



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 Section 1-85 of the general statutes is repealed and the  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 | October 1, 2022 | 1-85 |
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| Sec. 2 | October 1, 2022 | 1-86(a) |
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**Statement of Purpose:**

To apply substantial conflict of interest provisions in the state code of ethics for public officials and state employees to conflicts involving the public official's or state employee's nonstate employer or spouse's employer.

*[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.]*