



General Assembly

Substitute Bill No. 5159

January Session, 2003

AN ACT AMENDING CAMPAIGN FINANCE LAWS CONCERNING DEBIT CARD PAYMENTS, EXPENDITURES BY CANDIDATES FOR GOVERNOR AND LIEUTENANT-GOVERNOR, SURPLUSES OF REFERENDUM COMMITTEES, PROMOTIONAL CAMPAIGNS FEATURING CANDIDATES, SOLICITATION OF CONTRIBUTIONS BY MUNICIPAL DEPARTMENT HEADS AND AUTHORITY TO SUSPEND CERTAIN PARTY OR POLITICAL COMMITTEES.

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

1 Section 1. Subsections (e), (f) and (g) of section 9-333i of the general
2 statutes are repealed and the following is substituted in lieu thereof
3 (*Effective July 1, 2003*):

4 (e) (1) Any such payment shall be by check drawn by the campaign
5 treasurer, on the designated depository. Any payment in satisfaction of
6 any financial obligation incurred by a [party] committee may also be
7 made by debit card. (2) The campaign treasurer of each committee may
8 draw a check, not to exceed one hundred dollars, to establish a petty
9 cash fund and may deposit additional funds to maintain it, but the
10 fund shall not exceed one hundred dollars at any time. All
11 expenditures from a petty cash fund shall be reported in the same
12 manner as any other expenditure.

13 (f) The campaign treasurer shall preserve all internal records of
14 transactions entered in reports filed pursuant to section 9-333j, as
15 amended by this act, for four years from the date of the report in which

16 the transactions were entered. If any checks are issued pursuant to
17 subsection (e) of this section, the campaign treasurer who issues them
18 shall preserve all cancelled checks and bank statements for four years
19 from the date on which they are issued. If debit card payments are
20 made pursuant to subsection (e) of this section, the campaign treasurer
21 who makes said payments shall preserve all debit card slips and bank
22 statements for four years from the date on which the payments are
23 made. In the case of a candidate committee, the campaign treasurer or
24 the candidate, if the candidate so requests, shall preserve all internal
25 records, cancelled checks, debit cards slips and bank statements for
26 four years from the date of the last report required to be filed under
27 subsection (a) of section 9-333j.

28 (g) (1) As used in this subsection, (A) "the lawful purposes of his
29 committee" means: (i) For a candidate committee or exploratory
30 committee, the promoting of the nomination or election of the
31 candidate who established the committee, except that after a political
32 party nominates candidates for election to the offices of Governor and
33 Lieutenant Governor, whose names shall be so placed on the ballot in
34 the election that an elector will cast a single vote for both candidates,
35 as prescribed in section 9-181, a candidate committee established by
36 either such candidate may also promote the election of the other such
37 candidate; (ii) for a political committee, the promoting of the success or
38 defeat of candidates for nomination and election to public office or
39 position subject to the requirements of this chapter, or the success or
40 defeat of referendum questions, provided a political committee formed
41 for a single referendum question shall not promote the success or
42 defeat of any candidate, and provided further a political committee
43 designated by the majority of the members of a political party who are
44 also members of the state House of Representatives or the state Senate
45 may expend funds to defray costs of its members for conducting
46 legislative or constituency-related business which are not reimbursed
47 or paid by the state; and (iii) for a party committee, the promoting of
48 the party, the candidates of the party and continuing operating costs of
49 the party, and (B) "immediate family" means a spouse or dependent

50 child of a candidate who resides in the candidate's household.

51 (2) Unless otherwise provided by this chapter, any campaign
52 treasurer, in accomplishing the lawful purposes of his committee, may
53 pay the expenses of: (A) Advertising in electronic and print media; (B)
54 any other form of printed advertising or communications including
55 "thank you" advertising after the election; (C) campaign items,
56 including, but not limited to, brochures, leaflets, flyers, invitations,
57 stationery, envelopes, reply cards, return envelopes, campaign
58 business cards, direct mailings, postcards, palm cards, "thank you"
59 notes, sample ballots and other similar items; (D) political banners and
60 billboards; (E) political paraphernalia, which is customarily given or
61 sold to supporters including, but not limited to, campaign buttons,
62 stickers, pins, pencils, pens, matchbooks, balloons, pads, calendars,
63 magnets, key chains, hats, tee shirts, sweatshirts, frisbees, pot holders,
64 jar openers and other similar items; (F) purchasing office supplies for
65 campaign or political purposes, campaign photographs, raffle or other
66 fund-raising permits required by law, fund-raiser prizes, postage,
67 express mail delivery services, bulk mail permits, and computer
68 supplies and services; (G) banking service charges to maintain
69 campaign and political accounts; (H) subscriptions to newspapers and
70 periodicals which enhance the candidacy of the candidate or party; (I)
71 lease or rental of office space for campaign or political purposes and
72 expenses in connection therewith including, but not limited to,
73 furniture, parking, storage space, utilities and maintenance, provided a
74 party committee or political committee organized for ongoing political
75 activities may purchase such office space; (J) lease or rental of vehicles
76 for campaign use only; (K) lease, rental or use charges of any ordinary
77 and necessary campaign office equipment including, but not limited
78 to, copy machines, telephones, postage meters, facsimile machines,
79 computer hardware, software and printers, provided a party
80 committee or political committee organized for ongoing political
81 activities may purchase office equipment, and provided further that a
82 candidate committee or a political committee, other than a political
83 committee formed for ongoing political activities or an exploratory

84 committee, may purchase computer equipment; (L) compensation for
85 campaign or committee staff, fringe benefits and payroll taxes,
86 provided the candidate and any member of his immediate family shall
87 not receive compensation; (M) travel, meals and lodging expenses of
88 speakers, campaign or committee workers, the candidate and the
89 candidate's spouse for political and campaign purposes; (N) fund
90 raising; (O) reimbursements to candidates and campaign or committee
91 workers made in accordance with the provisions of section 9-333i, as
92 amended by this act, for campaign-related expenses for which a receipt
93 is received by the campaign treasurer; (P) campaign or committee
94 services of attorneys, accountants, consultants or other professional
95 persons for campaign activities, obtaining or contesting ballot status,
96 nomination, or election, and compliance with this chapter; (Q)
97 purchasing campaign finance reports; (R) repaying permissible
98 campaign loans made to the committee that are properly reported and
99 refunding contributions received from an impermissible source or in
100 excess of the limitations set forth in this chapter; (S) conducting polls
101 concerning any political party, issue, candidate or individual; (T) gifts
102 to campaign or committee workers or purchasing flowers or other
103 commemorative items for political purposes not to exceed fifty dollars
104 to any one recipient in a calendar year or for the campaign, as the case
105 may be; (U) purchasing tickets or advertising from charities, inaugural
106 committees, or other civic organizations if for a political purpose, for
107 any candidate, a candidate's spouse, a member of a candidate's
108 campaign staff, or members of committees; (V) the inauguration of an
109 elected candidate by that candidate's candidate committee; (W) hiring
110 of halls, rooms, music and other entertainment for political meetings
111 and events; (X) reasonable compensation for public speakers hired by
112 the committee; (Y) transporting electors to the polls and other get-out-
113 the-vote activities on election day; [J] and (Z) any other necessary
114 campaign or political expense.

115 (3) Nothing in this section shall prohibit a candidate from
116 purchasing equipment from his personal funds and leasing or renting
117 such equipment to his candidate committee or his exploratory

118 committee, provided the candidate and his campaign treasurer sign a
119 written lease or rental agreement. Such agreement shall include the
120 lease or rental price, which shall not exceed the fair lease or rental
121 value of the equipment. The candidate shall not receive lease or rental
122 payments which in the aggregate exceed his cost of purchasing the
123 equipment.

124 (4) As used in this subdivision, expenditures for "personal use"
125 include expenditures to defray normal living expenses for the
126 candidate or the immediate family of the candidate and expenditures
127 for the personal benefit of the candidate having no direct connection
128 with, or effect upon, the campaign of the candidate. No goods,
129 services, funds and contributions received by any committee under
130 this chapter shall be used or be made available for the personal use of
131 any candidate. No candidate or candidate committee shall use such
132 goods, services, funds or contributions for any purpose other than
133 campaign purposes permitted by this chapter or expenses incurred in
134 preparation for taking office.

135 Sec. 2. Subsection (e) of section 9-333j of the general statutes is
136 repealed and the following is substituted in lieu thereof (*Effective July*
137 *1, 2003*):

138 (e) (1) Notwithstanding any provisions of this chapter to the
139 contrary, in the event of a surplus the campaign treasurer of a
140 candidate committee or of a political committee, other than a political
141 committee formed for ongoing political activities or an exploratory
142 committee, shall distribute or expend such surplus within ninety days
143 after a primary which results in the defeat of the candidate, an election
144 or referendum, in the following manner:

145 (A) Such committees may distribute their surplus to a party
146 committee, or a political committee organized for ongoing political
147 activities, return such surplus to all contributors to the committee on a
148 prorated basis of contribution, or distribute such surplus to any
149 charitable organization which is a tax-exempt organization under

150 Section 501(c)(3) of the Internal Revenue Code of 1986, or any
151 subsequent corresponding internal revenue code of the United States,
152 as from time to time amended, provided no candidate committee may
153 distribute such surplus to a committee which has been established to
154 finance future political campaigns of the candidate;

155 (B) Each such political committee established by an organization
156 which received its funds from the organization's treasury shall return
157 its surplus to its sponsoring organization;

158 (C) (i) Each political committee formed solely to aid or promote the
159 success or defeat of any referendum question, which does not receive
160 contributions from a business entity or an organization, shall distribute
161 its surplus to a party committee, to a political committee organized for
162 ongoing political activities, to a national committee of a political party,
163 to all contributors to the committee on a prorated basis of contribution,
164 to state or municipal governments or agencies or to any organization
165 which is a tax-exempt organization under Section 501(c)(3) of the
166 Internal Revenue Code of 1986, or any subsequent corresponding
167 internal revenue code of the United States, as from time to time
168 amended, (ii) each political committee formed solely to aid or promote
169 the success or defeat of any referendum question, which receives
170 contributions from a business entity or an organization, shall distribute
171 its surplus to all contributors to the committee on a prorated basis of
172 contribution, to state or municipal governments or agencies, or to any
173 organization which is tax-exempt under said provisions of the Internal
174 Revenue Code. Notwithstanding the provisions of this subsection, a
175 committee formed for a single referendum shall not be required to
176 expend its surplus within ninety days after the referendum and may
177 continue in existence if a substantially similar referendum question on
178 the same issue will be submitted to the electorate within six months
179 after the first referendum. If two or more substantially similar
180 referenda on the same issue are submitted to the electorate, each no
181 more than six months apart, the committee shall expend such surplus
182 within ninety days following the date of the last such referendum;

183 (D) The campaign treasurer of the candidate committee of a
184 candidate who is elected to office may, upon the authorization of such
185 candidate, expend surplus campaign funds to pay for the cost of
186 clerical, secretarial or other office expenses necessarily incurred by
187 such candidate in preparation for taking office; except such surplus
188 shall not be distributed for the personal benefit of any individual or to
189 any organization; and

190 (E) The campaign treasurer of a candidate committee, or of a
191 political committee, other than a political committee formed for
192 ongoing political activities or an exploratory committee, shall, prior to
193 the dissolution of such committee, either (i) distribute any equipment
194 purchased, including but not limited to computer equipment, to any
195 recipient as set forth in subparagraph (A) of this subdivision, or (ii) sell
196 any equipment purchased, including but not limited to computer
197 equipment, to any person for fair market value and then distribute the
198 proceeds of such sale to any recipient as set forth in said subparagraph
199 (A).

200 (2) Notwithstanding any provisions of this chapter to the contrary,
201 the campaign treasurer of the candidate committee of a candidate who
202 has withdrawn from a primary or election may, prior to the primary or
203 election, distribute its surplus to any organization which is tax-exempt
204 under Section 501(c)(3) of the Internal Revenue Code of 1986, or any
205 subsequent corresponding internal revenue code of the United States,
206 as from time to time amended, or return such surplus to all
207 contributors to the committee on a prorated basis of contribution.

208 (3) Within seven days after such distribution or within seven days
209 after all funds have been expended in accordance with subparagraph
210 (D) of subdivision (1) of this subsection, the campaign treasurer shall
211 file a supplemental statement, sworn under penalty of false statement,
212 with the proper authority, identifying all further contributions
213 received since the previous statement and explaining how any surplus
214 has been distributed or expended in accordance with this section. No
215 surplus may be distributed or expended until after the election,

216 primary or referendum.

217 (4) In the event of a deficit the campaign treasurer shall file a
218 supplemental statement ninety days after the election, primary or
219 referendum with the proper authority and, thereafter, on the seventh
220 day of each month following if on the last day of the previous month
221 there was an increase or decrease in the deficit in excess of five
222 hundred dollars from that reported on the last statement filed. The
223 campaign treasurer shall file such supplemental statements as required
224 until the deficit is eliminated. If any such committee does not have a
225 surplus or a deficit, the statement required to be filed within forty-five
226 days following any election or referendum or within thirty days
227 following any primary shall be the last required statement.

228 Sec. 3. Subsection (d) of section 9-333l of the general statutes is
229 repealed and the following is substituted in lieu thereof (*Effective July*
230 *1, 2003*):

231 (d) (1) No incumbent holding office shall, during the three months
232 preceding an election in which he is a candidate for reelection or
233 election to another office, use public funds to mail or print flyers or
234 other promotional materials intended to bring about his election or
235 reelection.

236 (2) No official or employee of the state or a political subdivision of
237 the state shall authorize the use of public funds for a television, radio,
238 movie theater, billboard, bus poster, newspaper or magazine
239 promotional campaign or advertisement, which (A) features the name,
240 face or voice of a candidate for public office, or (B) promotes the
241 nomination or election of a candidate for public office, during the five-
242 month period preceding the election being held for the office which the
243 candidate described in this subdivision is seeking.

244 Sec. 4. Section 9-333r of the general statutes is repealed and the
245 following is substituted in lieu thereof (*Effective July 1, 2003*):

246 (a) A candidate committee shall not make contributions to, or for the

247 benefit of, (1) a party committee, (2) a political committee, except to a
248 political committee which has been formed for a slate of convention
249 delegates in a primary, (3) a committee of a candidate for federal or
250 out-of-state office, (4) a national committee, or (5) another candidate
251 committee except that (A) a pro rata sharing of certain expenses in
252 accordance with subsection (b) of section 9-333l shall be permitted, and
253 (B) after a political party nominates candidates for election to the
254 offices of Governor and Lieutenant Governor, whose names shall be so
255 placed on the ballot in the election that an elector will cast a single vote
256 for both candidates, as prescribed in section 9-181, an expenditure by a
257 candidate committee established by either such candidate that benefits
258 the candidate committee established by the other such candidate shall
259 be permitted.

260 (b) A candidate committee shall not receive contributions from any
261 national committee or from a committee of a candidate for federal or
262 out-of-state office.

263 Sec. 5. Section 9-333x of the general statutes is repealed and the
264 following is substituted in lieu thereof (*Effective July 1, 2003*):

265 The following persons shall be guilty of illegal practices and shall be
266 punished in accordance with the provisions of section 9-333y:

267 (1) Any person who, directly or indirectly, individually or by
268 another person, gives or offers or promises to any person any money,
269 gift, advantage, preferment, entertainment, aid, emolument or other
270 valuable thing for the purpose of inducing or procuring any person to
271 sign a nominating, primary or referendum petition or to vote or refrain
272 from voting for or against any person or for or against any measure at
273 any election, caucus, convention, primary or referendum;

274 (2) Any person who, directly or indirectly, receives, accepts,
275 requests or solicits from any person, committee, association,
276 organization or corporation, any money, gift, advantage, preferment,
277 aid, emolument or other valuable thing for the purpose of inducing or
278 procuring any person to sign a nominating, primary or referendum

279 petition or to vote or refrain from voting for or against any person or
280 for or against any measure at any such election, caucus, primary or
281 referendum;

282 (3) Any person who, in consideration of any money, gift, advantage,
283 preferment, aid, emolument or other valuable thing paid, received,
284 accepted or promised to the person's advantage or any other person's
285 advantage, votes or refrains from voting for or against any person or
286 for or against any measure at any such election, caucus, primary or
287 referendum;

288 (4) Any person who solicits from any candidate any money, gift,
289 contribution, emolument or other valuable thing for the purpose of
290 using the same for the support, assistance, benefit or expenses of any
291 club, company or organization, or for the purpose of defraying the cost
292 or expenses of any political campaign, primary, referendum or
293 election;

294 (5) Any person who, directly or indirectly, pays, gives, contributes
295 or promises any money or other valuable thing to defray or towards
296 defraying the cost or expenses of any campaign, primary, referendum
297 or election to any person, committee, company, club, organization or
298 association, other than to a campaign treasurer, except that this
299 subdivision shall not apply to any expenses for postage, telegrams,
300 telephoning, stationery, express charges, traveling, meals, lodging or
301 photocopying incurred by any candidate for office or for nomination to
302 office, so far as may be permitted under the provisions of this chapter;

303 (6) Any person who, in order to secure or promote the person's own
304 nomination or election as a candidate, or that of any other person,
305 directly or indirectly, promises to appoint, or promises to secure or
306 assist in securing the appointment, nomination or election of any other
307 person to any public position, or to any position of honor, trust or
308 emolument; but any person may publicly announce the person's own
309 choice or purpose in relation to any appointment, nomination or
310 election in which the person may be called to take part, if the person is

311 nominated for or elected to such office;

312 (7) Any person who, directly or indirectly, individually or through
313 another person, makes a payment or promise of payment to a
314 campaign treasurer in a name other than the person's own, and any
315 campaign treasurer who knowingly receives a payment or promise of
316 payment, or enters or causes the same to be entered in the person's
317 accounts in any other name than that of the person by whom such
318 payment or promise of payment is made;

319 (8) Any person who knowingly and wilfully violates any provision
320 of this chapter;

321 (9) Any person who offers or receives a cash contribution in excess
322 of one hundred dollars to promote the success or defeat of any political
323 party, candidate or referendum question;

324 (10) Any person who solicits, makes or receives a contribution that
325 is otherwise prohibited by any provision of this chapter; or

326 (11) Any department head or deputy department head of a [state]
327 department of the state or a political subdivision of the state who
328 solicits a contribution on behalf of, or for the benefit of, any candidate
329 for state, district or municipal office or any political party.

330 Sec. 6. Section 9-7b of the general statutes is repealed and the
331 following is substituted in lieu thereof (*Effective July 1, 2003*):

332 (a) The State Elections Enforcement Commission shall have the
333 following duties and powers:

334 (1) To make investigations on its own initiative or with respect to
335 statements filed with the commission by the Secretary of the State or
336 any town clerk, or upon written complaint under oath by any
337 individual, with respect to alleged violations of any provision of the
338 general statutes relating to any election or referendum, any primary
339 held pursuant to section 9-423, 9-424, 9-425 or 9-464 or any primary
340 held pursuant to a special act, and to hold hearings when the

341 commission deems necessary to investigate violations of any
342 provisions of the general statutes relating to any such election, primary
343 or referendum, and for the purpose of such hearings the commission
344 may administer oaths, examine witnesses and receive oral and
345 documentary evidence, and shall have the power to subpoena
346 witnesses under procedural rules the commission shall adopt, to
347 compel their attendance and to require the production for examination
348 of any books and papers which the commission deems relevant to any
349 matter under investigation or in question. In connection with its
350 investigation of any alleged violation of any provision of chapter 145,
351 or of any provision of section 9-359 or section 9-359a, the commission
352 shall also have the power to subpoena any municipal clerk and to
353 require the production for examination of any absentee ballot, inner
354 and outer envelope from which any such ballot has been removed,
355 depository envelope containing any such ballot or inner or outer
356 envelope as provided in sections 9-150a and 9-150b and any other
357 record, form or document as provided in section 9-150b, in connection
358 with the election, primary or referendum to which the investigation
359 relates. In case of a refusal to comply with any subpoena issued
360 pursuant to this subsection or to testify with respect to any matter
361 upon which that person may be lawfully interrogated, the superior
362 court for the judicial district of Hartford, on application of the
363 commission, may issue an order requiring such person to comply with
364 such subpoena and to testify; failure to obey any such order of the
365 court may be punished by the court as a contempt thereof. In any
366 matter under investigation which concerns the operation or inspection
367 of or outcome recorded on any voting machine, the commission may
368 issue an order to the municipal clerk to impound such machine until
369 the investigation is completed;

370 (2) To levy a civil penalty not to exceed (A) two thousand dollars
371 per offense against any person the commission finds to be in violation
372 of any provision of chapter 145, part V of chapter 146, part I of chapter
373 147, chapter 148, section 9-12, subsection (a) of section 9-17, section 9-
374 19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h, 9-23j to 9-

375 23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-
376 50a, 9-56, 9-59, 9-168d, 9-170, 9-171, 9-172, 9-409, 9-410, 9-412, 9-436, 9-
377 436a, 9-453e to 9-453h, inclusive, 9-453k or 9-453o, or (B) two thousand
378 dollars per offense or twice the amount of any improper payment or
379 contribution, whichever is greater, against any person the commission
380 finds to be in violation of any provision of chapter 150. The
381 commission may levy a civil penalty against any person under
382 subparagraph (A) or (B) of this subdivision only after giving the
383 person an opportunity to be heard at a hearing conducted in
384 accordance with sections 4-176e to 4-184, inclusive. In the case of
385 failure to pay any such penalty levied pursuant to this subsection
386 within thirty days of written notice sent by certified or registered mail
387 to such person, the superior court for the judicial district of Hartford,
388 on application of the commission, may issue an order requiring such
389 person to pay the penalty imposed and such court costs, state
390 marshal's fees and attorney's fees incurred by the commission as the
391 court may determine. Any civil penalties paid, collected or recovered
392 under subparagraph (B) of this subdivision for a violation of any
393 provision of chapter 150 applying to the office of the Treasurer shall be
394 deposited on a pro rata basis in any trust funds, as defined in section 3-
395 13c, affected by such violation;

396 (3) (A) To issue an order requiring any person the commission finds
397 to have received any contribution or payment which is prohibited by
398 any of the provisions of chapter 150, after an opportunity to be heard
399 at a hearing conducted in accordance with the provisions of sections 4-
400 176e to 4-184, inclusive, to return such contribution or payment to the
401 donor or payor, or to remit such contribution or payment to the state
402 for deposit in the General Fund, whichever is deemed necessary to
403 effectuate the purposes of chapter 150;

404 (B) To issue an order when the commission finds that an intentional
405 violation of any provision of chapter 150 has been committed, after an
406 opportunity to be heard at a hearing conducted in accordance with
407 sections 4-176e to 4-184, inclusive, which order may contain one or
408 more of the following sanctions: (i) Removal of a campaign treasurer,

409 deputy campaign treasurer or solicitor; [or] (ii) prohibition on serving
410 as a campaign treasurer, deputy campaign treasurer or solicitor, for a
411 period not to exceed four years; and (iii) in the case of a party
412 committee or a political committee, suspension of all political
413 activities, including, but not limited to, the receipt of contributions and
414 the making of expenditures, provided the commission may not order
415 such a suspension unless the commission has previously ordered the
416 removal of the campaign treasurer and notifies the officers of the
417 committee that the commission is considering such suspension;

418 (C) To issue an order revoking any person's eligibility to be
419 appointed or serve as an election, primary or referendum official or
420 unofficial checker or in any capacity at the polls on the day of an
421 election, primary or referendum, when the commission finds such
422 person has intentionally violated any provision of the general statutes
423 relating to the conduct of an election, primary or referendum, after an
424 opportunity to be heard at a hearing conducted in accordance with
425 sections 4-176e to 4-184, inclusive;

426 (4) To inspect or audit at any reasonable time and upon reasonable
427 notice the accounts or records of any campaign treasurer or principal
428 campaign treasurer, as required by chapter 150 and to audit any such
429 election, primary or referendum held within the state; provided, it
430 shall not audit any caucus, as defined in subdivision (1) of section 9-
431 372;

432 (5) To attempt to secure voluntary compliance, by informal methods
433 of conference, conciliation and persuasion, with any provision of
434 chapters 149 to 153, inclusive, or any other provision of the general
435 statutes relating to any such election, primary or referendum;

436 (6) To consult with the Secretary of the State, the Chief State's
437 Attorney or the Attorney General on any matter which the commission
438 deems appropriate;

439 (7) To refer to the Chief State's Attorney evidence bearing upon
440 violation of any provision of chapters 149 to 153, inclusive, or any

441 other provision of the general statutes pertaining to or relating to any
442 such election, primary or referendum;

443 (8) To refer to the Attorney General evidence for injunctive relief
444 and any other ancillary equitable relief in the circumstances of
445 subdivision (7) of this section. Nothing in this subdivision shall
446 preclude a person who claims that he is aggrieved by a violation of any
447 provision of chapter 152 or any other provision of the general statutes
448 relating to referenda from pursuing injunctive and any other ancillary
449 equitable relief directly from the Superior Court by the filing of a
450 complaint;

451 (9) To refer to the Attorney General evidence pertaining to any
452 ruling which the commission finds to be in error made by election
453 officials in connection with any election, primary or referendum. Those
454 remedies and procedures available to parties claiming to be aggrieved
455 under the provisions of sections 9-323, 9-324, 9-328 and 9-329a shall
456 apply to any complaint brought by the Attorney General as a result of
457 the provisions of this subdivision;

458 (10) To consult with the United States Department of Justice and the
459 United States Attorney for Connecticut on any investigation pertaining
460 to a violation of this section, section 9-12, subsection (a) of section 9-17
461 or section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-
462 23h, 9-23j to 9-23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a,
463 9-42, 9-43, 9-50a, 9-56 or 9-59 and to refer to said department and
464 attorney evidence bearing upon any such violation for prosecution
465 under the provisions of the National Voter Registration Act of 1993,
466 P.L. 103-31, as amended from time to time;

467 (11) To inspect reports filed with the Secretary of the State and with
468 town clerks pursuant to chapter 150 and refer to the Chief State's
469 Attorney evidence bearing upon any violation of law therein if such
470 violation was committed knowingly and wilfully;

471 (12) To intervene in any action brought pursuant to the provisions
472 of sections 9-323, 9-324, 9-328 and 9-329a upon application to the court

473 in which such action is brought when in the opinion of the court it is
474 necessary to preserve evidence of possible criminal violation of the
475 election laws;

476 (13) To adopt and publish regulations pursuant to chapter 54 to
477 carry out the provisions of section 9-7a, this section and chapter 150; to
478 issue upon request and publish advisory opinions in the Connecticut
479 Law Journal upon the requirements of chapter 150, and to make
480 recommendations to the General Assembly concerning suggested
481 revisions of the election laws;

482 (14) To the extent that the Elections Enforcement Commission is
483 involved in the investigation of alleged or suspected criminal
484 violations of any provision of the general statutes pertaining to or
485 relating to any such election, primary or referendum and is engaged in
486 such investigation for the purpose of presenting evidence to the Chief
487 State's Attorney, the Elections Enforcement Commission shall be
488 deemed a law enforcement agency for purposes of subdivision (3) of
489 subsection (b) of section 1-210, provided nothing in this section shall be
490 construed to exempt the Elections Enforcement Commission in any
491 other respect from the requirements of the Freedom of Information
492 Act, as defined in section 1-200;

493 (15) To enter into such contractual agreements as may be necessary
494 for the discharge of its duties, within the limits of its appropriated
495 funds and in accordance with established procedures; and

496 (16) To provide the Secretary of the State with notice and copies of
497 all decisions rendered by the commission in contested cases, advisory
498 opinions and declaratory judgments, at the time such decisions,
499 judgments and opinions are made or issued.

500 (b) In the case of a refusal to comply with an order of the
501 commission issued pursuant to subdivision (3) of subsection (a) of this
502 section, the superior court for the judicial district of Hartford, on
503 application of the commission, may issue a further order to comply.
504 Failure to obey such further order may be punished by the court as a

505 contempt thereof.

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>
Sec. 2	<i>July 1, 2003</i>
Sec. 3	<i>July 1, 2003</i>
Sec. 4	<i>July 1, 2003</i>
Sec. 5	<i>July 1, 2003</i>
Sec. 6	<i>July 1, 2003</i>

GAE *Joint Favorable Subst.*