

## Existing Positions at Certain Regulatory Agencies Subject to Post-State Employment Prohibitions



**Office of State Ethics**  
Peter Lewandowski, Executive Director



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# **Public Act 21-164**

## **An Act Concerning the Office of State Ethics**

### **Positions Subject to Revolving Door Provisions (§ 9)**

The Code of Ethics for Public Officials generally prohibits public officials and state employees in certain regulatory agencies who hold positions with significant decision-making or supervisory responsibilities from accepting employment for one year after leaving state service with a business subject to regulation by their former agency. (The prohibition is two years for certain employment in the gaming industry.) Under current law, covered positions are designated by the Office of State Ethics (“OSE”), in consultation with the applicable agency, and adopted as regulations by Citizen’s Ethics Advisory Board (“CEAB”).

Public Act 21-164 requires that by November 1, 2021, and at least annually from then on, the act instead requires the heads of certain executive branch regulatory agencies or their designees to electronically submit to OSE designations of all existing positions that are subject to these restrictions. They must do so in a manner CEAB prescribes. As under current law, they must make these designations in consultation with the OSE.

Under the act, the agency head or designee must submit any newly created positions that are subject to these provisions, but not included in the annual submission to OSE, within 30 days after the position’s creation. OSE must prepare a list of all designated positions and post it on its website.

As under current law, the designation requirement applies to the Office of Health Strategy’s Health Systems Planning Unit; Connecticut Siting Council; Department of Banking; Insurance Department; Department of Emergency Services and Public Protection; the Public Utilities Regulatory Authority, including the Office of Consumer Counsel; and the Department of Consumer Protection.

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# **Designated Positions Section 1-84b (c) Designations**

## **SECTION 1-84b (c) DESIGNATIONS**

APPLICABLE LAW - Section 1-84b (c) provides as follows:

(c) The provisions of this subsection apply to present or former executive branch public officials or state employees of an agency who hold or formerly held positions which involve significant decision-making or supervisory responsibility. Such positions shall be designated as such by the agency concerned, in consultation with the Office of State Ethics, except that such provisions shall not apply to members or former members of the boards or commissions who serve ex officio, who are required by statute to represent the regulated industry or who are permitted by statute to have a past or present affiliation with the regulated industry. On or before November 1, 2021, and not less than annually thereafter, the head of each agency concerned, or his or her designee, shall submit the designation of all positions in existence on such date that are subject to the provisions of this subsection to the office electronically, in a manner prescribed by the Citizen's Ethics Advisory Board. If an agency creates such a position after its annual submission under this subsection, the head of such agency, or his or her designee, shall submit the designation of the newly created position not later than thirty days after the creation of such position. As used in this subsection, "agency" means the Health Systems Planning Unit of the Office of Health Strategy, the Connecticut Siting Council, the Department of Banking, the Insurance Department, the Department of Emergency Services and Public Protection, the office within the Department of Consumer Protection that carries out the duties and responsibilities of sections 30-2 to 30-68m, inclusive, the Public Utilities Regulatory Authority, including the Office of Consumer Counsel, and the Department of Consumer Protection and the term "employment" means professional services or other services rendered as an employee or as an independent contractor.

(1) No public official or state employee in an executive branch position designated pursuant to the provisions of this subsection shall negotiate for, seek or accept employment with any business subject to regulation by his agency.

(2) No former public official or state employee who held such a position in the executive branch shall, within one year after leaving an agency, accept employment with a business subject to regulation by that agency.

(3) No business shall employ a present or former public official or state employee in violation of this subsection.

## **Existing Positions at Certain Regulatory Agencies Subject to Post-State Employment Prohibitions**

### **Designated Positions by Agency - Section 1-84b (c) Designations**

#### **Department of Banking**

Banking Commissioner  
Deputy Banking Commissioner  
Director of Financial Institutions  
Director of Securities & Business Investments Division  
Director of Consumer Credit Division  
Director of Government Relations and Consumer Affairs and  
Fiscal Administrative Manager 1

#### **Insurance Department**

Commissioner  
Deputy Commissioner  
Director of Consumer Affairs  
Director of Property & Casualty Division  
Director of Life & Health Division  
Director of Legal Division  
Director of Financial Regulation Division  
Director of Market Conduct/Fraud Investigation & Licensing Division  
Chief Insurance Actuary  
Insurance Program Manager – Captive Insurance

#### **The Health Systems Planning Unit of the Office of Health Strategy**

Executive Director  
Deputy Director  
General Counsel  
Planning Analyst  
Principal Health Care Analyst  
HSP Manager

#### **Connecticut Siting Council**

Members Appointed by the Governor (5)  
Member Appointed by President Pro Tempore of the Senate  
Member Appointed by Speaker of the House  
Executive Director

## Existing Positions at Certain Regulatory Agencies Subject to Post-State Employment Prohibitions

### Designated Positions by Agency - Section 1-84b (c) Designations (Continued)

#### Public Utilities Regulatory Authority

Chairperson  
Vice-Chairperson  
Commissioner  
Office Director (Legal)  
Public Utility Chief of Utility Regulation  
Director of Legislation, Regulations and Communications  
Public Utilities Director of Utility Regulation  
Procurement Manager  
Director of Adjudications

#### Department of Consumer Protection

Commissioner  
Deputy Commissioner  
Legal Director  
Legal Program Director  
State Program Manager within Legal

#### Liquor Control Division, Department of Consumer Protection

Chairman  
Commissioners  
CP Division Director for Liquor

#### Department of Emergency Services and Public Protection

Commissioner  
Deputy Commissioner (Colonel) of the Division of State Police  
Deputy Commissioner of the Division of Emergency Management and Homeland Security  
Director of the Division of Statewide Emergency Telecommunications  
Agency Legal Director

#### Office of Consumer Counsel

Consumer Counsel  
Supervisor of Utility Financial Analysis

# **Designated Positions Section 1-84b (d) Designations**

## **SECTION 1-84b (d) DESIGNATIONS**

APPLICABLE LAW - Section 1-84b (d) - (e) provides as follows:

(d) The provisions of subsection (e) of this section apply to (1) present or former Department of Consumer Protection public officials or state employees who hold or formerly held positions which involve significant decision-making or supervisory responsibility and designated as such by the department, in consultation with the Office of State Ethics, and (2) present or former public officials or state employees of other agencies who hold or formerly held positions which involve significant decision-making or supervisory responsibility concerning the regulation or investigation of (A) any business entity (i) engaged in Indian gaming operations in the state, and (ii) in which a federally-recognized Indian tribe in the state owns a controlling interest, or (B) a governmental agency of a federally-recognized Indian tribe engaged in Indian gaming operations in the state, which positions are designated as such by the agency concerned, in consultation with the Office of State Ethics. On or before November 1, 2021, and not less than annually thereafter, the Commissioner of Consumer Protection and the head of each agency concerned, or their designees, shall submit designations of all positions in existence on such date that are subject to the provisions of this subsection to the office electronically, in a manner prescribed by the Citizen's Ethics Advisory Board. If the department or agency concerned creates such a position after its annual submission under this subsection, the Commissioner of Consumer Protection or the head of such agency, as applicable, or their designees, shall submit the designation of the newly created position not later than thirty days after the creation of such position.

(e) (1) No Department of Consumer Protection public official or state employee or other public official or state employee described in subdivision (2) of subsection (d) of this section shall negotiate for, seek or accept employment with (A) a business entity (i) engaged in Indian gaming operations in the state, and (ii) in which a federally-recognized Indian tribe in the state owns a controlling interest, or (B) a governmental agency of a federally-recognized Indian tribe engaged in Indian gaming operations in the state.

(2) No former Department of Consumer Protection public official or state employee or other former public official or state employee described in subdivision (2) of subsection (d) of this section, who held such a position shall, within two years after leaving such agency, accept employment with (A) a business entity (i) engaged in Indian gaming operations in the state, and (ii) in which a federally-recognized Indian tribe in the state owns a controlling interest, or (B) a governmental agency of a federally-recognized Indian tribe engaged in Indian gaming operations in the state.

(3) As used in this subsection, "employment" means professional services or other services rendered as an employee or as an independent contractor.

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### Designated Positions by Agency - Section 1-84b (d) Designations

#### Department of Consumer Protection – Gaming

CP Division Director for Gaming  
Special Revenue Assistant Unit Head (Hearings)  
CP Gaming Regulation Supervisor (Casino)  
Supervising Accounts Examiner (Casino)  
Accounting Manager  
License and Applications Supervisor (Casino)  
Application Review Committee Members  
State Program Manager within Legal having responsibilities for Gaming

#### Department of Emergency Services and Public Protection

Commissioner  
Deputy Commissioner (Colonel) of the Division of State Police

## Existing Positions at Certain Regulatory Agencies Subject to Post-State Employment Prohibitions

### CONTACT US



**Agency Address:** Connecticut Office of State Ethics  
165 Capitol Avenue  
Suite 1200  
Hartford, CT 06106

**Telephone:** 860-263-2400

**Facsimile:** 860-263-2402

**Website:** [ct.gov/ethics](http://ct.gov/ethics)

**Business Hours:** 8:00 am to 5:00 pm

**Specific E-mail Contacts:** For the timeliest responses, please be sure to direct your questions to the appropriate e-mail address; for example, with a question such as, "Can I accept this outside position with a vendor?" please be sure to send your query to [ethics.code@ct.gov](mailto:ethics.code@ct.gov)

Legal Advice Regarding Code of Ethics  
Lobbyist Filing/Reporting Questions  
Public Official Filing/Reporting Questions  
Enforcement/Filing a Complaint  
All Other Inquiries

[ethics.code@ct.gov](mailto:ethics.code@ct.gov)  
[lobbyist.ose@ct.gov](mailto:lobbyist.ose@ct.gov)  
[sfi.ose@ct.gov](mailto:sfi.ose@ct.gov)  
[ethics.enforcement@ct.gov](mailto:ethics.enforcement@ct.gov)  
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[Staff Phone Number Listing](#)