



Senate

General Assembly

File No. 384

February Session, 2024

Senate Bill No. 255

Senate, April 10, 2024

The Committee on Government Administration and Elections reported through SEN. FLEXER of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE ADOPTION OF MUNICIPAL CONFLICT OF INTEREST PROVISIONS.

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

1 Section 1. (NEW) (*Effective October 1, 2024*) (a) As used in this section,
2 (1) "municipality" means each town, city or borough, whether
3 consolidated or unconsolidated, and includes any district, and (2)
4 "district" has the same meaning as provided in section 7-324 of the
5 general statutes. Notwithstanding any provision of the general statutes
6 or any special act, municipal charter or ordinance, not later than October
7 1, 2025, each municipality shall adopt a conflict of interest provision for
8 its elected and appointed officials, officers and employees which shall
9 contain: (A) The municipality's definition of "conflict of interest" or the
10 model definition set forth in subsection (b) of this section, and (B) any
11 actions that are required to be taken by the municipality if a conflict of
12 interest is determined to exist, except that the provisions of this
13 subsection shall not apply to any municipality that has established a
14 conflict of interest policy prior to January 1, 2025.

15 (b) For purposes of complying with the requirements of subsection
16 (a) of this section, a municipality may adopt the following model
17 definition of conflict of interest in lieu of creating its own definition: A
18 conflict of interest exists where an official, officer or employee believes
19 or expects that such official, officer or employee, or any person within
20 such official's, officer's or employee's immediate family, or any business
21 associate of such official, officer or employee, or any business by which
22 the official, officer or employee is employed, or any business with which
23 the official, officer or employee is associated, will derive a direct
24 monetary gain or suffer a direct monetary loss, as the case may be, by
25 reason of such official's, officer's or employee's official activity, but
26 excluding any official action taken by the official, officer or employee in
27 which any benefit or detriment is shared with a substantial segment of
28 the population of the municipality.

29 (c) Not later than January 15, 2026, each municipality shall submit a
30 notice to the Office of State Ethics, in a manner prescribed by the office,
31 certifying whether the municipality (1) has adopted a conflict of interest
32 provision in accordance with the provisions of subsection (a) of this
33 section, or (2) is exempt from such requirement under subsection (a) of
34 this section. Any such notice shall include a copy of the conflict of
35 interest provision adopted by such municipality. The Office of State
36 Ethics shall publish a copy of each municipality's conflict of interest
37 provision submitted under this subsection on the office's Internet web
38 site.

39 (d) Not later than January 15, 2026, and as updated thereafter, each
40 municipality shall publish any conflict of interest provision adopted by
41 such municipality on its Internet web site in an easily accessible location.
42 If the conflict of interest provision is part of an established code of ethics
43 adopted by a municipality, the publication of the code of ethics on the
44 municipal Internet web site in an easily accessible location shall satisfy
45 the requirements of this subsection. If the municipality does not have an
46 Internet web site, the municipality shall make its conflict of interest
47 provision or code of ethics available to the public at the town or city
48 clerk's office.

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

Section 1	<i>October 1, 2024</i>	New section
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GAE *Joint Favorable*

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:

Municipalities	Effect	FY 25 \$	FY 26 \$
Various Municipalities	Potential Cost	Minimal	None

Explanation

The bill requires each municipality to adopt a conflict of interest provision for its elected and appointed officials, officers, and employees by October 1, 2025. Municipalities must alert the Office of State Ethics (OSE) to whether the municipality has adopted the required provision or is exempt from the requirement because it adopted one before 2025. Municipalities must publish their adopted conflict of interest provision on their website or at the city or town clerk’s office. There may be minimal administrative costs associated with the publication of these provisions for municipalities.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**SB 255*****AN ACT CONCERNING THE ADOPTION OF MUNICIPAL CONFLICT OF INTEREST PROVISIONS.*****SUMMARY**

This bill requires each municipality, by October 1, 2025, to adopt a conflict of interest provision for its elected and appointed officials, officers, and employees. The provision must (1) either define a “conflict of interest” or adopt the model definition in the bill and (2) specify what actions the municipality must take when a conflict of interest exists. However, the requirement does not apply to a municipality that has established a conflict of interest policy before January 1, 2025.

The bill requires each municipality, by January 15, 2026, to submit a notice to the Office of State Ethics (OSE) certifying whether the municipality has adopted the required provision or is exempt from the requirement because it adopted one before 2025. The notice, which must be submitted as directed by OSE, must include a copy of the adopted provision. OSE must publish a copy of each municipality’s conflict of interest provision on its website.

Starting by January 15, 2026, the bill requires each municipality to publish its adopted conflict of interest provision on its website in an easily accessible location. If the provision is part of the municipality’s established code of ethics, publishing the code on the website satisfies the requirement. If the municipality does not have a website, it must make the provision or code publicly available at the city or town clerk’s office.

Under the bill, a “municipality” is a town, city, or borough, including districts (e.g., fire or sewer districts, but not school districts).

EFFECTIVE DATE: October 1, 2024

MODEL CONFLICT OF INTEREST DEFINITION

The bill allows municipalities to comply with the requirement by adopting the following model definition of a conflict of interest:

“A conflict of interest exists where an official, officer or employee believes or expects that such official, officer or employee, or any person within such official’s, officer’s or employee’s immediate family, or any business associate of such official, officer or employee, or any business by which the official, officer or employee is employed, or any business with which the official, officer or employee is associated, will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of such official’s, officer’s or employee’s official activity, but excluding any official action taken by the official, officer or employee in which any benefit or detriment is shared with a substantial segment of the population of the municipality.”

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 15 Nay 4 (03/22/2024)