



General Assembly

January Session, 2019

Raised Bill No. 7326

LCO No. 4873



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

**AN ACT CONCERNING THE RECOVERY OF ATTORNEYS' FEES
UNDER THE STATE CODE OF ETHICS FOR PUBLIC OFFICIALS.**

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

1 Section 1. Subsection (c) of section 1-82 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2019*):

4 (c) [If a judge trial referee finds, after a hearing pursuant to this
5 section, that there is no probable cause to believe that a public official
6 or state employee has violated a provision of this part, section 1-101bb
7 or section 1-101nn, or if the board determines that a public official or
8 state employee has not violated any such provision, or if a court of
9 competent jurisdiction overturns a finding by the board of a violation
10 by such a respondent] If (1) after a hearing pursuant to this section, the
11 board determines that the matter was brought without any substantial
12 justification, or (2) on a subsequent appeal of the board's decision, a
13 court of competent jurisdiction makes such determination, the state
14 shall pay the reasonable legal expenses of the respondent as

15 determined by the Attorney General or by the court if appropriate,
16 provided the amount of such payment shall not exceed twenty-five
17 thousand dollars. If any complaint brought under the provisions of
18 this part, section 1-101bb or section 1-101nn is made with the
19 knowledge that it is made without foundation in fact, the respondent
20 shall have a cause of action against the complainant for double the
21 amount of damage caused thereby and, if the respondent prevails in
22 such action, the respondent may be awarded by the court the costs of
23 such action together with reasonable attorneys' fees.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2019	1-82(c)
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Statement of Purpose:

To limit the payment of attorneys' fees by the state to twenty-five thousand dollars to an aggrieved respondent under the code of ethics for public officials and to modify the reasons for granting such fees.

[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.]