



General Assembly

January Session, 2003

Raised Bill No. 5162

LCO No. 817

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING SURPLUSES OF COMMITTEES FORMED FOR A SINGLE REFERENDUM.

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

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2 repealed and the following is substituted in lieu thereof (*Effective July*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

4 (e) (1) Notwithstanding any provisions of this chapter to the
5 contrary, in the event of a surplus the campaign treasurer of a
6 candidate committee or of a political committee, other than a political
7 committee formed for ongoing political activities or an exploratory
8 committee shall distribute or expend such surplus within ninety days
9 after a primary which results in the defeat of the candidate, an election
10 or referendum, in the following manner:

11 (A) Such committees may distribute their surplus to a party
12 committee, or a political committee organized for ongoing political
13 activities, return such surplus to all contributors to the committee on a
14 prorated basis of contribution, or distribute such surplus to any

15 charitable organization which is a tax-exempt organization under
16 Section 501(c)(3) of the Internal Revenue Code of 1986, or any
17 subsequent corresponding internal revenue code of the United States,
18 as from time to time amended, provided no candidate committee may
19 distribute such surplus to a committee which has been established to
20 finance future political campaigns of the candidate;

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

24 (C) (i) Each political committee formed solely to aid or promote the
25 success or defeat of any referendum question, which does not receive
26 contributions from a business entity or an organization, shall distribute
27 its surplus to a party committee, to a political committee organized for
28 ongoing political activities, to a national committee of a political party,
29 to all contributors to the committee on a prorated basis of contribution,
30 to state or municipal governments or agencies or to any organization
31 which is a tax-exempt organization under Section 501(c)(3) of the
32 Internal Revenue Code of 1986, or any subsequent corresponding
33 internal revenue code of the United States, as from time to time
34 amended, (ii) each political committee formed solely to aid or promote
35 the success or defeat of any referendum question, which receives
36 contributions from a business entity or an organization, shall distribute
37 its surplus to all contributors to the committee on a prorated basis of
38 contribution, to state or municipal governments or agencies, or to any
39 organization which is tax-exempt under said provisions of the Internal
40 Revenue Code. Notwithstanding the provisions of this subsection, a
41 committee formed for a single referendum shall not be required to
42 expend its surplus within ninety days after the referendum and may
43 continue in existence if a substantially similar referendum question on
44 the same issue will be submitted to the electorate within six months
45 after the first referendum. If two or more substantially similar
46 referenda on the same issue are submitted to the electorate, each no
47 more than six months apart, the committee shall expend such surplus

48 within ninety days following the date of the last such referendum;

49 (D) The campaign treasurer of the candidate committee of a
50 candidate who is elected to office may, upon the authorization of such
51 candidate, expend surplus campaign funds to pay for the cost of
52 clerical, secretarial or other office expenses necessarily incurred by
53 such candidate in preparation for taking office; except such surplus
54 shall not be distributed for the personal benefit of any individual or to
55 any organization; and

56 (E) The campaign treasurer of a candidate committee, or of a
57 political committee, other than a political committee formed for
58 ongoing political activities or an exploratory committee, shall, prior to
59 the dissolution of such committee, either (i) distribute any equipment
60 purchased, including but not limited to computer equipment, to any
61 recipient as set forth in subparagraph (A) of this subdivision or (ii) sell
62 any equipment purchased, including but not limited to computer
63 equipment, to any person for fair market value and then distribute the
64 proceeds of such sale to any recipient as set forth in said subparagraph
65 (A).

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

74 (3) Within seven days after such distribution or within seven days
75 after all funds have been expended in accordance with subparagraph
76 (D) of subdivision (1) of this subsection, the campaign treasurer shall
77 file a supplemental statement, sworn under penalty of false statement,
78 with the proper authority, identifying all further contributions
79 received since the previous statement and explaining how any surplus

80 has been distributed or expended in accordance with this section. No
81 surplus may be distributed or expended until after the election,
82 primary or referendum.

83 (4) In the event of a deficit the campaign treasurer shall file a
84 supplemental statement ninety days after the election, primary or
85 referendum with the proper authority and, thereafter, on the seventh
86 day of each month following if on the last day of the previous month
87 there was an increase or decrease in the deficit in excess of five
88 hundred dollars from that reported on the last statement filed. The
89 campaign treasurer shall file such supplemental statements as required
90 until the deficit is eliminated. If any such committee does not have a
91 surplus or a deficit, the statement required to be filed within forty-five
92 days following any election or referendum or within thirty days
93 following any primary shall be the last required statement.

This act shall take effect as follows:	
Section 1	July 1, 2003

Statement of Purpose:

To allow a committee formed for a single referendum to continue in existence if a similar referendum question will be submitted to the electorate within six months. The committee would not be required to disburse its surplus until after the subsequent referendum.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]