



General Assembly

February Session, 2022

Raised Bill No. 5377

LCO No. 2307



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 Section 1-85 of the general statutes is repealed and the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, 2022*):

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] the

14 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 written
 36 statement signed under penalty of false statement describing the matter
 37 requiring action, the nature of the conflict and explaining why, despite
 38 the conflict, such official is able to vote or otherwise participate fairly,
 39 objectively and in the public interest in such matter. Such official shall
 40 submit a copy of such statement to the Office of State Ethics and enter a
 41 copy of the statement in the journal or minutes of the state agency to
 42 which such official has been elected, or, if such agency does not have a
 43 journal or minutes, submit the copy to such agency.

44 Sec. 2. Subsection (a) of section 1-86 of the general statutes is repealed
 45 and the following is substituted in lieu thereof (*Effective October 1, 2022*):

46 (a) For purposes of this section, "business with which the public

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

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

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| Section 1 | <i>October 1, 2022</i> | 1-85 |
| Sec. 2 | <i>October 1, 2022</i> | 1-86(a) |

GAE *Joint Favorable*