



Senate

General Assembly

File No. 260

January Session, 2001

Senate Bill No. 330

Senate, April 12, 2001

The Committee on Planning and Development reported through SEN. DAILY of the 33rd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT REQUIRING DISCLOSURE OF MUNICIPAL CONTRACTS HELD BY CERTAIN CONTRIBUTORS TO CANDIDATES FOR THE OFFICE OF CHIEF EXECUTIVE OFFICER OF A MUNICIPALITY.

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

1 Subsection (c) of section 9-333j of the general statutes is repealed
2 and the following is substituted in lieu thereof:

3 (c) (1) Each statement filed under subsection (a), (e) or (f) of this
4 section shall include, but not be limited to: (A) An itemized accounting
5 of each contribution, if any, including the full name and complete
6 address of each contributor and the amount of the contribution; (B) in
7 the case of anonymous contributions, the total amount received and
8 the denomination of the bills; (C) an itemized accounting of each
9 expenditure, if any, including the full name and complete address of
10 each payee, the amount and the purpose of the expenditure, the
11 candidate supported or opposed by the expenditure, whether the
12 expenditure is made independently of the candidate supported or is an

13 in-kind contribution to the candidate, and a statement of the balance
14 on hand or deficit, as the case may be; (D) an itemized accounting of
15 each expense incurred but not paid; (E) the name and address of any
16 person who is the guarantor of a loan to, or the cosigner of a note with,
17 the candidate on whose behalf the committee was formed, or the
18 campaign treasurer in the case of a party committee or a political
19 committee or who has advanced a security deposit to a telephone
20 company, as defined in section 16-1, for telecommunications service
21 for a committee; (F) for each business entity or person purchasing
22 advertising space in a program for a fund-raising affair, the name and
23 address of the business entity and the name of the chief executive
24 officer of the business entity or the name and address of the person,
25 and the amount and aggregate amounts of such purchases; (G) for
26 each individual who contributes in excess of one hundred dollars but
27 not more than one thousand dollars, in the aggregate, to the extent
28 known, the principal occupation of such individual and the name of
29 the individual's employer, if any; (H) for each individual who
30 contributes in excess of one thousand dollars in the aggregate, the
31 principal occupation of such individual, the name of the individual's
32 employer, if any, and a statement indicating whether the individual or
33 a business with which he is associated has a contract with the state
34 which is valued at more than five thousand dollars; [and] (I) for each
35 itemized contribution made by a lobbyist, the spouse of a lobbyist or
36 any dependent child of a lobbyist who resides in the lobbyist's
37 household, a statement to that effect; and (J) for each individual who
38 contributes in excess of two hundred fifty dollars in the aggregate to or
39 for the benefit of any candidate's campaign for nomination at a
40 primary or election to the office of chief executive officer of a town, city
41 or borough, a statement indicating whether the individual or a
42 business with which he is associated has a contract with said
43 municipality which is valued at more than five thousand dollars. Each
44 campaign treasurer shall include in such statement an itemized
45 accounting of the receipts and expenditures relative to any testimonial

46 affair held under the provisions of section 9-333k or any other fund-
47 raising affair.

48 (2) Each contributor described in subparagraph (G), (H), [or] (I) or
49 (I) of subdivision (1) of this subsection shall, at the time [he] the
50 contributor makes such a contribution, provide the information which
51 the campaign treasurer is required to include under said subparagraph
52 in the statement filed under subsection (a), (e) or (f) of this section.
53 Notwithstanding any provision of subdivision (2) of section 9-7b, any
54 contributor described in subparagraph (G) of subdivision (1) of this
55 subsection who does not provide such information at the time [he] the
56 contributor makes such a contribution and any treasurer shall not be
57 subject to the provisions of subdivision (2) of section 9-7b. If a
58 campaign treasurer receives a contribution from an individual which
59 separately, or in the aggregate, is in excess of one thousand dollars and
60 the contributor has not provided the information required by said
61 subparagraph (H) or if a campaign treasurer receives a contribution
62 from an individual to or for the benefit of any candidate's campaign
63 for nomination at a primary or election to the office of chief executive
64 officer of a town, city or borough, which separately, or in the
65 aggregate, is in excess of two hundred fifty dollars and the contributor
66 has not provided the information required by said subparagraph (I),
67 the campaign treasurer: (i) Within three business days after receiving
68 the contribution, shall send a request for such information to the
69 contributor by certified mail, return receipt requested; (ii) shall not
70 deposit the contribution until [he] the campaign treasurer obtains such
71 information from the contributor, notwithstanding the provisions of
72 section 9-333h; and (iii) shall return the contribution to the contributor
73 if the contributor does not provide the required information within
74 fourteen days after the treasurer's written request or the end of the
75 reporting period in which the contribution was received, whichever is
76 later. Any failure of a contributor to provide the information which the
77 campaign treasurer is required to include under said subparagraph (G)
78 or (I), which results in noncompliance by the campaign treasurer with

79 the provisions of said subparagraph (G) or (I), shall be a complete
80 defense to any action against the campaign treasurer for failure to
81 disclose such information.

82 (3) Contributions from a single individual to a campaign treasurer
83 in the aggregate totaling thirty dollars or less need not be individually
84 identified in the statement, but a sum representing the total amount of
85 all such contributions made by all such individuals during the period
86 to be covered by such statement shall be a separate entry, identified
87 only by the words "total contributions from small contributors".

88 (4) Statements filed in accordance with this section shall remain
89 public records of the state for five years from the date such statements
90 are filed.

GAE *Joint Favorable C/R*

PD

PD *Joint Favorable*

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: State Elections Enforcement Commission

Municipal Impact: None

Explanation**State and Municipal Impact:**

The bill requires candidates for the office of chief executive officer of a municipality to make certain disclosures on the campaign finance statements. These disclosures are subject to enforcement by the State Elections Enforcement Commission, which may result in a minimal increase of complaints received by the commission, but will result in no state or municipal fiscal impact.

OLR Bill Analysis

SB 330

AN ACT REQUIRING DISCLOSURE OF MUNICIPAL CONTRACTS HELD BY CERTAIN CONTRIBUTORS TO CANDIDATES FOR THE OFFICE OF CHIEF EXECUTIVE OFFICER OF A MUNICIPALITY.**SUMMARY:**

This bill requires candidates for the office of chief executive officer of a town, city, or borough to report in their campaign finance statements whether a contributor of more than \$250 has a contract with the municipality valued at more than \$5,000 or is associated with a business that does. The law allows an individual to contribute up to \$1,000 to a candidate for the office of municipal chief executive officer.

The bill requires contributors of more than \$250 to give campaign committees the necessary information when they make their contributions. It prohibits campaign treasurers from depositing an individual's contributions that exceed \$250 either separately or in the aggregate for the campaign unless he has the information required for reporting purposes. If the contributor fails to provide the information, the campaign treasurer must send a request for it by certified mail, return receipt requested, within three business days of receiving the contribution. If the contributor does not provide the information within 14 days after a treasurer's written request or by the end of the reporting period for the contribution, whichever is later, the treasurer must return the money. A contributor's failure to provide the information constitutes a complete defense to any action brought against a campaign treasurer for his failure to disclose it.

EFFECTIVE DATE: October 1, 2001

BACKGROUND***Business With Which An Individual is Associated***

The campaign finance law defines "business with which he is

associated” as one in which the contributor is a director, officer, owner, limited or general partner, or holder of 5% or more of the outstanding stock in any class. It limits “officer” to the president, executive or senior vice president, or treasurer.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Change of Reference

Yea 20 Nay 0

Planning and Development Committee

Joint Favorable Report

Yea 17 Nay 0