

Sec. 1-92-42c. Application of contingent fee prohibition

(a) In accordance with section 1-97(b) of the Connecticut General Statutes, no fee shall be paid or received for lobbying which is contingent upon the outcome of any matter added to the definition of “Administrative action” by Public Act No. 94-69, regardless of when the underlying employment agreement was entered into, if, as of January 1, 1995, such outcome remains, in any way, to be determined.

(b) The prohibition on contingent fee lobbying shall not, however, apply to a “representative of a vendor” or “salesperson” when such individuals are engaged in the exempt business activities encompassed by those terms.

(c) As used in section 1-91(11)(B) of the Connecticut General Statutes, “representative of a vendor” and “salesperson” shall mean any person who satisfies all of the following criteria:

(1) The person earns his or her living primarily by promoting the sale of the specific and identifiable products or services through direct contacts with potential purchasers;

(2) The person receives a significant portion of his or her compensation in the form of commission income- i.e. by payment of a percentage of the sales which such person has caused, promoted, influenced or induced;

(3) The person’s commission rate for governmental procurements in the State of Connecticut is not in excess by more than 10% percent of his or her commission rate with respect to comparable sales to other purchasers;

(4) The person is not otherwise required to file a statement or report pursuant to part II of the Code of Ethics by virtue of his or her engaging in lobbying activities; and

(5) If the person is an independent contractor, he or she has a written contract with a vendor for a definite term of not less than six months with the financial terms of such a contract included.

(Effective March 21, 1995; Amended January 2, 2008; Amended June 24, 2009; Amended May 11, 2023)