



House of Representatives

General Assembly

File No. 735

January Session, 2001

Substitute House Bill No. 6634

House of Representatives, May 10, 2001

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT MAKING REVISIONS TO TITLE 9 OF THE GENERAL STATUTES.

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

1 Section 1. Section 9-290 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) The selectmen shall provide, at the entrance into the enclosure
4 prescribed by section 9-289, a ballot booth at which the elector shall
5 obtain [his] the elector's ballot. Each ballot booth shall be in charge of
6 two ballot clerks, not of the same political party, who shall be
7 appointed by the registrars. [, one of whom]

8 (b) In each primary, election or referendum, when an elector has
9 entered the polling place, the elector shall (1) announce the elector's
10 street address, if any, and name to the checkers in a tone sufficiently
11 loud and clear to enable all the election officials present to hear the
12 same, and (2) (A) present to the checkers the elector's Social Security

13 card or any other preprinted form of identification which shows the
14 elector's name and either the elector's address, signature or
15 photograph, or (B) sign a statement under penalty of false statement,
16 on a form prescribed by the Secretary of the State, that the elector is the
17 person whose name appears on the official checklist. Each checker
18 shall check the name of such elector on the official checklist. No
19 political party shall have more than one challenger. The moderator
20 may allow in the polling place any witnesses that may be required in
21 the case of a challenge, provided the moderator shall not allow in more
22 than one witness at a time.

23 (c) In each polling place in which two or more parties are holding
24 primaries in which unaffiliated electors are authorized to vote
25 pursuant to section 9-431, an unaffiliated elector shall also announce to
26 the separate table of checkers for unaffiliated electors the party in
27 whose primary the elector chooses to vote and the checkers shall note
28 such party when checking such elector's name on the checklist of
29 unaffiliated electors. Such choice shall not alter the elector's
30 unaffiliated status.

31 (d) In each polling place in which two or more parties are holding
32 primaries in which unaffiliated electors are authorized to vote or in
33 which one party is holding a primary in which unaffiliated electors are
34 authorized to vote for some but not all offices to be contested at the
35 primary, the checkers shall give to each elector checked a receipt
36 provided by the municipal clerk, in a form prescribed by the Secretary
37 of the State, specifying either (1) the party with which the elector is
38 enrolled, if any, or (2) in the case of an unaffiliated elector, the party in
39 whose primary the elector has chosen to vote and whether the elector
40 is authorized to vote for only a partial ballot.

41 (e) If not challenged by any of the election officials, the elector shall
42 be permitted to pass the railing to the side where the ballot booth is
43 located. The elector shall give any receipt the elector has received to a

44 ballot clerk at the ballot booth to which the elector is directed and the
45 ballot clerk shall permit the elector to vote only in the primary of the
46 party specified by the receipt and, if applicable, at the separate ballot
47 booth with the partial ballot specified by the receipt. One of the ballot
48 clerks shall deliver to such elector one official ballot, [and no more;
49 but, in case] except that if any elector so defaces or injures any such
50 ballot as to render it unfit for use, upon the return of such ballot to the
51 ballot clerks, such clerks shall furnish [him] the elector with another
52 official ballot.

53 Sec. 2. Section 9-291 of the general statutes is repealed and the
54 following is substituted in lieu thereof:

55 The ballot box shall be open for the reception of votes in an
56 enclosure which shall be so arranged that access to it shall be from the
57 room or rooms, booth or booths, in which the electors prepare their
58 ballots. The exit from such enclosure shall be into some other enclosure
59 or hall or into a public street or square, and the partition separating it
60 from the main hall shall not be less than three feet [nor] or more than
61 four feet in height. No person shall be allowed to enter or remain in the
62 enclosure where the ballot box and stub box are placed, at any election
63 held under the provisions of this part, except for the purpose of
64 depositing [his] the person's ballot, unless [he] the person is a
65 moderator, box-tender [,] or registrar, [checker or challenger,] except as
66 hereinafter provided. [; provided there shall not be more than one
67 challenger for each political party.] An elector may be accompanied
68 into the room or booth in which the electors prepare their ballots and
69 into the enclosure where the ballot box and stub box are placed by one
70 or more children who are fifteen years of age or younger and
71 supervised by the elector, if the elector is the parent or legal guardian
72 of such children. The moderator may admit into the enclosure where
73 the ballot box and the stub box are placed [any witnesses that may be
74 required in cases of challenge, but only one at a time, and also] such
75 officers with power of arrest as may be required, but only when

76 actually required to preserve order or enforce any of the provisions
77 hereof. No person shall give or offer to any elector, in any such room
78 or booth, any ballot to be used in voting, or place any ballots in such
79 room or booth for the use of electors [,] or for any other purpose.

80 Sec. 3. Section 9-293 of the general statutes is repealed and the
81 following is substituted in lieu thereof:

82 The moderator shall place the boxes before the box-tenders, in a
83 location conveniently accessible to the electors, and publicly call upon
84 the electors to bring in their ballots for such officers as are to be voted
85 for. The electors shall, under the direction of the moderators in their
86 respective towns or voting districts, lay the ballots, folded as provided
87 in section 9-275, one at a time, on the lid of the ballot box. The box-
88 tender shall [, after the elector's name is found and checked on the
89 registry list, and after any challenge of the vote has been decided in
90 favor of the elector offering such ballot, and not before,] tear or remove
91 the stub from such ballot, [and] shall deposit the ballot in the box
92 marked "ballots," without opening the same or exposing to view any
93 part of its face, and shall deposit the stub in the box marked "stubs".

94 Sec. 4. Subsection (a) of section 9-314 of the general statutes is
95 repealed and the following is substituted in lieu thereof:

96 (a) The moderator of each state election in each town not divided
97 into voting districts [,] and the head moderator in each town divided
98 into voting districts shall make out a duplicate list of the votes given in
99 [his] the moderator's or head moderator's town for each of the
100 following officers: Presidential electors, Governor, Lieutenant
101 Governor, Secretary of the State, Treasurer, Comptroller, Attorney
102 General, United States senator, representative in Congress, state
103 senator, judge of probate, state representative and registrars of voters
104 when said officers are to be chosen. Included in said list shall be a
105 statement of the total number of names on the official check list of such
106 town and the total number checked as having voted. The moderator or

107 head moderator, as the case may be, may transmit such list to the
108 Secretary of the State by facsimile machine [, provided] or other
109 electronic means as prescribed by the Secretary of the State, not later
110 than midnight on election day. If the moderator does not transmit such
111 list by such electronic means, the moderator shall [also] seal and
112 deliver one of such lists by hand [in accordance with the provisions of
113 this section. One of such lists he shall seal and deliver by hand] either
114 (1) to the Secretary of the State not later than six o'clock p.m. of the day
115 after the election, or (2) to the state police not later than four o'clock
116 p.m. of the day after the election, in which case the state police shall
117 deliver it by hand to the Secretary of the State not later than six o'clock
118 p.m. of the day after the election. Any such moderator or head
119 moderator [, as the case may be,] who fails to so transmit such list by
120 electronic means to the Secretary of the State or to so deliver such list
121 to either the Secretary of the State or the state police, by the time
122 required, shall pay a late filing fee of fifty dollars. [The other of such
123 lists he shall deliver] The moderator shall also deliver such list to the
124 clerk of such town on or before the day after such election. The
125 Secretary of the State shall enter the returns in tabular form in books
126 kept by [him] the Secretary for that purpose and present a printed
127 report of the same, with the name of, and the total number of votes
128 received by, each of the candidates for said offices, to the General
129 Assembly at its next session.

130 Sec. 5. Subsection (b) of section 9-333b of the general statutes is
131 repealed and the following is substituted in lieu thereof:

132 (b) As used in this chapter, "contribution" does not mean:

133 (1) A loan of money made in the ordinary course of business by a
134 national or state bank;

135 (2) Any communication made by a corporation, organization or
136 association to its members, owners, stockholders, executive or
137 administrative personnel, or their families;

138 (3) Nonpartisan voter registration and get-out-the-vote campaigns
139 by any corporation, organization or association aimed at its members,
140 owners, stockholders, executive or administrative personnel, or their
141 families;

142 (4) Uncompensated services provided by individuals volunteering
143 their time;

144 (5) The use of real or personal property, and the cost of invitations,
145 food or beverages, voluntarily provided by an individual to a
146 candidate or on behalf of a state central or town committee, in
147 rendering voluntary personal services for candidate or party-related
148 activities at the individual's residence, to the extent that the cumulative
149 value of the invitations, food or beverages provided by the individual
150 on behalf of any single candidate does not exceed two hundred dollars
151 with respect to any single election, and on behalf of all state central
152 and town committees does not exceed four hundred dollars in any
153 calendar year;

154 (6) The sale of food or beverage for use in a candidate's campaign or
155 for use by a state central or town committee at a discount, if the charge
156 is not less than the cost to the vendor, to the extent that the cumulative
157 value of the discount given to or on behalf of any single candidate does
158 not exceed two hundred dollars with respect to any single election,
159 and on behalf of all state central and town committees does not exceed
160 four hundred dollars in a calendar year;

161 (7) Any unreimbursed payment for travel expenses made by an
162 individual who on [his] the individual's own behalf volunteers [his]
163 the individual's personal services to any single candidate to the extent
164 the cumulative value does not exceed two hundred dollars with
165 respect to any single election, and on behalf of all state central or town
166 committees does not exceed four hundred dollars in a calendar year;

167 (8) The payment, by a party committee, political committee or an

168 individual, of the costs of preparation, display, mailing or other
169 distribution incurred by the committee or individual with respect to
170 any printed slate card, sample ballot or other printed list containing
171 the names of three or more candidates;

172 (9) The donation of any item of personal property by an individual
173 to a committee for a fund-raising affair, including a tag sale or auction,
174 or the purchase by an individual of any such item at such an affair, to
175 the extent that the cumulative value donated or purchased does not
176 exceed fifty dollars;

177 (10) The purchase of advertising space which clearly identifies the
178 purchaser, in a program for a fund-raising affair, provided the
179 cumulative purchase of such space does not exceed two hundred fifty
180 dollars from any single candidate or [his] the candidate's committee
181 with respect to any single election campaign or two hundred fifty
182 dollars from any single party committee or other political committee in
183 any calendar year if the purchaser is a business entity or fifty dollars
184 for purchases by any other person;

185 (11) The payment of money by a candidate to [his] the candidate's
186 candidate committee;

187 (12) The donation of goods or services by a business entity to a
188 committee for a fund-raising affair, including a tag sale or auction, to
189 the extent that the cumulative value donated does not exceed one
190 hundred dollars;

191 (13) The advance of a security deposit by an individual to a
192 telephone company, as defined in section 16-1, for telecommunications
193 service for a committee, provided the security deposit is refunded to
194 the individual; [or]

195 (14) The provision of facilities, equipment, technical and managerial
196 support, and broadcast time by a community antenna television

197 company, as defined in section 16-1, for community access
198 programming pursuant to section 16-331a, unless (A) the major
199 purpose of providing such facilities, equipment, support and time is to
200 influence the nomination or election of a candidate, or (B) such
201 facilities, equipment, support and time are provided on behalf of a
202 political party; or

203 (15) The sale of food or beverage by a town committee to an
204 individual at a town fair, county fair or similar mass gathering held
205 within the state, to the extent that the cumulative payment made by
206 any one individual for such items does not exceed fifty dollars.

207 Sec. 6. Section 9-333d of the general statutes is amended by adding
208 subsection (d) as follows:

209 (NEW) (d) (1) In addition to its jurisdiction over persons who are
210 residents of this state, the State Elections Enforcement Commission
211 may exercise personal jurisdiction over any nonresident person, or the
212 agent of such nonresident person, who makes a payment of money,
213 gives anything of value or makes a contribution or expenditure to or
214 for the benefit of any committee or candidate.

215 (2) Where personal jurisdiction is based solely upon this subsection,
216 an appearance does not confer personal jurisdiction with respect to
217 causes of action not arising from an act enumerated in this subsection.

218 (3) Any nonresident person or the agent of such person over whom
219 the State Elections Enforcement Commission may exercise personal
220 jurisdiction, as provided in subdivision (1) of this subsection, shall be
221 deemed to have appointed the Secretary of the State as the person's or
222 agent's attorney and to have agreed that any process in any complaint,
223 investigation or other matter conducted pursuant to section 9-7b and
224 brought against the nonresident person, or said person's agent, may be
225 served upon the Secretary of the State and shall have the same validity
226 as if served upon such nonresident person or agent personally. The

227 process shall be served upon the Secretary of the State by the officer to
228 whom the same is directed by leaving with or at the office of the
229 Secretary of the State, at least twelve days before any required
230 appearance day of such process, a true and attested copy of such
231 process, and by sending to the nonresident person or agent so served,
232 at the person's or agent's last-known address, by registered or certified
233 mail, postage prepaid, a like and attested copy with an endorsement
234 thereon of the service upon the Secretary of the State. The Secretary of
235 the State shall keep a record of each such process and the day and hour
236 of service.

237 Sec. 7. Subsection (b) of section 9-333f of the general statutes is
238 repealed and the following is substituted in lieu thereof:

239 (b) The formation of a candidate committee by a candidate and the
240 filing of statements pursuant to section 9-333j shall not be required,
241 except as provided in subdivision (4) of subsection (a) of section 9-333j,
242 if the candidate files a certification with the proper authority required
243 by section 9-333e, at any time prior to the acceptance of a contribution
244 or making of an expenditure and any of the following conditions exist
245 for the campaign: (1) The candidate is one of a slate of candidates
246 whose campaigns are funded solely by a party committee or a political
247 committee formed for a single election or primary and expenditures
248 made on behalf of the candidate's campaign are reported by the
249 committee sponsoring [his] the candidate's candidacy; (2) the
250 candidate finances [his] the candidate's campaign entirely from
251 personal funds and does not solicit or receive contributions; or (3) the
252 candidate does not receive or expend funds in excess of [five hundred]
253 one thousand dollars. If the candidate no longer qualifies for the
254 exemption under any of these conditions, [he] the candidate shall
255 comply with the provisions of subsection (a) of this section, not later
256 than three business days thereafter and shall provide [his] the
257 candidate's designated campaign treasurer with all information
258 required for completion of the treasurer's statements and filings as

259 required by section 9-333j. If the candidate no longer qualifies for the
260 exemption due to the condition stated in [his] the candidate's
261 certification but so qualifies due to a different condition specified in
262 this subsection, [he] the candidate shall file an amended certification
263 with the proper authority and provide the new condition for [his] the
264 candidate's qualification not later than three business days following
265 the change in circumstances of the financing of [his] the candidate's
266 campaign. The filing of a certification under this subsection shall not
267 relieve the candidate from compliance with the provisions of this
268 chapter.

269 Sec. 8. Subsection (d) of section 9-333g of the general statutes is
270 repealed and the following is substituted in lieu thereof:

271 (d) A group of two or more individuals who have joined solely to
272 promote the success or defeat of a referendum question shall not be
273 required to file as a political committee, make such designations in
274 accordance with subsections (a) and (b) of this section or file
275 statements pursuant to section 9-333j, if the group does not receive or
276 expend in excess of [five hundred] one thousand dollars for the entire
277 campaign and the agent of such individuals files a certification with
278 the proper authority or authorities as required under section 9-333e
279 before an expenditure is made. The certification shall include the name
280 of the group, or the names of the persons who comprise the group, and
281 the name and address of the agent which shall appear on any
282 communication paid for or sponsored by the group as required by
283 section 9-333w. If the group receives or expends in excess of [five
284 hundred] one thousand dollars, the agent shall complete the statement
285 of organization and file as a political committee not later than three
286 business days thereafter. The agent shall provide the designated
287 campaign treasurer with all information required for completion of the
288 statements for filing as required by section 9-333j. The filing of a
289 certification under this subsection shall not relieve the group from
290 compliance with the provisions of this chapter, and the group shall be

291 considered a political committee established solely for a referendum
292 question for purposes of the limitations on contributions and
293 expenditures.

294 Sec. 9. Subsection (d) of section 9-333h of the general statutes is
295 repealed and the following is substituted in lieu thereof:

296 (d) No person shall act as a campaign treasurer or deputy campaign
297 treasurer unless [he] the person is an elector of this state, and a
298 statement, signed by the chairman in the case of a party committee or
299 political committee or by the candidate in the case of a candidate
300 committee, designating [him] the person as campaign treasurer or
301 deputy campaign treasurer, has been filed in accordance with section
302 9-333e. In the case of a political committee, the filing of a statement of
303 organization by the chairman of the committee, in accordance with the
304 provisions of section 9-333g, shall constitute compliance with the filing
305 requirements of this section. No provision of this subsection shall
306 prevent the campaign treasurer, deputy campaign treasurer or solicitor
307 of any committee from being the campaign treasurer, deputy
308 campaign treasurer or solicitor of any other committee or prevent any
309 committee from having more than one solicitor, but no candidate shall
310 have more than one campaign treasurer. A candidate shall not serve as
311 [his] the candidate's own campaign treasurer or deputy campaign
312 treasurer, except that a candidate who is exempt from forming a
313 candidate committee under subsection (b) of section 9-333f and has
314 filed a certification that [he] the candidate is financing [his] the
315 candidate's campaign from [his] the candidate's own personal funds or
316 is not receiving or expending in excess of [five hundred] one thousand
317 dollars may perform the duties of a campaign treasurer for [his] the
318 candidate's own campaign.

319 Sec. 10. Subsections (e) and (f) of section 9-333i of the general
320 statutes are repealed and the following is substituted in lieu thereof:

321 (e) (1) Any such payment shall be by check drawn by the campaign

322 treasurer, on the designated depository. [Each such treasurer] Any
323 payment in satisfaction of any financial obligation incurred by a party
324 committee may also be made by debit card. (2) The campaign treasurer
325 of each committee may draw a check, not to exceed one hundred
326 dollars, to establish a petty cash fund and may deposit additional
327 funds to maintain it, but the fund shall not exceed one hundred dollars
328 at any time. All expenditures from a petty cash fund shall be reported
329 in the same manner as any other expenditure.

330 (f) The campaign treasurer shall preserve all internal records of
331 transactions entered in reports filed pursuant to section 9-333j for four
332 years from the date of the report in which the transactions were
333 entered. If any checks are issued pursuant to subsection (e) of this
334 section, the campaign treasurer who [issued] issues them shall
335 preserve all cancelled checks and bank statements for four years from
336 the date on which they [were] are issued. If debit card payments are
337 made pursuant to subsection (e) of this section, the campaign treasurer
338 who makes said payments shall preserve all debit card slips and bank
339 statements for four years from the date on which the payments are
340 made. In the case of a candidate committee, the campaign treasurer or
341 the candidate, if the candidate so requests, shall preserve all internal
342 records, cancelled checks and bank statements for four years from the
343 date of the last report required to be filed under subsection (a) of
344 section 9-333j.

345 Sec. 11. Subsection (a) of section 9-333j of the general statutes is
346 repealed and the following is substituted in lieu thereof:

347 (a) (1) Each campaign treasurer of a committee, other than a state
348 central committee, shall file a statement, sworn under penalty of false
349 statement with the proper authority in accordance with the provisions
350 of section 9-333e, (A) on the second Thursday in the months of
351 January, April, July and October, (B) on the seventh day preceding
352 each regular state election, except that (i) in the case of a candidate or

353 exploratory committee established for an office to be elected at a
354 municipal election, the statement shall be filed on the seventh day
355 preceding a regular municipal election in lieu of such date, and (ii) in
356 the case of a town committee, the statement shall be filed on the
357 seventh day preceding each municipal election in addition to such
358 date, and (C) if the committee has made or received a contribution or
359 expenditure in connection with any other election, a primary or a
360 referendum, on the seventh day preceding the election, primary or
361 referendum. The statement shall be complete as of seven days
362 immediately preceding the required filing day, and shall cover a
363 period to begin with the first day not included in the last filed
364 statement except that the January statement, when filed by a party
365 committee or a political committee organized for the purpose of
366 ongoing political activities, shall cover all contributions made or
367 received and all expenditures made as of midnight on December
368 thirty-first of the preceding calendar year.

369 (2) Each campaign treasurer of a candidate committee, within forty-
370 five days following any election and within thirty days following any
371 primary, and each campaign treasurer of a political committee formed
372 for a single primary, election or referendum, within forty-five days
373 after any election or referendum, shall file statements in the same
374 manner as is required of them under subdivision (1) of this subsection.
375 If the campaign treasurer of a candidate committee established by a
376 candidate [] who is unsuccessful in the primary or has terminated
377 [his] the candidate's candidacy prior to the primary, distributes all
378 surplus funds within thirty days following the scheduled primary and
379 discloses the distribution on the postprimary statement, such
380 campaign treasurer shall not be required to file any subsequent
381 statement unless the committee has a deficit, in which case [he] the
382 campaign treasurer shall file any required statements in accordance
383 with the provisions of subdivision (3) of subsection (e) of this section.

384 (3) In the case of state central committees, on each January thirtieth,

385 April tenth and July tenth, and on the twelfth day preceding any
386 election, the campaign treasurer of each such committee shall file with
387 the proper authority [.] a statement, sworn under penalty of false
388 statement, complete as of the last day of the month immediately
389 preceding the month in which such statement is to be filed in the case
390 of statements required to be filed in January, April and July, and
391 complete as of the nineteenth day preceding an election, in the case of
392 the statement required to be filed on the twelfth day preceding an
393 election, and in each case covering a period to begin with the first day
394 not included in the last filed statement.

395 (4) Any candidate who (A) has filed a certification pursuant to
396 subdivision (2) or (3) of subsection (b) of section 9-333f, and (B)
397 personally makes an expenditure or expenditures in excess of one
398 thousand dollars to, or for the benefit of, said candidate's campaign for
399 nomination at a primary or election to an office or position shall file
400 statements according to the same schedule and in the same manner as
401 is required of a campaign treasurer of a candidate committee under
402 this section.

403 Sec. 12. Subdivision (1) of subsection (c) of section 9-333j of the
404 general statutes is repealed and the following is substituted in lieu
405 thereof:

406 (c) (1) Each statement filed under subsection (a), (e) or (f) of this
407 section shall include, but not be limited to: (A) An itemized accounting
408 of each contribution, if any, including the full name and complete
409 address of each contributor and the amount of the contribution; (B) in
410 the case of anonymous contributions, the total amount received and
411 the denomination of the bills; (C) an itemized accounting of each
412 expenditure, if any, including the full name and complete address of
413 each payee, the amount and the purpose of the expenditure, the
414 candidate supported or opposed by the expenditure, whether the
415 expenditure is made independently of the candidate supported or is an

416 in-kind contribution to the candidate, and a statement of the balance
417 on hand or deficit, as the case may be; (D) an itemized accounting of
418 each expense incurred but not paid; (E) the name and address of any
419 person who is the guarantor of a loan to, or the cosigner of a note with,
420 the candidate on whose behalf the committee was formed, or the
421 campaign treasurer in the case of a party committee or a political
422 committee or who has advanced a security deposit to a telephone
423 company, as defined in section 16-1, for telecommunications service
424 for a committee; (F) for each business entity or person purchasing
425 advertising space in a program for a fund-raising affair, the name and
426 address of the business entity and the name of the chief executive
427 officer of the business entity or the name and address of the person,
428 and the amount and aggregate amounts of such purchases; (G) for
429 each individual who contributes in excess of one hundred dollars but
430 not more than one thousand dollars, in the aggregate, to the extent
431 known, the principal occupation of such individual and the name of
432 the individual's employer, if any; (H) for each individual who
433 contributes in excess of one thousand dollars in the aggregate, the
434 principal occupation of such individual, the name of the individual's
435 employer, if any, and a statement indicating whether the individual or
436 a business with which he is associated has a contract with the state
437 which is valued at more than five thousand dollars; [and] (I) for each
438 itemized contribution made by a lobbyist, the spouse of a lobbyist or
439 any dependent child of a lobbyist who resides in the lobbyist's
440 household, a statement to that effect; and (J) for each business entity
441 making a donation of goods or services for a fund-raising affair
442 pursuant to subdivision (12) of subsection (b) of section 9-333b, the
443 name of the business entity, the name of the chief executive officer of
444 the business entity and a brief description of the goods or services
445 donated. Each campaign treasurer shall include in such statement the
446 date, location and ticket price, if any, of any testimonial affair held
447 under the provisions of section 9-333k or any other fund-raising affair
448 held and an itemized accounting of the receipts and expenditures

449 relative to [any testimonial affair held under the provisions of section
450 9-333k or any other fund-raising affair] such testimonial or fund-
451 raising affair.

452 Sec. 13. Subsection (e) of section 9-333m of the general statutes is
453 repealed and the following is substituted in lieu thereof:

454 (e) No individual shall make a contribution to any candidate or
455 committee, other than a contribution in kind, in excess of one hundred
456 dollars except by personal check or credit card of that individual.

457 Sec. 14. Subsection (f) of section 9-333n of the general statutes is
458 repealed and the following is substituted in lieu thereof:

459 (f) (1) As used in this subsection, "investment services" means legal
460 services, investment banking services, investment advisory services,
461 underwriting services, financial advisory services or brokerage firm
462 services.

463 (2) No individual who is an owner of a firm which provides
464 investment services and to which the Treasurer pays compensation,
465 expenses or fees or issues a contract, and no individual who is
466 employed by such a firm as a manager, officer, director, partner or
467 employee with managerial or discretionary responsibilities to invest,
468 manage funds or provide investment services for brokerage,
469 underwriting and financial advisory activities which are in the
470 statutory and constitutional purview of the Treasurer, shall make a
471 contribution on or after October 1, 1995, to, or solicit contributions on
472 or after said date on behalf of, an exploratory committee or candidate
473 committee established by a candidate for nomination or election to the
474 office of Treasurer during the term of office of the Treasurer which
475 pays compensation, expenses or fees or issues a contract to such firm.

476 (3) Neither the Treasurer, the Deputy Treasurer, any candidate for
477 the office of Treasurer nor any member of the Investment Advisory

478 Council established under section 3-13b may solicit contributions on
479 behalf of an exploratory committee, [or] candidate committee
480 established by a candidate for nomination or election to any public
481 office, political committee or party committee from (A) any individual
482 who is an owner of a firm which provides investment services and to
483 which the Treasurer pays compensation, expenses or fees or issues a
484 contract, [or from] (B) any individual who is employed by such a firm
485 as a manager, officer, director, partner or employee with managerial or
486 discretionary responsibilities to invest, manage funds or provide
487 investment services for brokerage, underwriting and financial
488 advisory activities which are in the statutory and constitutional
489 purview of the Treasurer, (C) the spouse of an individual described in
490 subparagraph (A) or (B) of this subdivision or dependent child of any
491 such individual who resides in the individual's household, or (D) a
492 political committee established by any such firm.

493 (4) No member of the Investment Advisory Council appointed
494 under section 3-13b shall make a contribution to, or solicit
495 contributions on behalf of, an exploratory committee or candidate
496 committee established by a candidate for nomination or election to the
497 office of Treasurer.

498 (5) No individual who is an owner of a firm which provides
499 investment services and to which the Treasurer pays compensation,
500 expenses or fees or issues a contract, and no individual who is
501 employed by such a firm as a manager, officer, director, partner or
502 employee with managerial or discretionary responsibilities to invest,
503 manage funds or provide investment services for brokerage,
504 underwriting and financial advisory activities which are in the
505 statutory and constitutional purview of the Treasurer, may make a
506 contribution to, or solicit contributions on behalf of, an exploratory
507 committee or candidate committee established by a candidate for
508 nomination or election to [any public office] the office of Governor,
509 Lieutenant Governor, Secretary of the State, Comptroller or Attorney

510 General. The provisions of this subdivision shall not restrict any such
511 individual who is a candidate for any such office from establishing a
512 candidate committee and soliciting contributions for such individual's
513 own campaign.

514 Sec. 15. Subdivision (9) of section 9-333x of the general statutes is
515 repealed and the following is substituted in lieu thereof:

516 (9) Any person who offers or receives a cash contribution in excess
517 of [fifty] one hundred dollars to promote the success or defeat of any
518 political party, candidate or referendum question.

519 Sec. 16. This act shall take effect from its passage, except that
520 sections 1 to 4, inclusive, shall take effect July 1, 2001, and sections 5, 7
521 to 13, inclusive, and 15 shall take effect January 1, 2002, and apply to
522 primaries and elections held on or after said date.

JUD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Affected Agencies: Office of Secretary of State,
State Elections Enforcement Commission

Municipal Impact: None

Explanation

State Impact:

The bill makes a variety of changes, which have no fiscal impact on the state or municipalities.

OLR Bill Analysis

sHB 6634

AN ACT MAKING REVISIONS TO TITLE 9 OF THE GENERAL STATUTES.

SUMMARY:

This bill:

1. expands the solicitation restriction that applies to the treasurer, deputy treasurer, candidates for treasurer, and members of the Investment Advisory Council (IAC) and removes the ban on contributions that individuals associated with firms doing business with the Treasurer's Office can give to candidates for offices other than the state constitutional offices;
2. raises the threshold amount for the exemption from forming a committee and reporting contributions and expenditures;
3. creates an exemption from the campaign contribution definition;
4. requires disclosure of a business entity's in-kind contribution;
5. authorizes the use of debit cards for party committee spending and credit cards for campaign contributions;
6. requires (a) voters at an election where paper ballots are used to show identification and (b) voting officials to determine voters' eligibility before, rather than after, they mark their ballots;
7. allows election moderators to transmit state election results to the Office of the Secretary of the State electronically after the polls close on election day;
8. extends the State Elections Enforcement Commission's (SEEC) authority to include personal jurisdiction over a nonresident, or his agent, who contributes to any candidate, party committee, or

political committee (known as a PAC); and

9. conforms a provision designating corrupt practices in the campaign finance law to the law on an individual's maximum allowable cash contribution.

EFFECTIVE DATE: July 1, 2001 for the provisions on voting by paper ballots and transmitting election results; upon passage for the provisions on investment services firms and campaign contributions and the SEEC's jurisdiction; and January 1, 2002, for the provisions on campaign committee reporting requirements, campaign contributions, and the use of debit and credit cards and applicable to primaries and elections held on and after that date.

INVESTMENT SERVICES FIRMS

Current law bars high-ranking people associated with investment services firms to which the treasurer pays compensation, expenses, or fees or issues a contract from contributing to the campaign of any candidate for public office. It also prohibits the treasurer, the deputy treasurer, candidates for treasurer, and IAC members from soliciting campaign contributions for any candidate from such people. The bill prohibits these officials and candidates from soliciting contributions for PACs and party committees from the covered investment services company employees. It also prohibits soliciting contributions from such an employee's spouse or dependent child or from a PAC established by a firm doing business with the treasurer's office.

The bill permits those individuals associated with a covered investment services firm to contribute to the campaigns of candidates for public offices other than the six state constitutional officers (the governor, lieutenant governor, attorney general, secretary of the state, comptroller, and treasurer). It exempts an otherwise covered individual who is a candidate for one of the five state offices other than treasurer from the ban on soliciting contributions for his own campaign.

CAMPAIGN COMMITTEES

The bill increases, from \$500 to \$1,000, the threshold for the

requirements to form a committee and file financial statements for (1) candidates who do not expect to raise or spend more than the threshold amount and (2) groups that have joined to promote the success or defeat of a referendum question.

It creates a filing requirement for candidates who personally finance their own campaigns and spend over \$1,000.

CAMPAIGN CONTRIBUTIONS

The bill exempts from the definition of a campaign contribution a town committee's sale of food or beverage costing an individual less than an aggregate of \$50 that takes place at a fair or similar gathering. It thereby removes the requirements that a town committee disclose the names of purchasers and that the purchases count toward an individual's campaign contribution limit.

It requires a campaign finance report to include identifying information on a business that donates goods or services valued at under \$100 (the limit) for a fund-raising affair. The treasurer must report the name of the business, its chief executive officer, and a brief description of the donation.

For every testimonial or fund-raising affair, the bill requires a campaign treasurer to include in a financial statement the date, location, and ticket price, if any, for the event. This codifies the request for this information that appears on the "Statement of Receipts and Expenditures" form. A treasurer must already account for receipts and spending at these events.

DEBIT AND CREDIT CARDS

The bill allows a campaign treasurer to use a debit card to pay a party committee's expense. If they do so, they must keep the debit card slips and bank statements for four years from the time the payments were made.

The bill permits individuals to make campaign contributions over \$100 by credit card. It codifies practice and the SEEC's position that credit card contributions are acceptable (Advisory Opinion No. 83-4), but

broadens the commission's guidelines by allowing a contributor to use a credit card without requiring him to give the campaign treasurer a signed slip.

PAPER BALLOT ELECTIONS

The bill applies to voting by paper ballots the same procedures that voters follow when they use voting machines. The procedures apply at a primary, election, or referendum and require each voter to announce his name and address and show identification or sign a statement attesting to his identity. Officials check the voter's name on the official checklist and resolve any challenge before permitting the voter to cast a ballot. Under current law, at an event using paper ballots, officials verify a voter's eligibility after he marks his ballot. If they determine that he is not entitled to vote, the ballot is not deposited in the ballot box. The bill's provisions apply where two or more political parties are conducting a primary, including a primary in which one party permits unaffiliated voters to cast ballots for some or all offices when separate checklists are used.

ELECTION RESULTS

The bill gives election moderators the option to send state election results electronically (rather than by facsimile) to the secretary of the state by midnight on election day. If they do, they need not hand deliver the results on the day after the election to the secretary by 6 p.m. or to the State Police by 4 p.m.

SEEC AUTHORITY

The bill allows the SEEC to exercise personal jurisdiction over a nonresident, or his agent, who makes a campaign contribution or expenditure on behalf of a committee or candidate. It thereby authorizes the commission to require the person to appear in person or to present documents. It allows service of process on the secretary of the state for a nonresident.

CORRUPT PRACTICE

The bill increases, from \$50 to \$100, the threshold over which a cash

contribution is considered to be a corrupt practice subject to penalties. This conforms to the law that requires contributions over \$100 to be made by personal check (or the use of a credit card, under the bill).

BACKGROUND

Related Bill

sSB 1219 (File 292), which the Government Administration and Elections Committee reported favorably on March 21, includes a provision giving the SEEC personal jurisdiction over a nonresident that is identical to the extension of authority in this bill.

Legislative History

On April 19, the House referred the bill to the Judiciary Committee which gave it a joint favorable substitute report, removing a provision in the original file (No. 146) that changed the way a vacancy in the office of registrar of voters is filled.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 20 Nay 0

Judiciary Committee

Joint Favorable Substitute

Yea 38 Nay 0