial
60 conflict with the performance of official duties as defined in section 1-
61 85, as amended by this act, has a potential conflict of interest. Under
62 such circumstances, such official or employee shall, if such official or
63 employee is a member of a state regulatory agency, either excuse
64 himself or herself from the matter or, prior to taking official action on
65 the matter, prepare a written statement signed under penalty of false
66 statement describing the matter requiring action and the nature of the
67 potential conflict and explaining why despite the potential conflict,
68 such official or employee is able to vote [and] or otherwise participate
69 fairly, objectively and in the public interest in such matter. Such public
70 official or state employee shall [deliver] submit a copy of the statement
71 to the Office of State Ethics and enter a copy of the statement in the
72 journal or minutes of the agency. If such official or employee is not a
73 member of a state regulatory agency, such official or employee shall, in
74 the case of either a substantial or potential conflict, prepare a written
75 statement signed under penalty of false statement describing the
76 matter requiring action and the nature of the conflict and deliver a
77 copy of the statement to such official's or employee's immediate
78 superior, if any, who shall assign the matter to another employee, or if
79 such official or employee has no immediate superior, such official or
80 employee shall take such steps as the Office of State Ethics shall
81 prescribe or advise.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2023</i>	1-85
Sec. 2	<i>October 1, 2023</i>	1-86(a)

GAE *Joint Favorable*