



Senate

General Assembly

File No. 222

January Session, 2003

Senate Bill No. 500

Senate, April 8, 2003

The Committee on Government Administration and Elections reported through SEN. DEFRONZO of the 6th 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 Section 1. Subsection (c) of section 9-333j of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2003*):

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

13 expenditure is made independently of the candidate supported or is an
14 in-kind contribution to the candidate, and a statement of the balance
15 on hand or deficit, as the case may be; (D) an itemized accounting of
16 each expense incurred but not paid; (E) the name and address of any
17 person who is the guarantor of a loan to, or the cosigner of a note with,
18 the candidate on whose behalf the committee was formed, or the
19 campaign treasurer in the case of a party committee or a political
20 committee or who has advanced a security deposit to a telephone
21 company, as defined in section 16-1, for telecommunications service
22 for a committee; (F) for each business entity or person purchasing
23 advertising space in a program for a fund-raising affair, the name and
24 address of the business entity and the name of the chief executive
25 officer of the business entity or the name and address of the person,
26 and the amount and aggregate amounts of such purchases; (G) for
27 each individual who contributes in excess of one hundred dollars but
28 not more than one thousand dollars, in the aggregate, to the extent
29 known, the principal occupation of such individual and the name of
30 the individual's employer, if any; (H) for each individual who
31 contributes in excess of one thousand dollars in the aggregate, the
32 principal occupation of such individual, the name of the individual's
33 employer, if any, and a statement indicating whether the individual or
34 a business with which he is associated has a contract with the state
35 which is valued at more than five thousand dollars; [and] (I) for each
36 itemized contribution made by a lobbyist, the spouse of a lobbyist or
37 any dependent child of a lobbyist who resides in the lobbyist's
38 household, a statement to that effect; and (J) for each individual who
39 contributes in excess of two hundred fifty dollars in the aggregate to or
40 for the benefit of any candidate's campaign for nomination at a
41 primary or election to the office of chief executive officer of a town, city
42 or borough, a statement indicating whether the individual or a
43 business with which he is associated has a contract with said
44 municipality that is valued at more than five thousand dollars. Each
45 campaign treasurer shall include in such statement an itemized
46 accounting of the receipts and expenditures relative to any testimonial
47 affair held under the provisions of section 9-333k or any other fund-

48 raising affair.

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

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

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

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>

GAE *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:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Elect. Enforcement Com.	GF - Cost	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill requires candidates for chief executive officer of a municipality to report in their campaign finance statements whether a contributor of more than \$250 has a contract with the municipality valued at over \$5,000. These disclosures are subject to enforcement by the State Elections Enforcement Commission (SEEC). This bill may increase the number of complaints received by SEEC, which may result in an increased workload for the commission. It is anticipated that the potential workload increase will not require additional funding.

OLR Bill Analysis

SB 500

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 in total has a contract with the municipality valued at more than \$5,000 or is associated with a business that does.

The bill requires these contributors to give campaign committees the contract information when they make their contributions. It prohibits campaign treasurers from depositing the contributions unless they have the information. If the contributor fails to provide the information, the campaign treasurer must request 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.

By law, individuals can contribute up to \$1,000 to a candidate for the office of municipal chief executive officer.

EFFECTIVE DATE: October 1, 2003

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 Report

Yea 17 Nay 0