



General Assembly

Substitute Bill No. 89

January Session, 2003

AN ACT AMENDING CAMPAIGN FINANCE LAWS CONCERNING DELEGATES TO A UNITED STATES SENATORIAL OR CONGRESSIONAL DISTRICT CONVENTION, REGISTRATION AND REPORTING REQUIREMENTS, JOINT CAMPAIGN FUND-RAISING EVENTS AND REIMBURSEMENT OF EXPENDITURES MADE BY ONE CANDIDATE COMMITTEE FOR ANOTHER CANDIDATE COMMITTEE.

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

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 Section 9-333 of the general statutes is repealed and the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

3 This chapter applies to: (1) The election, and all primaries
4 preliminary thereto, of all public officials, except presidential electors,
5 United States senators and members in Congress, (2) any referendum
6 question, and (3) persons who are candidates in a primary for
7 convention delegates, including convention delegates to a United
8 States senatorial or congressional district convention. This chapter also
9 applies, except for the provisions of sections 9-333m to 9-333v,
10 inclusive, to persons who are candidates in a primary for town
11 committee members.

12 Sec. 2. Section 9-333f of the general statutes is repealed and the
13 following is substituted in lieu thereof (*Effective July 1, 2003*):

14 (a) Each candidate for a particular public office or the position of
15 town committee member shall form a single candidate committee for
16 which he shall designate a campaign treasurer and a depository

17 institution situated in this state as the depository for the committee's
18 funds and shall file a committee statement containing such
19 designations, not later than ten days after becoming a candidate, with
20 the proper authority as required by section 9-333e. The candidate may
21 also designate a deputy campaign treasurer on such committee
22 statement. The campaign treasurer and any deputy campaign treasurer
23 so designated shall sign a statement accepting such designation which
24 the candidate shall include as part of, or file with, the committee
25 statement.

26 (b) The formation of a candidate committee by a candidate and the
27 filing of statements pursuant to section 9-333j, as amended by this act,
28 shall not be required if the candidate files a certification with the
29 proper authority required by section 9-333e, [at any time prior to the
30 acceptance of a contribution or making of an expenditure] not later
31 than ten days after becoming a candidate, and any of the following
32 conditions exist for the campaign: (1) The candidate is one of a slate of
33 candidates whose campaigns are funded solely by a party committee
34 or a political committee formed for a single election or primary and
35 expenditures made on behalf of the candidate's campaign are reported
36 by the committee sponsoring the candidate's candidacy; (2) the
37 candidate finances the candidate's campaign entirely from personal
38 funds and does not solicit or receive contributions, provided if said
39 candidate personally makes an expenditure or expenditures in excess
40 of one thousand dollars to, or for the benefit of, said candidate's
41 campaign for nomination at a primary or election to an office or
42 position, said candidate shall file statements according to the same
43 schedule and in the same manner as is required of a campaign
44 treasurer of a candidate committee under section 9-333j, as amended
45 by this act; [or] (3) the candidate does not receive or expend funds in
46 excess of one thousand dollars; or (4) the candidate does not receive or
47 expend any funds, including personal funds, for the candidate's
48 campaign. If the candidate no longer qualifies for the exemption under
49 any of these conditions, the candidate shall comply with the provisions
50 of subsection (a) of this section, not later than three business days

51 thereafter and shall provide the candidate's designated campaign
52 treasurer with all information required for completion of the
53 treasurer's statements and filings as required by section 9-333j, as
54 amended by this act. If the candidate no longer qualifies for the
55 exemption due to the condition stated in the candidate's certification
56 but so qualifies due to a different condition specified in this subsection,
57 the candidate shall file an amended certification with the proper
58 authority and provide the new condition for the candidate's
59 qualification not later than three business days following the change in
60 circumstances of the financing of the candidate's campaign. The filing
61 of a certification under this subsection shall not relieve the candidate
62 from compliance with the provisions of this chapter.

63 (c) The chairman of a political committee formed to support a single
64 candidate for public office shall, not later than seven days after filing a
65 statement of organization with the proper authority under section 9-
66 333e, send the candidate a notice, by certified mail, of such filing. If a
67 candidate (1) does not, within fourteen days after receiving such
68 notice, disavow such committee, in writing, to the proper authority
69 under section 9-333e, or (2) disavows such committee within such
70 period, but, at any time before such disavowal, accepts funds from the
71 committee for his campaign, such committee shall be deemed to have
72 been authorized by such candidate and shall constitute a candidate
73 committee for the purposes of this chapter. No candidate shall
74 establish, agree to or assist in establishing, or give his consent or
75 authorization to establishing a committee other than a single candidate
76 committee to promote his candidacy for any public office except that a
77 candidate may establish a single political committee, for a single
78 election or primary, for the sole purpose of determining whether to
79 seek (A) nomination or election to the General Assembly, (B) a state
80 office, as defined in subsection (e) of section 9-333l, or (C) nomination
81 or election to any other public office. The candidate shall designate
82 such purpose on the statement of organization. Not later than fifteen
83 days after a public declaration by the candidate of his intention to seek
84 nomination or election to the General Assembly, a state office, as so

85 defined, or any other particular public office, the candidate shall form
86 a single candidate committee.

87 (d) A slate of candidates in a primary for the position of delegate to
88 the same convention shall designate a chairperson to form a single
89 political committee to comply with the requirements of section 9-333g,
90 except (1) if the individuals on the slate unanimously consent to have
91 their campaign financed solely by a town committee or by the
92 candidate committee of a candidate for state or district office to which
93 they are committed, and such committee or candidate consents to such
94 financing by filing a statement of consent with both the Secretary of the
95 State and the town clerk of the municipality in which the primary is to
96 be held, or (2) in the case of a primary for convention delegates to a
97 United States senatorial or congressional district convention, the
98 candidate on whose behalf the slate is committed has filed a
99 registration of a committee with the Federal Election Commission, and
100 that committee is solely financing the primary campaign for said
101 delegates.

102 Sec. 3. Subsection (a) of section 9-333j of the general statutes is
103 repealed and the following is substituted in lieu thereof (*Effective July*
104 *1, 2003*):

105 (a) (1) Each campaign treasurer of a committee, other than a state
106 central committee, shall file a statement, sworn under penalty of false
107 statement with the proper authority in accordance with the provisions
108 of section 9-333e, (A) on the second Thursday in the months of
109 January, April, July and October, except that the campaign treasurer of
110 a candidate committee established for the purpose of an election held
111 in November shall not be required to file a statement on the second
112 Thursday in January, (B) on the seventh day preceding each regular
113 state election, except that (i) in the case of a candidate or exploratory
114 committee established for an office to be elected at a municipal
115 election, the statement shall be filed on the seventh day preceding a
116 regular municipal election in lieu of such date, and (ii) in the case of a
117 town committee, the statement shall be filed on the seventh day

118 preceding each municipal election in addition to such date, and (C) if
119 the committee has made or received a contribution or expenditure in
120 connection with any other election, a primary or a referendum, on the
121 seventh day preceding the election, primary or referendum. The
122 statement shall be complete as of seven days immediately preceding
123 the required filing day, and shall cover a period to begin with the first
124 day not included in the last filed statement except that the January
125 statement, when filed by a party committee or a political committee
126 organized for the purpose of ongoing political activities, shall cover all
127 contributions made or received and all expenditures made as of
128 midnight on December thirty-first of the preceding calendar year.

129 (2) Each campaign treasurer of a candidate committee, within forty-
130 five days following any election and within thirty days following any
131 primary, and each campaign treasurer of a political committee formed
132 for a single primary, election or referendum, within forty-five days
133 after any election or referendum, shall file statements in the same
134 manner as is required of them under subdivision (1) of this subsection.
135 If the campaign treasurer of a candidate committee established by a
136 candidate, who is unsuccessful in the primary or has terminated his
137 candidacy prior to the primary, distributes all surplus funds within
138 thirty days following the scheduled primary and discloses the
139 distribution on the postprimary statement, such campaign treasurer
140 shall not be required to file any subsequent statement unless the
141 committee has a deficit, in which case he shall file any required
142 statements in accordance with the provisions of subdivision (3) of
143 subsection (e) of this section.

144 (3) In the case of state central committees, on each January thirtieth,
145 April tenth and July tenth, and on the twelfth day preceding any
146 election, the campaign treasurer of each such committee shall file with
147 the proper authority, a statement, sworn under penalty of false
148 statement, complete as of the last day of the month immediately
149 preceding the month in which such statement is to be filed in the case
150 of statements required to be filed in January, April and July, and
151 complete as of the nineteenth day preceding an election, in the case of

152 the statement required to be filed on the twelfth day preceding an
153 election, and in each case covering a period to begin with the first day
154 not included in the last filed statement.

155 Sec. 4. Subdivision (1) of subsection (c) of section 9-333j of the
156 general statutes is repealed and the following is substituted in lieu
157 thereof (*Effective July 1, 2003*):

158 (c) (1) Each statement filed under subsection (a), (e) or (f) of this
159 section shall include, but not be limited to: (A) An itemized accounting
160 of each contribution, if any, including the full name and complete
161 address of each contributor and the amount of the contribution; (B) in
162 the case of anonymous contributions, the total amount received and
163 the denomination of the bills; (C) an itemized accounting of each
164 expenditure, if any, including the full name and complete address of
165 each payee, the amount and the purpose of the expenditure, the
166 candidate supported or opposed by the expenditure, whether the
167 expenditure is made independently of the candidate supported or is an
168 in-kind contribution to the candidate, and a statement of the balance
169 on hand or deficit, as the case may be; (D) an itemized accounting of
170 each expense incurred but not paid; (E) the name and address of any
171 person who is the guarantor of a loan to, or the cosigner of a note with,
172 the candidate on whose behalf the committee was formed, or the
173 campaign treasurer in the case of a party committee or a political
174 committee or who has advanced a security deposit to a telephone
175 company, as defined in section 16-1, for telecommunications service
176 for a committee; (F) for each business entity or person purchasing
177 advertising space in a program for a fund-raising affair, the name and
178 address of the business entity and the name of the chief executive
179 officer of the business entity or the name and address of the person,
180 and the amount and aggregate amounts of such purchases; (G) for
181 each individual who contributes in excess of one hundred dollars but
182 not more than one thousand dollars, in the aggregate, to the extent
183 known, the principal occupation of such individual and the name of
184 the individual's employer, if any; (H) for each individual who
185 contributes in excess of one thousand dollars in the aggregate, the

186 principal occupation of such individual, the name of the individual's
187 employer, if any, and a statement indicating whether the individual or
188 a business with which he is associated has a contract with the state
189 which is valued at more than five thousand dollars; and (I) for each
190 itemized contribution made by a lobbyist, the spouse of a lobbyist or
191 any dependent child of a lobbyist who resides in the lobbyist's
192 household, a statement to that effect. Each campaign treasurer shall
193 include in such statement an itemized accounting of the receipts and
194 expenditures relative to any testimonial affair held under the
195 provisions of section 9-333k or any other fund-raising affair and the
196 date, location and a description of the affair.

197 Sec. 5. Subsections (a) and (b) of section 9-333l of the general statutes
198 are repealed and the following is substituted in lieu thereof (*Effective*
199 *July 1, 2003*):

200 (a) Any provision of this chapter to the contrary notwithstanding, a
201 candidate committee may join with one or more candidate committees
202 to establish a political committee for the purpose of sponsoring one or
203 more fund-raising events for those candidates. Any individual, other
204 than a candidate benefited, who is eligible and qualifies to serve in
205 accordance with the provisions of subsection (d) of section 9-333h may
206 serve as the campaign treasurer or deputy campaign treasurer of such
207 a political committee. The statements required to be filed by a political
208 committee under this chapter shall apply to any political committee
209 established pursuant to this subsection. After all expenses of the
210 political committee have been paid by its campaign treasurer for each
211 event, he shall distribute all remaining funds from such event to the
212 campaign treasurers of each of the candidate committees which
213 established the political committee. The distribution to each candidate
214 committee shall be made not later than seven days after the event,
215 either in accordance with a prior agreement of the candidates or, if no
216 prior agreement was made, in equal proportions to each candidate
217 committee. Any contribution which is made to such political
218 committee shall, for purposes of determining compliance with the
219 limitations imposed by this chapter, be deemed to have been made in

220 equal proportions to each candidate's campaign unless (1) a prior
 221 agreement was made by the candidates as to the disposition of
 222 remaining funds, and (2) those who contributed to the political
 223 committee were notified of such disposition, in which case the
 224 contribution shall be deemed to have been made to each candidate's
 225 campaign in accordance with the agreement.

226 (b) (1) A candidate committee may pay its pro rata share of the
 227 expenses of operating a campaign headquarters and of preparing,
 228 printing and disseminating any political communication on behalf of
 229 that candidate and any other candidate or candidates. (2) A candidate
 230 committee that makes an expenditure to benefit another candidate
 231 committee shall be reimbursed by that candidate committee within
 232 seven days after making the expenditure or by the end of the
 233 applicable reporting period under section 9-333j, as amended by this
 234 act, that corresponds with the expenditure, whichever is later. If the
 235 candidate committee making such an expenditure is not reimbursed
 236 within such later period, it shall be deemed to have violated the
 237 provisions of section 9-333r that prohibit a candidate committee from
 238 making a contribution to, or for the benefit of, another candidate
 239 committee. (3) Notwithstanding the provisions of subdivision (1) of
 240 subsection (a) of section 9-333r, a candidate committee may reimburse
 241 a party committee for any expenditure such party committee has
 242 incurred for the benefit of such candidate committee.

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>

Statement of Legislative Commissioners:

In subsection (d)(2) of section 2, "a registration of" was inserted for accuracy.

GAE *Joint Favorable Subst.*