



House of Representatives

General Assembly

File No. 288

February Session, 2024

Substitute House Bill No. 5407

House of Representatives, April 4, 2024

The Committee on Government Administration and Elections reported through REP. BLUMENTHAL of the 147th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT DEFINING "DEPENDENT CHILD" FOR PURPOSES OF THE STATE CODE OF ETHICS FOR PUBLIC OFFICIALS AND CONCERNING THE EXERCISE OF JURISDICTION OVER NONRESIDENTS BY THE OFFICE OF STATE ETHICS.

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

1 Section 1. Section 1-79 of the 2024 supplement to the general statutes
2 is amended by adding subdivision (22) as follows (*Effective October 1,*
3 *2024*):

4 (NEW) (22) "Dependent child" means a qualifying child, as defined
5 in 26 USC 152, as amended from time to time, who is the son, daughter,
6 stepson or stepdaughter of the filing individual.

7 Sec. 2. Subsection (a) of section 1-10100 of the general statutes is
8 repealed and the following is substituted in lieu thereof (*Effective from*
9 *passage*):

10 (a) [In addition to its jurisdiction over persons who are residents of

11 this state, the Office of State Ethics may] For the purposes of this part,
 12 the exercise of personal jurisdiction by the Office of State Ethics over any
 13 nonresident person, or the agent of such nonresident person, is limited
 14 to any such person or agent who makes a payment of money or gives
 15 anything of value to a public official or state employee in violation of
 16 section 1-101nn, or who is, or is seeking to be, prequalified under section
 17 4a-100.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	1-79(22)
Sec. 2	<i>from passage</i>	1-101oo(a)

Statement of Legislative Commissioners:

In the introductory language of Section 1, "of the 2024 supplement" was added for accuracy and Section 1 was redrafted for clarity.

GAE *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

This bill defines and includes dependent children into the existing provisions in the state code of ethics resulting in no fiscal impact. This can be completed within existing resources.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 5407*****AN ACT DEFINING "DEPENDENT CHILD" FOR PURPOSES OF THE STATE CODE OF ETHICS FOR PUBLIC OFFICIALS AND CONCERNING THE EXERCISE OF JURISDICTION OVER NONRESIDENTS BY THE OFFICE OF STATE ETHICS.*****SUMMARY**

This bill defines a "dependent child" in the state's Code of Ethics for Public Officials as a covered official's son, daughter, or stepchild who qualifies as the official's dependent child under federal tax law. Generally, to qualify as a dependent child under federal tax law, a child must (1) share a principal residence with the official; (2) be under age 19 or 24, if a student; (3) have provided for less than half of their own support for the year; and (4) not have filed a joint return with their spouse.

Although the Code of Ethics currently does not define a "dependent child," under it public officials have a substantial conflict of interest if their dependent child will get a direct monetary gain or suffer a direct monetary loss because of their official activity (unless it accrues to the child as a member of a profession, occupation, or group to no greater extent than other members of that profession, occupation, or group) (CGS § 1-85). Officials must also include certain information about their dependent children in the statements of financial interest they must file (CGS § 1-83).

The bill also specifies that the Office of State Ethics' (OSE) long-arm jurisdiction over out-of-state residents or their agents is limited to those who (1) pay money or give anything of value to a public official or state employee to obtain a competitive advantage, solicit non-public information, or unduly influence the award of certain state contracts or

(2) are, or are seeking to become, prequalified state contractors or substantial subcontractors.

EFFECTIVE DATE: October 1, 2024, except that the provision on OSE's long-arm jurisdiction is effective upon passage.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 19 Nay 0 (03/15/2024)