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TO: Benjamin Lee, Ethics Revision Committee

FROM: Michael Toma, Assistant Corporation Counsel *MST*

DATE: June 14, 2021

RE: Timing of Notice of Disposition of a Matter

You asked whether the Stamford City Code provisions concerning the timing for the Stamford Board of Ethics to provide notice on the disposition of a matter must be consistent with state statute. The answer is yes.

State statute, at Section 1-82a, contains a three business day requirement for a local board of ethics to provide notice on the disposition of a complaint. A separate state statute, CGS 7-148h, specifically provides that CGS 1-82a “shall apply to allegations before any [local ethics board], to an investigation of such allegations conducted prior to a probable cause finding, and to a finding of probable cause or no probable cause.” Therefore, any local ethics ordinance must adopt the three business day period and not some longer period.

If, in a particular case, the Stamford Board of Ethics finds it difficult to meet the three business day requirement, it can ask the parties to consent to waive the time period.