



General Assembly

Substitute Bill No. 5167

February Session, 2004

* _____ HB05167GAEAPP031604 _____ *

**AN ACT CONCERNING COMPREHENSIVE CAMPAIGN FINANCE
REFORM FOR STATE-WIDE CONSTITUTIONAL OFFICES.**

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

1 Section 1. (NEW) (*Effective July 1, 2004*) As used in sections 1 to 4,
2 inclusive, and 6 to 22, inclusive, of this act:

3 (1) "Commission" means the State Elections Enforcement
4 Commission.

5 (2) "Convention" has the same meaning as provided in section 9-372
6 of the general statutes, as amended.

7 (3) "Depository account" means the single checking account at the
8 depository institution designated as the depository for the candidate
9 committee's moneys in accordance with the provisions of subsection
10 (a) of section 9-333f of the general statutes, as amended.

11 (4) "Fund" means the Citizens' Election Fund established in section 2
12 of this act.

13 (5) "General election campaign" means (A) in the case of a candidate
14 nominated at a primary, the period beginning on the day following the
15 primary and ending on the date the campaign treasurer files the final
16 statement for such campaign pursuant to section 9-333j of the general
17 statutes, as amended by this act, or (B) in the case of a candidate

18 nominated without a primary, the period beginning on the day
19 following the day on which the candidate is nominated and ending on
20 the date the campaign treasurer files the final statement for such
21 campaign pursuant to section 9-333j of the general statutes, as
22 amended by this act.

23 (6) "Major party" has the same meaning as provided in section 9-372
24 of the general statutes, as amended.

25 (7) "Minor party" has the same meaning as provided in section 9-372
26 of the general statutes, as amended.

27 (8) "Primary campaign" means the period beginning on the day
28 following the close of a convention and ending on the day of a primary
29 held for the purpose of nominating a candidate for an office.

30 (9) "Qualified candidate committee" means a candidate committee
31 (A) established to aid or promote the success of any candidate for
32 nomination or election to a state office and (B) approved by the
33 commission to receive a grant from the Citizens' Election Fund under
34 section 12 of this act.

35 (10) "Eligible petitioning party candidate" means a candidate for
36 election to an office pursuant to part III C of chapter 153 of the general
37 statutes whose nominating petition has been approved by the
38 Secretary of the State pursuant to subsection (c) of section 9-453o of the
39 general statutes.

40 (11) "State office" means the office of Governor, Lieutenant
41 Governor, Attorney General, State Comptroller, State Treasurer or
42 Secretary of the State.

43 Sec. 2. (NEW) (*Effective July 1, 2004, and applicable to elections held in*
44 *2010, and thereafter*) There is established, within the General Fund, a
45 separate, nonlapsing account to be known as the "Citizens' Election
46 Fund". The fund may contain any moneys required by law to be
47 deposited in the fund. Investment earnings credited to the assets of the

48 fund shall become part of the assets of the fund. The State Treasurer
49 shall administer the fund. All moneys deposited in the fund shall be
50 used for the purposes of sections 1 to 4, inclusive, and 6 to 22,
51 inclusive, of this act. The State Elections Enforcement Commission may
52 deduct and retain from the moneys in the fund an amount equal to the
53 costs incurred by the commission in administering the provisions of
54 said sections 1 to 4, inclusive, and 6 to 22, inclusive, provided said
55 amount shall not exceed two per cent of the moneys deposited in the
56 fund in any fiscal year. Any portion of said two per cent allocation
57 which exceeds said costs incurred by the commission in any fiscal year
58 shall continue to be available for any said costs incurred by the
59 commission in subsequent fiscal years.

60 Sec. 3. (NEW) (*Effective July 1, 2004, and applicable to taxable years*
61 *commencing on or after January 1, 2004*) (a) (1) Any taxpayer filing a
62 return under chapter 229 of the general statutes for taxable years
63 commencing on or after January 1, 2004, whose income tax liability for
64 the taxable year, before applying any credit under section 12-704c of
65 the general statutes, as amended, is five dollars or more, may
66 designate that five dollars of such tax liability shall be paid over to the
67 Citizens' Election Fund established in section 2 of this act, by so
68 indicating on the tax return. In the case of a husband and wife filing a
69 joint return with an income tax liability of ten dollars or more, each
70 spouse may designate that five dollars of such tax liability shall be
71 paid over to the fund by so indicating on the tax return. Any
72 designation made pursuant to this subdivision shall not increase the
73 taxpayer's income tax liability.

74 (2) Any taxpayer filing a return under chapter 229 of the general
75 statutes for taxable years commencing on or after January 1, 2004, may
76 contribute all or part of a refund under said chapter 229 to the Citizens'
77 Election Fund established in section 2 of this act, by indicating on the
78 tax return the amount to be contributed to the fund.

79 (3) Any taxpayer filing a return under chapter 229 of the general
80 statutes may contribute an additional amount to the Citizens' Election

81 Fund established in section 2 of this act, by indicating on the tax return
82 the amount to be contributed to the fund. Any contribution made
83 pursuant to this subdivision shall be in addition to the amount of tax
84 reported to be due on such return and shall be paid at the same time as
85 the tax due on such return is paid and in the manner prescribed by the
86 Commissioner of Revenue Services.

87 (b) A contribution or designation made pursuant to this section shall
88 be irrevocable upon the filing of the return. A taxpayer making a
89 contribution or designation pursuant to this subsection shall so
90 indicate on the tax return in a manner provided for by the
91 Commissioner of Revenue Services pursuant to subsection (c) of this
92 section.

93 (c) A contribution of all or part of a refund shall be made in the full
94 amount indicated if the refund found due the taxpayer upon the initial
95 processing of the return, and after any deductions required by chapter
96 229 of the general statutes, is greater than or equal to the indicated
97 contribution. If the refund due, as determined upon initial processing,
98 and after any deductions required by said chapter 229, is less than the
99 indicated contribution, the contribution shall be made in the full
100 amount of the refund. The Commissioner of Revenue Services shall
101 subtract the amount of any contribution of all or part of a refund from
102 the amount of the refund initially found due the taxpayer and shall
103 certify (1) the amount of the refund initially found due the taxpayer,
104 (2) the amount of any such contribution, and (3) the amount of the
105 difference to the Secretary of the Office of Policy and Management and
106 the State Treasurer for payment to the taxpayer in accordance with
107 said chapter 229. For the purposes of any subsequent determination of
108 the taxpayer's net tax payment, such contribution shall be considered a
109 part of the refund paid to the taxpayer.

110 (d) The Commissioner of Revenue Services shall revise the income
111 tax return form to implement the provisions of subsection (a) of this
112 section. Such form shall include (1) a space on the return in which
113 taxpayers may indicate their intention to make a contribution or

114 designation in accordance with this section, and (2) instructions for
115 payment of any contribution under subdivision (3) of subsection (a) of
116 this section. The commissioner shall include in the instructions
117 accompanying the tax return a description of the purposes for which
118 the Citizens' Election Fund was established.

119 (e) The Commissioner of Revenue Services, after notification of and
120 approval by the Secretary of the Office of Policy and Management,
121 may deduct and retain from the moneys collected under subsections
122 (a) to (d), inclusive, of this section an amount equal to the costs of
123 administering this section, but not to exceed four per cent of such
124 moneys collected in any fiscal year. The Commissioner of Revenue
125 Services shall deposit the remaining moneys collected in the Citizens'
126 Election Fund.

127 Sec. 4. (NEW) (*Effective July 1, 2004, and applicable to taxable years*
128 *commencing on or after January 1, 2004*) (a) (1) Any taxpayer filing a
129 return under chapter 208 of the general statutes for taxable years
130 commencing on or after January 1, 2004, whose income tax liability for
131 the taxable year, before applying any credits under chapter 208 of the
132 general statutes, is five dollars or more, may designate that two
133 hundred dollars of such tax liability or, if such tax liability is less than
134 two hundred dollars, the full amount of such tax liability, shall be paid
135 over to the Citizens' Election Fund established in section 2 of this act,
136 by so indicating on the tax return. Any designation made pursuant to
137 this subdivision shall not increase the taxpayer's income tax liability.

138 (2) Any taxpayer filing a return under chapter 208 of the general
139 statutes for taxable years commencing on or after January 1, 2004, may
140 contribute all or part of a refund under said chapter 208 to the Citizens'
141 Election Fund established in section 2 of this act, by indicating on the
142 tax return the amount to be contributed to the fund.

143 (3) Any taxpayer filing a return under chapter 208 of the general
144 statutes may contribute an additional amount to the Citizens' Election
145 Fund established in section 2 of this act, by indicating on the tax return

146 the amount to be contributed to the fund. Any contribution made
147 pursuant to this subdivision shall be in addition to the amount of tax
148 reported to be due on such return and shall be paid at the same time as
149 the tax due on such return is paid and in the manner prescribed by the
150 Commissioner of Revenue Services.

151 (b) A contribution or designation made pursuant to this section shall
152 be irrevocable upon the filing of the return. A taxpayer making a
153 contribution or designation pursuant to this subsection shall so
154 indicate on the tax return in a manner provided for by the
155 Commissioner of Revenue Services pursuant to subsection (c) of this
156 section.

157 (c) A contribution of all or part of a refund shall be made in the full
158 amount indicated if the refund found due the taxpayer upon the initial
159 processing of the return, and after any deductions required by chapter
160 208 of the general statutes, is greater than or equal to the indicated
161 contribution. If the refund due, as determined upon initial processing
162 and after any deductions required by said chapter 208, is less than the
163 indicated contribution, the contribution shall be made in the full
164 amount of the refund. The Commissioner of Revenue Services shall
165 subtract the amount of any contribution of all or part of a refund from
166 the amount of the refund initially found due the taxpayer and shall
167 certify (1) the amount of the refund initially due the taxpayer, (2) the
168 amount of any such contribution, and (3) the amount of the difference
169 to the Secretary of the Office of Policy and Management and the State
170 Treasurer for payment to the taxpayer in accordance with said chapter
171 208. For the purposes of any subsequent determination of the
172 taxpayer's net tax payment, such contribution shall be considered a
173 part of the refund paid to the taxpayer.

174 (d) The Commissioner of Revenue Services shall revise the income
175 tax return form to implement the provisions of subsection (a) of this
176 section. Such form shall include (1) a space on the return in which
177 taxpayers may indicate their intention to make a contribution or
178 designation in accordance with this section, and (2) instructions for

179 payment of any contribution under subdivision (3) of subsection (a) of
180 this section. The commissioner shall include in the instructions
181 accompanying the tax return a description of the purposes for which
182 the Citizens' Election Fund was established.

183 (e) The Commissioner of Revenue Services, after notification of and
184 approval by the Secretary of the Office of Policy and Management,
185 may deduct and retain from the moneys collected under subsections
186 (a) to (d), inclusive, of this section an amount equal to the costs of
187 administering this section, but not to exceed four per cent of such
188 moneys collected in any fiscal year. The Commissioner of Revenue
189 Services shall deposit the remaining moneys collected in the Citizens'
190 Election Fund.

191 Sec. 5. Subsection (e) of section 9-333j of the general statutes, as
192 amended by section 5 of public act 03-223 and section 62 of public act
193 03-241, is repealed and the following is substituted in lieu thereof
194 (*Effective July 1, 2004, and applicable to elections held in 2010, and*
195 *thereafter*):

196 (e) (1) Notwithstanding any provisions of this chapter to the
197 contrary, in the event of a surplus the campaign treasurer of a
198 candidate committee or of a political committee, other than a political
199 committee formed for ongoing political activities or an exploratory
200 committee, shall distribute or expend such surplus [within] not later
201 than ninety days after a primary which results in the defeat of the
202 candidate, an election or referendum not held in November or by
203 January thirty-first following an election or referendum held in
204 November, in the following manner:

205 (A) Such committees may distribute their surplus to a party
206 committee, or a political committee organized for ongoing political
207 activities, return such surplus to all contributors to the committee on a
208 prorated basis of contribution, distribute all or any part of such surplus
209 to the Citizens' Election Fund established in section 2 of this act or
210 distribute such surplus to any charitable organization which is a tax-

211 exempt organization under Section 501(c)(3) of the Internal Revenue
212 Code of 1986, or any subsequent corresponding internal revenue code
213 of the United States, as from time to time amended, provided (i) no
214 candidate committee may distribute such surplus to a committee
215 which has been established to finance future political campaigns of the
216 candidate, and (ii) a candidate committee which received moneys from
217 the Citizens' Election Fund shall distribute such surplus to such fund.

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

221 (C) (i) Each political committee formed solely to aid or promote the
222 success or defeat of any referendum question, which does not receive
223 contributions from a business entity or an organization, shall distribute
224 its surplus to a party committee, to a political committee organized for
225 ongoing political activities, to a national committee of a political party,
226 to all contributors to the committee on a prorated basis of contribution,
227 to state or municipal governments or agencies or to any organization
228 which is a tax-exempt organization under Section 501(c)(3) of the
229 Internal Revenue Code of 1986, or any subsequent corresponding
230 internal revenue code of the United States, as from time to time
231 amended. [(ii) each] (ii) Each political committee formed solely to aid
232 or promote the success or defeat of any referendum question, which
233 receives contributions from a business entity or an organization, shall
234 distribute its surplus to all contributors to the committee on a prorated
235 basis of contribution, to state or municipal governments or agencies, or
236 to any organization which is tax-exempt under said provisions of the
237 Internal Revenue Code. Notwithstanding the provisions of this
238 subsection, a committee formed for a single referendum shall not be
239 required to expend its surplus within ninety days after the referendum
240 and may continue in existence if a substantially similar referendum
241 question on the same issue will be submitted to the electorate within
242 six months after the first referendum. If two or more substantially
243 similar referenda on the same issue are submitted to the electorate,
244 each no more than six months apart, the committee shall expend such

245 surplus within ninety days following the date of the last such
246 referendum;

247 (D) The campaign treasurer of the candidate committee of a
248 candidate who is elected to office may, upon the authorization of such
249 candidate, expend surplus campaign funds to pay for the cost of
250 clerical, secretarial or other office expenses necessarily incurred by
251 such candidate in preparation for taking office; except such surplus
252 shall not be distributed for the personal benefit of any individual or to
253 any organization; and

254 (E) The campaign treasurer of a candidate committee, or of a
255 political committee, other than a political committee formed for
256 ongoing political activities or an exploratory committee, shall, prior to
257 the dissolution of such committee, either (i) distribute any equipment
258 purchased, including but not limited to computer equipment, to any
259 recipient as set forth in subparagraph (A) of this subdivision, or (ii) sell
260 any equipment purchased, including but not limited to computer
261 equipment, to any person for fair market value and then distribute the
262 proceeds of such sale to any recipient as set forth in said subparagraph
263 (A).

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

272 (3) [Within] Not later than seven days after such distribution or
273 [within] not later than seven days after all funds have been expended
274 in accordance with subparagraph (D) of subdivision (1) of this
275 subsection, the campaign treasurer shall file a supplemental statement,
276 sworn under penalty of false statement, with the proper authority,

277 identifying all further contributions received since the previous
278 statement and explaining how any surplus has been distributed or
279 expended in accordance with this section. No surplus may be
280 distributed or expended until after the election, primary or
281 referendum.

282 (4) In the event of a deficit the campaign treasurer shall file a
283 supplemental statement ninety days after an election, primary or
284 referendum not held in November or on the seventh calendar day in
285 February, or the next business day if such day is a Saturday, Sunday or
286 legal holiday, after an election or referendum held in November, with
287 the proper authority and, thereafter, on the seventh day of each month
288 following if on the last day of the previous month there was an
289 increase or decrease in the deficit in excess of five hundred dollars
290 from that reported on the last statement filed. The campaign treasurer
291 shall file such supplemental statements as required until the deficit is
292 eliminated. If any such committee does not have a surplus or a deficit,
293 the statement required to be filed [within] not later than forty-five days
294 following any election or referendum not held in November or on the
295 seventh calendar day in January, or the next business day if such day is
296 a Saturday, Sunday or legal holiday, following an election or
297 referendum held in November, or [within] not later than thirty days
298 following any primary shall be the last required statement.

299 Sec. 6. (NEW) (*Effective July 1, 2004*) All payments of civil penalties
300 or late fees imposed by the State Elections Enforcement Commission or
301 the Secretary of the State under title 9 of the general statutes, which are
302 received after the effective date of this section, shall be immediately
303 transmitted to the State Treasurer for deposit in the Citizens' Election
304 Fund established in section 2 of this act.

305 Sec. 7. (NEW) (*Effective July 1, 2004*) Any person, business entity,
306 organization, party committee or political committee, as defined in
307 section 9-333a of the general statutes, as amended, may contribute to
308 the Citizens' Election Fund. Any such contribution shall be made by
309 check or money order. The commission shall immediately transmit all

310 contributions received pursuant to this section to the State Treasurer
311 for deposit in the Citizens' Election Fund established in section 2 of
312 this act.

313 Sec. 8. (NEW) (*Effective July 1, 2004, and applicable to elections held in*
314 *2010, and thereafter*) (a) There is established a Citizens' Election
315 Program under which (1) the candidate committee of a major party or
316 minor party candidate for nomination to the office of Governor,
317 Lieutenant Governor, Attorney General, State Comptroller, Secretary
318 of the State or State Treasurer in 2010, or thereafter, may receive a
319 grant from the Citizens' Election Fund for the candidate's primary
320 campaign for said nomination, and (2) the candidate committee of a
321 major party, minor party or eligible petitioning party candidate for
322 election to the office of Governor, Attorney General, State Comptroller,
323 Secretary of the State or State Treasurer in 2010, or thereafter, may
324 receive a grant from the fund for the candidate's general election
325 campaign for said office. Any such candidate committee is eligible to
326 receive such grants for a primary campaign and a general election
327 campaign if (A) the candidate certifies as a participating candidate
328 under section 9 of this act, (B) the candidate's candidate committee
329 receives the required amount of qualifying contributions under section
330 10 of this act, (C) the candidate's candidate committee returns all
331 contributions that do not meet the criteria for qualifying contributions
332 under section 10 of this act, (D) the candidate's exploratory committee,
333 if any, returns all contributions that do not meet the criteria for
334 qualifying contributions to a candidate committee under section 10 of
335 this act, (E) the candidate agrees to limit campaign expenditures (i)
336 before a primary campaign and a general election campaign, to the
337 amount of qualifying contributions permitted in section 10 of this act,
338 (ii) for a primary campaign, to the sum of the amount of qualifying
339 contributions permitted in section 10 of this act that have not been
340 spent before the primary campaign and the amount of the grant for the
341 primary campaign authorized under section 11 of this act, and (iii) for
342 a general election campaign, to the sum of the amount of qualifying
343 contributions permitted in section 10 of this act that have not been

344 spent before the general election campaign and the amount of the
345 grant for the general election campaign authorized under section 11 of
346 this act, and (F) the candidate complies with the provisions of section
347 12 of this act.

348 Sec. 9. (NEW) (*Effective July 1, 2004, and applicable to elections held in*
349 *2010, and thereafter*) (a) Each major party and minor party candidate for
350 nomination or election to a state office in 2010, or thereafter, and each
351 petitioning candidate for election to a state office in 2010, or thereafter,
352 shall file an affidavit with the State Elections Enforcement
353 Commission, at the same time that the candidate files either a
354 committee statement under subsection (a) of section 9-333f of the
355 general statutes, as amended, or a certification under subsection (b) of
356 said section 9-333f. The affidavit shall include a written certification
357 that the candidate either intends to abide by the expenditure limits
358 under the Citizens' Election Program set forth in section 8 of this act, or
359 does not intend to abide by said limits. If the candidate intends to
360 abide by such expenditure limits, the candidate shall also certify in the
361 affidavit the candidate's status as a major party, minor party or
362 petitioning candidate and, in the case of a major party or minor party
363 candidate, the name of such party. No candidate who changes such
364 status or becomes a candidate of a different party during a campaign
365 shall be eligible thereafter to receive a grant under the Citizens'
366 Election Program.

367 (b) A candidate who certifies the candidate's intent to abide by the
368 expenditure limits under the Citizens' Election Program set forth in
369 section 8 of this act shall be referred to in sections 1 and 8 to 22,
370 inclusive, of this act as a "participating candidate" and a candidate who
371 so certifies the candidate's intent to not abide by said limit shall be
372 referred to in this section as a "nonparticipating candidate". The
373 commission shall prepare a list of the participating candidates and a
374 list of the nonparticipating candidates and shall make such lists
375 available for public inspection.

376 Sec. 10. (NEW) (*Effective July 1, 2004, and applicable to elections held in*

377 2010, and thereafter) (a) The amount of qualifying contributions that the
378 candidate committee of a candidate needs to receive in order to be
379 eligible for grants from the Citizens' Election Fund shall be:

380 (1) In the case of a candidate for nomination or election to the office
381 of Governor, contributions from individuals in the aggregate amount
382 of five hundred thousand dollars, of which four hundred fifty
383 thousand dollars or more is contributed by individuals residing in the
384 state, provided (A) no such contribution that exceeds five hundred
385 dollars shall be considered in calculating such amounts, and (B) all
386 contributions received by an exploratory committee that meets such
387 criteria shall be considered in calculating such amounts; and

388 (2) In the case of a candidate for nomination or election to the office
389 of Lieutenant Governor, Attorney General, State Comptroller, State
390 Treasurer or Secretary of the State, contributions from individuals in
391 the aggregate amount of seventy-five thousand dollars, of which sixty-
392 seven thousand five hundred dollars or more is contributed by
393 individuals residing in the state, provided (A) no such contribution
394 that exceeds two hundred fifty dollars shall be considered in
395 calculating such amounts, and (B) all contributions received by an
396 exploratory committee that meets such criteria shall be considered in
397 calculating such amounts.

398 (b) Each individual who makes a contribution to a candidate
399 committee established to aid or promote the success of a participating
400 candidate for nomination or election to a state office shall include the
401 individual's name and address with the contribution. A contribution
402 from an individual that does not include such information shall not be
403 deemed to be a qualifying contribution under subsection (a) of this
404 section.

405 Sec. 11. (NEW) (Effective July 1, 2004, and applicable to elections held in
406 2010, and thereafter) (a) (1) The qualified candidate committee of a
407 major party or minor party candidate for the office of Governor who
408 has a primary for nomination to said office in 2010, or thereafter, shall

409 be eligible to receive a grant from the fund for the primary campaign
410 in the amount of one million dollars, subject to adjustment under
411 subsection (c) of this section.

412 (2) The qualified candidate committee of a major party or minor
413 party candidate for the office of Governor who is nominated in 2010, or
414 thereafter, shall be eligible to receive a grant from the fund for the
415 general election campaign in the amount of four million dollars,
416 subject to adjustment under subsection (c) of this section.

417 (3) The qualified candidate committee of an eligible petitioning
418 party candidate for the office of Governor in 2010, or thereafter, shall
419 be eligible to receive a grant from the fund for the general election
420 campaign in the amount of four million dollars, subject to adjustment
421 under subsection (c) of this section.

422 (b) (1) The qualified candidate committee of a major party or minor
423 party candidate for the office of Lieutenant Governor, Attorney
424 General, State Comptroller, Secretary of the State or State Treasurer
425 who has a primary for nomination to said office in 2010, or thereafter,
426 shall be eligible to receive a grant from the fund for the primary
427 campaign in the amount of five hundred thousand dollars, subject to
428 adjustment under subsection (c) of this section.

429 (2) The qualified candidate committee of a candidate for the office of
430 Attorney General, State Comptroller, Secretary of the State or State
431 Treasurer who is nominated in 2010, or thereafter, shall be eligible to
432 receive a grant from the fund for the general election campaign in the
433 amount of seven hundred fifty thousand dollars, subject to adjustment
434 under subsection (c) of this section.

435 (3) The qualified candidate committee of an eligible petitioning
436 party candidate for the office of Attorney General, State Comptroller,
437 Secretary of the State or State Treasurer in 2010, or thereafter, shall be
438 eligible to receive a grant from the fund for the general election
439 campaign in the amount of seven hundred fifty thousand dollars,
440 subject to adjustment under subsection (c) of this section.

441 (c) On January 15, 2010, and quadrennially thereafter, the
442 commission shall adjust the amounts of the grants in subsections (a)
443 and (b) of this section in accordance with any change during the
444 preceding four calendar years in the Consumer Price Index for all
445 urban consumers as published by the United States Department of
446 Labor, Bureau of Labor Statistics.

447 (d) No grant under this section may be applied to a deficit incurred
448 by a candidate committee.

449 Sec. 12. (NEW) (*Effective July 1, 2004, and applicable to elections held in*
450 *2010, and thereafter*) (a) (1) A candidate for nomination to the office of
451 Governor, Lieutenant Governor, Attorney General, State Comptroller,
452 Secretary of the State or State Treasurer in 2010, or thereafter, may
453 apply to the State Elections Enforcement Commission for a grant from
454 the fund under the Citizens' Election Program for a primary campaign,
455 after the close of the state convention of the candidate's party that is
456 called for the purpose of choosing candidates for nomination for the
457 office that the candidate is seeking, if a primary is required under
458 chapter 153 of the general statutes, as amended, and (A) said party
459 endorses the candidate for the office that the candidate is seeking, (B)
460 the candidate receives at least fifteen per cent of the votes of the
461 convention delegates present and voting on any roll-call vote taken on
462 the endorsement or proposed endorsement of a candidate for the office
463 the candidate is seeking, or (C) the candidate circulates a petition and
464 obtains the required number of signatures for filing a candidacy for
465 nomination for said office pursuant to section 9-400 of the general
466 statute, as amended.

467 (2) A candidate for election to the office of Governor, Attorney
468 General, State Comptroller, Secretary of the State or State Treasurer in
469 2010, or thereafter, may apply to the State Elections Enforcement
470 Commission for a grant from the fund under the Citizens' Election
471 Program for a general election campaign, (A) after the close of the state
472 convention of the candidate's party that is called for the purpose of
473 choosing candidates for nomination for the office that the candidate is

474 seeking, if (i) said party endorses said candidate for the office that the
475 candidate is seeking and no other candidate of said party files a
476 certificate of candidacy with the Secretary of the State in accordance
477 with the provisions of section 9-400 of the general statutes, (ii) the
478 candidate receives at least fifteen per cent of the votes of the
479 convention delegates present and voting on any roll-call vote taken on
480 the endorsement or proposed endorsement of a candidate for the office
481 the candidate is seeking, no other candidate for said office at such
482 convention either receives the party endorsement or said percentage of
483 said votes for said endorsement or files a certificate of endorsement
484 with the Secretary of the State in accordance with the provisions of
485 section 9-388 of the general statutes or a certificate of candidacy with
486 the Secretary of the State in accordance with the provisions of section
487 9-400 of the general statutes, and no other candidate for said office
488 circulates a petition and obtains the required number of signatures for
489 filing a candidacy for nomination for said office pursuant to section 9-
490 400 of the general statute, as amended, or (iii) the candidate circulates
491 a petition and obtains the required number of signatures for filing a
492 candidacy for nomination for said office pursuant to section 9-400 of
493 the general statute, as amended, and no other candidate for said office
494 at such convention either receives the party endorsement or said
495 percentage of said votes for said endorsement or files a certificate of
496 endorsement with the Secretary of the State in accordance with the
497 provisions of section 9-388 of the general statutes or a certificate of
498 candidacy with the Secretary of the State in accordance with the
499 provisions of section 9-400 of the general statutes, (B) after any primary
500 held by such party for nomination for said office, if the Secretary of the
501 State declares that the candidate is the party nominee in accordance
502 with the provisions of section 9-440 of the general statutes, or (C) in the
503 case of a petitioning party candidate, after approval by the Secretary of
504 the State of such candidate's nominating petition pursuant to
505 subsection (c) of section 9-453o of the general statutes.

506 (b) The application shall include a written certification that:

507 (1) The candidate committee has received the required amount of

508 qualifying contributions;

509 (2) The candidate committee has repaid all moneys borrowed on
510 behalf of the campaign, as required by subsection (b) of section 12 of
511 this act;

512 (3) The candidate committee has returned any contribution from an
513 individual who does not include the individual's name and address
514 with the contribution;

515 (4) The candidate committee and exploratory committee have
516 returned all contributions or portions of contributions that do not meet
517 the criteria for qualifying contributions under section 10 of this act;

518 (5) The campaign treasurer of the candidate committee shall comply
519 with the provisions of sections 1 and 8 to 22, inclusive, of this act;

520 (6) All moneys received from the fund shall be deposited upon
521 receipt into the depository account of the candidate committee;

522 (7) The campaign treasurer of the candidate committee shall expend
523 all moneys received from the fund in accordance with the provisions of
524 subsection (g) of section 9-333i of the general statutes; and

525 (8) If the candidate withdraws from the campaign, becomes
526 ineligible or dies during the campaign, the candidate committee of the
527 candidate shall return to the commission, for deposit in the fund, all
528 moneys received from the fund pursuant to sections 1 and 8 to 22,
529 inclusive, of this act which said candidate committee has not spent as
530 of the date of such occurrence.

531 (c) The application shall be accompanied by a cumulative itemized
532 accounting of all funds received, expenditures made and expenses
533 incurred but not yet paid by the candidate committee as of three days
534 before the date that the application is signed. Such accounting shall be
535 sworn to under penalty of false statement by the campaign treasurer of
536 the candidate committee. The commission shall prescribe the form of
537 the application and the cumulative itemized accounting, after

538 consulting with the Secretary of the State. The form for such
539 accounting shall conform to the requirements of section 9-333j of the
540 general statutes, as amended by this act. Both the candidate and the
541 campaign treasurer of the candidate committee shall sign the
542 application.

543 (d) Not later than three business days following receipt of any such
544 application, the commission shall review the application, determine
545 whether the candidate committee for the applicant (1) has received the
546 required qualifying contributions, and (2) in the case of an application
547 for a grant from the fund for a primary campaign or a general election
548 campaign, the applicant has met the applicable condition under
549 subsection (a) of this section for applying for such moneys and, if so,
550 determine the amount of the grant payable to the candidate committee
551 from the fund and notify the State Comptroller and the candidate of
552 such candidate committee, of such amount. Not later than two
553 business days following notification by the commission, the State
554 Comptroller shall draw an order on the State Treasurer for payment of
555 such amount to the qualified candidate committee from the fund.

556 Sec. 13. (NEW) (*Effective July 1, 2004, and applicable to elections held in*
557 *2010, and thereafter*) Following the initial deposit of moneys from the
558 fund into the depository account of a qualified candidate committee,
559 no contribution, loan, amount of the candidate's own moneys or any
560 other moneys received by the candidate or the campaign treasurer on
561 behalf of the committee shall be deposited into said depository
562 account, except (1) grants from the fund, and (2) any additional
563 moneys from the fund as provided in sections 16 and 17 of this act.

564 Sec. 14. (NEW) (*Effective July 1, 2004, and applicable to elections held in*
565 *2010, and thereafter*) A qualified candidate committee which received
566 moneys from the fund for a primary campaign and whose candidate is
567 the party nominee shall receive moneys from the fund for a general
568 election campaign. Upon receiving verification from the Secretary of
569 the State of the declaration by the Secretary of the State in accordance
570 with the provisions of section 9-440 of the general statutes, as

571 amended, of the results of the votes cast at the primary, the
572 commission shall notify the State Comptroller of the amount payable
573 to such qualified candidate committee. Not later than two business
574 days following notification by the commission, the State Comptroller
575 shall draw an order on the State Treasurer for payment of the general
576 election campaign grant to said committee from said fund.

577 Sec. 15. (NEW) (*Effective July 1, 2004, and applicable to elections held in*
578 *2010, and thereafter*) (a) For purposes of this section, expenditures made
579 to aid or promote the success of both a candidate for nomination or
580 election to the office of Governor and a candidate for nomination or
581 election to the office of Lieutenant Governor jointly, shall be
582 considered expenditures made to aid or promote the success of a
583 candidate for nomination or election to the office of Governor. The
584 party-endorsed candidate for nomination or election to the office of
585 Lieutenant Governor and the party-endorsed candidate for nomination
586 or election to the office of Governor shall be deemed to be aiding or
587 promoting the success of both candidates jointly upon the earliest of
588 the following: (1) The primary, whether held for the office of Governor,
589 the office of Lieutenant Governor, or both; (2) if no primary is held for
590 the office of Governor or Lieutenant Governor, the convention; or (3) a
591 declaration by the party-endorsed candidates that they shall campaign
592 jointly. Any other candidate for nomination or election to the office of
593 Lieutenant Governor shall be deemed to be aiding or promoting the
594 success of such candidacy for the office of Lieutenant Governor and
595 the success of a candidate for nomination or election to the office of
596 Governor jointly upon a declaration by the candidates that they shall
597 campaign jointly.

598 (b) The candidate committee formed to aid or promote the success
599 of a candidate for nomination or election to the office of Lieutenant
600 Governor, the candidate of which campaigns jointly with a candidate
601 for nomination or election to the office of Governor, shall be dissolved
602 as of the applicable date set forth in subsection (a) of this section. Not
603 later than fifteen days after the applicable date set forth in subsection
604 (a) of this section, the campaign treasurer of the candidate committee

605 formed to aid or promote the success of said candidate for nomination
606 or election to the office of Lieutenant Governor shall file a statement
607 with the proper authority under section 9-333e of the general statutes,
608 as amended by this act, identifying all contributions received or
609 expenditures made by the committee since the previous statement and
610 the balance on hand or deficit, as the case may be. Not later than thirty
611 days after the applicable date set forth in subsection (a) of this section,
612 (1) the campaign treasurer of a qualified candidate committee formed
613 to aid or promote the success of said candidate for nomination or
614 election to the office of Lieutenant Governor shall distribute any
615 surplus to the fund, and (2) the campaign treasurer of a nonqualified
616 candidate committee formed to aid or promote the success of said
617 candidate for nomination or election to the office of Lieutenant
618 Governor shall distribute such surplus in accordance with the
619 provisions of subsection (e) of section 9-333j of the general statutes, as
620 amended by this act.

621 Sec. 16. (NEW) (*Effective July 1, 2004, and applicable to elections held in*
622 *2010, and thereafter*) (a) A qualified candidate committee may borrow
623 moneys on behalf of a campaign for a primary or a general election
624 from one or more financial institutions, as defined in section 36a-41 of
625 the general statutes, in an aggregate amount not to exceed one
626 thousand dollars. The amount borrowed shall not constitute a
627 qualifying contribution. No individual, political committee or party
628 committee, except the candidate or, in a general election, the state
629 central committee of a political party, shall endorse or guarantee such
630 a loan in an aggregate amount in excess of five hundred dollars. An
631 endorsement or guarantee of such a loan shall constitute a contribution
632 by such individual or committee for so long as the loan is outstanding.
633 The amount endorsed or guaranteed by such individual or committee
634 shall cease to constitute a contribution upon repayment of the amount
635 endorsed or guaranteed.

636 (b) All such loans shall be repaid in full prior to the date a candidate
637 committee applies for the moneys from the fund pursuant to section 12
638 of this act. The candidate shall certify to the commission that such

639 loans were repaid. A candidate who fails to repay such loans or fails to
640 certify such repayment to the commission shall not be eligible to
641 receive and shall not receive moneys from the fund.

642 Sec. 17. (NEW) (*Effective July 1, 2004, and applicable to elections held in*
643 *2010, and thereafter*) (a) A qualified candidate committee which receives
644 a grant from the fund pursuant to section 12 of this act and makes
645 expenditures in excess of an expenditure limit set forth in section 8 of
646 this act (1) shall repay to the fund the full amount of such grant, (2)
647 shall not receive any additional moneys from the fund for the
648 remainder of the election cycle, (3) shall be subject to civil penalties
649 under section 9-7b of the general statutes, as amended by this act, and
650 (4) shall be deemed to be a nonparticipating candidate for the purposes
651 of sections 1 and 8 to 22, inclusive, of this act.

652 (b) A candidate whose candidate committee fails to return any
653 surplus grant funds to the fund within ninety days after a primary or
654 an election, whichever is applicable shall be subject to the penalties for
655 larceny under sections 53a-122 to 53a-125b, inclusive, of the general
656 statutes depending on the amount involved.

657 Sec. 18. (NEW) (*Effective July 1, 2004, and applicable to elections held in*
658 *2010, and thereafter*) (a) Additional moneys from the fund shall be paid
659 to a qualified candidate committee which received moneys from the
660 fund if the committee of an opposing candidate makes expenditures in
661 excess of an expenditure limit set forth in section 8 of this act. Such
662 additional moneys from the fund shall be paid to a qualified candidate
663 committee which received moneys from the fund (1) regardless of
664 whether the candidate committee which makes expenditures in excess
665 of the applicable expenditure limit has received moneys from the fund,
666 (2) in an amount equal to the greatest amount of expenditures in excess
667 of the applicable expenditure limit which the committee of an
668 opposing candidate has made expenditures, but not more than one
669 hundred per cent of the amount of moneys that the qualified candidate
670 committee has received from the fund, and (3) immediately following
671 the commission's verification that the committee of an opposing

672 candidate has made expenditures in excess of the applicable
673 expenditure limit.

674 (b) If a nonparticipating candidate makes or incurs the obligation to
675 make an excess expenditure more than twenty days before the day of a
676 primary or election, the candidate shall file a declaration of excess
677 expenditures not later than forty-eight hours after making or incurring
678 the expenditure. If a nonparticipating candidate makes or incurs the
679 obligation to make an excess expenditure twenty days or less before
680 the day of a primary or election, the candidate shall file a declaration of
681 excess expenditures not later than twenty-four hours after making or
682 incurring the expenditure. The commission may determine whether
683 any expenditure by a nonparticipating candidate shall be deemed an
684 excess expenditure.

685 Sec. 19. (NEW) (*Effective July 1, 2004, and applicable to elections held in*
686 *2010, and thereafter*) Upon the receipt of a report under subsection (e) of
687 section 9-333n of the general statutes, as amended by this act, that an
688 independent expenditure has been made or obligated to be made, with
689 the intent to promote the defeat of a candidate whose candidate
690 committee has received a grant under the Citizens' Election Program,
691 the commission shall immediately notify the State Comptroller that
692 additional money, equal to the amount of the independent
693 expenditure, shall be paid to said candidate committee. Not later than
694 two business days following notification by the commission, the State
695 Comptroller shall draw an order on the State Treasurer for payment of
696 such amount to said candidate committee from the fund. The
697 provisions of this section shall be subject to the following:

698 (1) The maximum aggregate amount of funding that the qualified
699 candidate committee of a participating candidate shall receive to
700 match the independent expenditures made or obligated to be made on
701 behalf of an opposing participating candidate shall not be greater than
702 one hundred per cent of the total moneys that said candidate
703 committee has received from the fund.

704 (2) The maximum aggregate amount of funding that the qualified
705 candidate committee of a participating candidate shall receive to
706 match the independent expenditures and the excess expenditures of a
707 nonparticipating candidate shall not be greater than two hundred per
708 cent of the total moneys that said candidate committee has received
709 from the fund.

710 (3) Such additional funding shall be granted to the qualified
711 candidate committee of a participating candidate opposed by a
712 nonparticipating candidate only if the nonparticipating candidate's
713 campaign expenditures, combined with the amount of the
714 independent expenditures, exceed the applicable permitted
715 expenditure amount for the participating candidate, during the general
716 election campaign.

717 Sec. 20. (NEW) (*Effective July 1, 2004, and applicable to elections held in*
718 *2010, and thereafter*) The campaign treasurer for each candidate for
719 election to state office in 2010, or thereafter shall file campaign finance
720 statements with the office of the Secretary of the State (1) according to
721 the same schedules as required of a campaign treasurer of a candidate
722 committee under section 9-333j of the general statutes, as amended by
723 this act, until receiving contributions, receipts and grants totaling
724 seventy-five per cent of the applicable expenditure limit for a general
725 election campaign, as set forth in section 8 of this act, and (2) then,
726 notwithstanding said schedule in section 9-333j of the general statutes,
727 as amended by this act, on the second Thursday of each month
728 between the beginning of the fourth month preceding the day of the
729 election for said office and the beginning of the sixth week preceding
730 the election and then on each Thursday until the day of the election.
731 Said statements shall be prepared in the same manner as statements
732 required under section 9-333j of the general statutes, as amended by
733 this act. If a campaign treasurer fails to file any statement required by
734 this section (A) within the time required, or (B) with both the Secretary
735 of the State and the commission, such campaign treasurer shall be
736 subject to a civil penalty imposed by the commission, of not more than
737 one thousand dollars for each such failure under subparagraph (A) or

738 (B) of subdivisions (1) and (2) of this section.

739 Sec. 21. (NEW) (*Effective July 1, 2004, and applicable to elections held in*
740 *2010, and thereafter*) The Secretary of the State shall provide to each
741 committee whose candidate has filed an affidavit under subsection (a)
742 of section 9 of this act certifying that the candidate intends to abide by
743 the applicable expenditure limits under the Citizens' Election Program,
744 a copy of the voter registration list for state, which is generated from
745 the state-wide centralized voter registration system established
746 pursuant to the plan authorized under section 1 of special act 91-45
747 and completed pursuant to public act 03-117. The Secretary shall
748 provide the copy in electronic format, free of charge.

749 Sec. 22. (NEW) (*Effective July 1, 2004, and applicable to elections held in*
750 *2010, and thereafter*) (a) Not later than June 1, 2005, and annually
751 thereafter, the State Elections Enforcement Commission shall issue a
752 report on the status of the Citizens' Election Fund during the previous
753 calendar year. Such report shall include the amount of moneys
754 deposited in the fund, the sources of moneys received by category, the
755 number of contributions, the number of contributors, the amount of
756 moneys expended by category, the recipients of moneys distributed
757 from the fund and an accounting of the costs incurred by the
758 commission in administering the provisions of sections 1 to 4,
759 inclusive, and 6 to 22, inclusive, of this act. Not later than May 15, 2005,
760 and annually thereafter, the Commissioner of Revenue Services shall
761 submit to the commission the information in the possession of the
762 commissioner which the commission needs to complete such report.

763 (b) Not later than January first in any year in which an election for
764 state offices is to be held, the commission shall determine whether the
765 amount of moneys in the fund is sufficient to carry out the purposes of
766 sections 1 to 4, inclusive, and 6 to 22, inclusive, of this act. If the
767 commission determines that such amount is not sufficient to carry out
768 such purposes, the commission shall, not later than three days after
769 such later determination, (1) determine the percentage of the fund's
770 obligations that can be met for such election, (2) recalculate the amount

771 of each payment that a qualified candidate committee is entitled to
772 receive under section 12 of this act by multiplying such percentage by
773 the amount that the committee would have been entitled to receive
774 under section 12 of this act if there were a sufficient amount of moneys
775 in the fund, and (3) notify each applicant for moneys from the fund of
776 such insufficiency, percentage and applicable recalculation. After a
777 qualified candidate committee first receives any such recalculated
778 payment, the committee may resume accepting contributions and
779 making expenditures from such contributions, provided no qualified
780 candidate committee which receives such recalculated payments from
781 the fund shall accept contributions in excess of the amount of moneys
782 which the committee was entitled to receive from the fund but did not
783 receive from the fund. The commission shall also issue a report on said
784 determination.

785 (c) The commission shall establish a reserve account in the fund. The
786 first twenty-five thousand dollars deposited in the fund during any
787 year shall be placed in said account. The commission shall use moneys
788 in the reserve account only during the seven days preceding an
789 election for payments to candidates (1) whose payments were reduced
790 under subsection (b) of this section, or (2) who are entitled to funding
791 to match, during said seven-day period, independent expenditures
792 pursuant to section 19 of this act.

793 Sec. 23. Section 9-333a of the general statutes, as amended by section
794 10 of public act 03-241, is repealed and the following is substituted in
795 lieu thereof (*Effective January 1, 2007, and applicable to elections held in*
796 *2010, and thereafter*):

797 As used in this chapter and sections 1 to 4, inclusive, and 6 to 22,
798 inclusive, of this act:

799 (1) "Committee" means a party committee, political committee or a
800 candidate committee organized, as the case may be, for a single
801 primary, election or referendum, or for ongoing political activities, to
802 aid or promote the success or defeat of any political party, any one or

803 more candidates for public office or the position of town committee
804 member or any referendum question.

805 (2) "Party committee" means a state central committee or a town
806 committee. "Party committee" does not mean a party-affiliated or
807 district, ward or borough committee which receives all of its funds
808 from the state central committee of its party or from a single town
809 committee with the same party affiliation. Any such committee so
810 funded shall be construed to be a part of its state central or town
811 committee for purposes of this chapter and sections 1 to 4, inclusive,
812 and 6 to 22, inclusive, of this act.

813 (3) "Political committee" means (A) a committee organized by a
814 business entity or organization, (B) persons other than individuals, or
815 two or more individuals organized or acting jointly conducting their
816 activities in or outside the state, (C) a committee established by a
817 candidate to determine the particular public office to which [he] such
818 candidate shall seek nomination or election, and referred to in this
819 chapter as an exploratory committee, or (D) a committee established by
820 or on behalf of a slate of candidates in a primary for the office of justice
821 of the peace, but does not mean a candidate committee or a party
822 committee.

823 (4) "Candidate committee" means any committee designated by a
824 single candidate, or established with the consent, authorization or
825 cooperation of a candidate, for the purpose of a single primary or
826 election and to aid or promote [his] such candidate's candidacy alone
827 for a particular public office or the position of town committee
828 member, but does not mean a political committee or a party
829 committee.

830 (5) "National committee" means the organization which according to
831 the bylaws of a political party is responsible for the day-to-day
832 operation of the party at the national level.

833 (6) "Organization" means all labor organizations, (A) as defined in
834 the Labor-Management Reporting and Disclosure Act of 1959, as from

835 time to time amended, or (B) as defined in subdivision (9) of section
836 31-101, employee organizations as defined in subsection (d) of section
837 5-270 and subdivision (6) of section 7-467, bargaining representative
838 organizations for teachers, any local, state or national organization, to
839 which a labor organization pays membership or per capita fees, based
840 upon its affiliation or membership, and trade or professional
841 associations which receive their funds exclusively from membership
842 dues, whether organized in or outside of this state, but does not mean
843 a candidate committee, party committee or a political committee.

844 (7) "Business entity" means the following, whether organized in or
845 outside of this state: Stock corporations, banks, insurance companies,
846 business associations, bankers associations, insurance associations,
847 trade or professional associations which receive funds from
848 membership dues and other sources, partnerships, joint ventures,
849 private foundations, as defined in Section 509 of the Internal Revenue
850 Code of 1986, or any subsequent corresponding internal revenue code
851 of the United States, as from time to time amended; trusts or estates;
852 corporations organized under sections 38a-175 to 38a-192, inclusive,
853 38a-199 to 38a-209, inclusive, and 38a-214 to 38a-225, inclusive, and
854 chapters 594 to 597, inclusive; cooperatives, and any other association,
855 organization or entity which is engaged in the operation of a business
856 or profit-making activity; but does not include professional service
857 corporations organized under chapter 594a and owned by a single
858 individual, nonstock corporations which are not engaged in business
859 or profit-making activity, organizations, as defined in subdivision (6)
860 of this section, candidate committees, party committees and political
861 committees as defined in this section. For purposes of this chapter,
862 corporations which are component members of a controlled group of
863 corporations, as those terms are defined in Section 1563 of the Internal
864 Revenue Code of 1986, or any subsequent corresponding internal
865 revenue code of the United States, as from time to time amended, shall
866 be deemed to be one corporation.

867 (8) "Individual" means a human being, a sole proprietorship, or a
868 professional service corporation organized under chapter 594a and

869 owned by a single human being.

870 (9) "Person" means an individual, committee, firm, partnership,
871 organization, association, syndicate, company trust, corporation,
872 limited liability company or any other legal entity of any kind but does
873 not mean the state or any political or administrative subdivision of the
874 state.

875 (10) "Candidate" means an individual who seeks nomination for
876 election or election to public office whether or not such individual is
877 elected, and for the purposes of this chapter and sections 1 to 4,
878 inclusive, and 6 to 22, inclusive, of this act an individual shall be
879 deemed to seek nomination for election or election if [he] such
880 individual has (A) been endorsed by a party or become eligible for a
881 position on the ballot at an election or primary, or (B) solicited or
882 received contributions, made expenditures or given [his] such
883 individual's consent to any other person to solicit or receive
884 contributions or make expenditures with the intent to bring about [his]
885 such individual's nomination for election or election to any such office.
886 "Candidate" also means a slate of candidates which is to appear on the
887 ballot in a primary for the office of justice of the peace. For the
888 purposes of sections 9-333 to 9-333l, inclusive, as amended by this act,
889 and section 9-333w, "candidate" also means an individual who is a
890 candidate in a primary for town committee members.

891 (11) "Campaign treasurer" means the individual appointed by a
892 candidate or by the [chairman] chairperson of a party committee or a
893 political committee to receive and disburse funds on behalf of the
894 candidate or committee.

895 (12) "Deputy campaign treasurer" means the individual appointed
896 by the candidate or by the [chairman] chairperson of a committee to
897 serve in the capacity of the campaign treasurer if the campaign
898 treasurer is unable to perform [his] the campaign treasurer's duties.

899 (13) "Solicitor" means an individual appointed by a campaign
900 treasurer of a committee to receive, but not to disburse, funds on

901 behalf of the committee.

902 (14) "Referendum question" means a question to be voted upon at
903 any election or referendum, including a proposed constitutional
904 amendment.

905 (15) "Lobbyist" means a lobbyist as defined in subsection (l) of
906 section 1-91.

907 (16) "Business with which he is associated" means any business in
908 which the contributor is a director, officer, owner, limited or general
909 partner or holder of stock constituting five per cent or more of the total
910 outstanding stock of any class. Officer refers only to the president,
911 executive or senior vice-president or treasurer of such business.

912 (17) "Independent expenditure" means an expenditure that is made
913 without the consent, knowing participation, or consultation of, a
914 candidate or agent of the candidate committee. "Independent
915 expenditure" does not include an expenditure (A) if there is any
916 coordination or direction with respect to the expenditure between the
917 candidate or the treasurer, deputy treasurer or [chairman] chairperson
918 of [his] such candidate committee and the person making the
919 expenditure, or (B) if, during the same election cycle, the individual
920 making the expenditure serves or has served as the treasurer, deputy
921 treasurer or [chairman] chairperson of the candidate committee.

922 (18) "Federal account" means a depository account that is subject to
923 the disclosure and contribution limits provided under the Federal
924 Election Campaign Act of 1971, as amended from time to time.

925 (19) "Public funds" means funds belonging to, or under the control
926 of, the state or a political subdivision of the state.

927 Sec. 24. Section 9-333b of the general statutes is repealed and the
928 following is substituted in lieu thereof (*Effective January 1, 2007, and*
929 *applicable to elections held in 2010, and thereafter*):

930 (a) As used in this chapter and sections 1 to 4, inclusive, and 6 to 22,

931 inclusive, of this act, "contribution" means:

932 (1) Any gift, subscription, loan, advance, payment or deposit of
933 money or anything of value, made for the purpose of influencing the
934 nomination for election, or election, of any person or for the purpose of
935 aiding or promoting the success or defeat of any referendum question
936 or on behalf of any political party;

937 (2) A written contract, promise or agreement to make a contribution
938 for any such purpose;

939 (3) The payment by any person, other than a candidate or campaign
940 treasurer, of compensation for the personal services of any other
941 person which are rendered without charge to a committee or candidate
942 for any such purpose;

943 (4) An expenditure when made by a person with the cooperation of,
944 or in consultation with, any candidate, candidate committee or
945 candidate's agent or which is made in concert with, or at the request or
946 suggestion of, any candidate, candidate committee or candidate's
947 agent; or

948 (5) Funds received by a committee which are transferred from
949 another committee or other source for any such purpose.

950 (b) As used in this chapter and sections 1 to 4, inclusive, and 6 to 22,
951 inclusive, of this act, "contribution" does not mean:

952 (1) A loan of money made in the ordinary course of business by a
953 national or state bank;

954 (2) Any communication made by a corporation, organization or
955 association to its members, owners, stockholders, executive or
956 administrative personnel, or their families;

957 (3) Nonpartisan voter registration and get-out-the-vote campaigns
958 by any corporation, organization or association aimed at its members,
959 owners, stockholders, executive or administrative personnel, or their

960 families;

961 (4) Uncompensated services provided by individuals volunteering
962 their time;

963 (5) The use of real or personal property, and the cost of invitations,
964 food or beverages, voluntarily provided by an individual to a
965 candidate or on behalf of a state central or town committee, in
966 rendering voluntary personal services for candidate or party-related
967 activities at the individual's residence, to the extent that the cumulative
968 value of the invitations, food or beverages provided by the individual
969 on behalf of any single candidate does not exceed two hundred dollars
970 with respect to any single election, and on behalf of all state central
971 and town committees does not exceed four hundred dollars in any
972 calendar year;

973 (6) The sale of food or beverage for use in a candidate's campaign or
974 for use by a state central or town committee at a discount, if the charge
975 is not less than the cost to the vendor, to the extent that the cumulative
976 value of the discount given to or on behalf of any single candidate does
977 not exceed two hundred dollars with respect to any single election,
978 and on behalf of all state central and town committees does not exceed
979 four hundred dollars in a calendar year;

980 (7) Any unreimbursed payment for travel expenses made by an
981 individual who on the individual's own behalf volunteers the
982 individual's personal services to any single candidate to the extent the
983 cumulative value does not exceed two hundred dollars with respect to
984 any single election, and on behalf of all state central or town
985 committees does not exceed four hundred dollars in a calendar year;

986 (8) The payment, by a party committee, political committee or an
987 individual, of the costs of preparation, display, mailing or other
988 distribution incurred by the committee or individual with respect to
989 any printed slate card, sample ballot or other printed list containing
990 the names of three or more candidates;

991 (9) The donation of any item of personal property by an individual
992 to a committee for a fund-raising affair, including a tag sale or auction,
993 or the purchase by an individual of any such item at such an affair, to
994 the extent that the cumulative value donated or purchased does not
995 exceed fifty dollars;

996 (10) The purchase of advertising space which clearly identifies the
997 purchaser, in a program for a fund-raising affair, provided the
998 cumulative purchase of such space does not exceed two hundred fifty
999 dollars from any single candidate or the candidate's committee with
1000 respect to any single election campaign or two hundred fifty dollars
1001 from any single party committee or other political committee in any
1002 calendar year if the purchaser is a business entity or fifty dollars for
1003 purchases by any other person;

1004 (11) The payment of money by a candidate to the candidate's
1005 candidate committee;

1006 (12) The donation of goods or services by a business entity to a
1007 committee for a fund-raising affair, including a tag sale or auction, to
1008 the extent that the cumulative value donated does not exceed one
1009 hundred dollars;

1010 (13) The advance of a security deposit by an individual to a
1011 telephone company, as defined in section 16-1, for telecommunications
1012 service for a committee, provided the security deposit is refunded to
1013 the individual;

1014 (14) The provision of facilities, equipment, technical and managerial
1015 support, and broadcast time by a community antenna television
1016 company, as defined in section 16-1, for community access
1017 programming pursuant to section 16-331a, unless (A) the major
1018 purpose of providing such facilities, equipment, support and time is to
1019 influence the nomination or election of a candidate, or (B) such
1020 facilities, equipment, support and time are provided on behalf of a
1021 political party; or

1022 (15) The sale of food or beverage by a town committee to an
1023 individual at a town fair, county fair or similar mass gathering held
1024 within the state, to the extent that the cumulative payment made by
1025 any one individual for such items does not exceed fifty dollars.

1026 Sec. 25. Subsection (a) of section 9-333e of the general statutes, as
1027 amended by section 11 of public act 03-241, is repealed and the
1028 following is substituted in lieu thereof (*Effective January 1, 2007, and*
1029 *applicable to elections held in 2010, and thereafter*):

1030 (a) Statements filed by party committees, political committees
1031 formed to aid or promote the success or defeat of a referendum
1032 question proposing a constitutional convention, constitutional
1033 amendment or revision of the Constitution, individual lobbyists, and
1034 those political committees and candidate committees formed to aid or
1035 promote the success or defeat of any candidate for the office of
1036 Governor, Lieutenant Governor, Secretary of the State, State Treasurer,
1037 Comptroller, Attorney General, judge of probate and members of the
1038 General Assembly, shall be filed with the office of the Secretary of the
1039 State. On and after January 1, 2010, a copy of each statement filed by a
1040 candidate committee formed to aid or promote the success of any
1041 candidate for the office of Governor, Lieutenant Governor, Secretary of
1042 the State, State Treasurer, State Comptroller or Attorney General, shall
1043 be filed at the same time with the commission. A copy of each
1044 statement filed by a town committee shall be filed at the same time
1045 with the town clerk of the municipality in which the committee is
1046 situated. A political committee formed for a slate of candidates in a
1047 primary for the office of justice of the peace shall file statements with
1048 both the Secretary of the State and the town clerk of the municipality in
1049 which the primary is to be held.

1050 Sec. 26. Subsection (a) of section 9-333m of the general statutes, as
1051 amended by section 13 of public act 03-241, is repealed and the
1052 following is substituted in lieu thereof (*Effective January 1, 2007, and*
1053 *applicable to elections held in 2010, and thereafter*):

1054 (a) No individual shall make a contribution or contributions to, for
1055 the benefit of, or pursuant to the authorization or request of, a
1056 candidate or a committee supporting or opposing any candidate's
1057 campaign for nomination at a primary, or any candidate's campaign
1058 for election, to the office of (1) Governor, in excess of two thousand
1059 five hundred dollars for a primary or an election held in 2006, and in
1060 excess of one thousand dollars for a primary and an election held in
1061 2010, or thereafter; (2) Lieutenant Governor, Secretary of the State,
1062 State Treasurer, State Comptroller or Attorney General, in excess of
1063 one thousand five hundred dollars for a primary or an election held in
1064 2006, and in excess of seven hundred fifty dollars for a primary and an
1065 election held in 2010, or thereafter; (3) chief executive officer of a town,
1066 city or borough, in excess of one thousand dollars; (4) state senator or
1067 probate judge, in excess of five hundred dollars; or (5) state
1068 representative or any other office of a municipality not [previously]
1069 specifically included in this subsection, in excess of two hundred fifty
1070 dollars. [The] Except for contributions to, or for the benefit of, a
1071 candidate's campaign for election in 2010, or thereafter to the office of
1072 Governor, Lieutenant Governor, Secretary of the State, State Treasurer,
1073 State Comptroller, or Attorney General, the limits imposed by this
1074 subsection shall be applied separately to primaries and elections.

1075 Sec. 27. Subsection (e) of section 9-333n of the general statutes is
1076 repealed and the following is substituted in lieu thereof (*Effective*
1077 *January 1, 2007, and applicable to elections held in 2010, and thereafter*):

1078 (e) (1) Any individual acting alone may, independent of any
1079 candidate, agent of the candidate, or committee, make unlimited
1080 expenditures to promote the success or defeat of any candidate's
1081 campaign for election, or nomination at a primary, to any office or
1082 position. [, provided] Except as provided in subdivision (2) of this
1083 subsection, any individual who makes an independent expenditure or
1084 expenditures in excess of one thousand dollars to promote the success
1085 or defeat of any candidate's campaign for election, or nomination at a
1086 primary, to any such office or position shall file statements according
1087 to the same schedule and in the same manner as is required of a

1088 campaign treasurer of a candidate committee under section 9-333j, as
1089 amended by this act.

1090 (2) Any person who, on or after January 1, 2010, makes or obligates
1091 to make an independent expenditure, as defined in section 9-333a, as
1092 amended by this act, intended to promote the success or defeat of a
1093 candidate for state office, as defined in section 1 of this act, which
1094 exceeds one thousand dollars, in the aggregate, during a primary
1095 campaign or a general election campaign, as defined in section 1 of this
1096 act, shall file a report of such independent expenditure to the State
1097 Elections Enforcement Commission. The report shall be in the same
1098 form as statements filed under section 9-333j, as amended by this act. If
1099 the person makes or obligates to make such independent expenditure
1100 more than twenty days before the day of a primary or election, the
1101 person shall file such report not later than forty-eight hours after such
1102 payment or obligation. If the person makes or obligates to make such
1103 independent expenditure twenty days or less before the day of a
1104 primary or election, the person shall file such report not later than
1105 twenty-four hours after such payment or obligation. The report shall
1106 be filed under penalty of false statement.

1107 (3) The independent expenditure report in subdivision (2) of this
1108 subsection shall include a statement (A) identifying the candidate for
1109 whom the independent expenditure is intended to promote the success
1110 or defeat, (B) affirming that the expenditure is totally independent and
1111 involves no cooperation or coordination with or direction from a
1112 candidate or a political party, and (C) affirming that the individual
1113 making the expenditure has not served or does not serve as treasurer,
1114 deputy treasurer or chairperson of the candidate committee during the
1115 same election cycle.

1116 (4) Any person may file a complaint with the commission upon the
1117 belief that (A) any such independent expenditure report or statement
1118 is false, or (B) any person who is required to file an independent
1119 expenditure report under subdivision (2) of this subsection has failed
1120 to do so. The commission shall make a prompt determination on such

1121 a complaint.

1122 Sec. 28. Subsection (d) of section 9-333o of the general statutes is
1123 repealed and the following is substituted in lieu thereof (*Effective*
1124 *January 1, 2007, and applicable to elections held in 2010, and thereafter*):

1125 (d) A political committee organized by a business entity shall not
1126 make a contribution or contributions to or for the benefit of any
1127 candidate's campaign for nomination at a primary or any candidate's
1128 campaign for election to the office of: (1) Governor, in excess of five
1129 thousand dollars for a primary or an election held in 2006, and in
1130 excess of three thousand five hundred dollars for a primary and an
1131 election held in 2010, or thereafter; (2) Lieutenant Governor, Secretary
1132 of the State, State Treasurer, State Comptroller or Attorney General, in
1133 excess of three thousand dollars for a primary or an election held in
1134 2006, and in excess of two thousand dollars for a primary and an
1135 election held in 2010, or thereafter; (3) state senator, probate judge or
1136 chief executive officer of a town, city or borough, in excess of one
1137 thousand dollars; (4) state representative, in excess of five hundred
1138 dollars; or (5) any other office of a municipality not included in
1139 subdivision (3) of this subsection, in excess of two hundred fifty
1140 dollars; or an exploratory committee, in excess of two hundred fifty
1141 dollars. [The] Except for contributions to, or for the benefit of, a
1142 candidate's campaign for election in 2010, or thereafter to the office of
1143 Governor, Lieutenant Governor, Secretary of the State, State Treasurer,
1144 State Comptroller, or Attorney General, the limits imposed by this
1145 subsection shall apply separately to primaries and elections and
1146 contributions by any such committee to candidates designated in this
1147 subsection shall not exceed one hundred thousand dollars in the
1148 aggregate for any single election and primary preliminary thereto.
1149 Contributions to such committees shall also be subject to the
1150 provisions of section 9-333t, as amended by this act, in the case of
1151 committees formed for ongoing political activity or section 9-333u, as
1152 amended by this act, in the case of committees formed for a single
1153 election or primary.

1154 Sec. 29. Section 9-333q of the general statutes is repealed and the
1155 following is substituted in lieu thereof (*Effective January 1, 2007, and*
1156 *applicable to elections held in 2010, and thereafter*):

1157 (a) No political committee established by an organization shall
1158 make a contribution or contributions to, or for the benefit of, any
1159 candidate's campaign for nomination at a primary or for election to the
1160 office of: (1) Governor, in excess of two thousand five hundred dollars;
1161 (2) Lieutenant Governor, Secretary of the State, State Treasurer, State
1162 Comptroller or Attorney General, in excess of one thousand five
1163 hundred dollars; (3) chief executive officer of a town, city or borough,
1164 in excess of one thousand dollars; (4) state senator or probate judge, in
1165 excess of five hundred dollars; or (5) state representative or any other
1166 office of a municipality not [previously] specifically included in this
1167 subsection, in excess of two hundred fifty dollars.

1168 (b) No such committee shall make a contribution or contributions to,
1169 or for the benefit of, an exploratory committee, in excess of two
1170 hundred fifty dollars. Any such committee may make unlimited
1171 contributions to a political committee formed solely to aid or promote
1172 the success or defeat of a referendum question.

1173 (c) [The] Except for contributions to, or for the benefit of, a
1174 candidate's campaign for election in 2010, or thereafter to the office of
1175 Governor, Lieutenant Governor, Secretary of the State, State Treasurer,
1176 State Comptroller, or Attorney General, the limits imposed by
1177 subsection (a) of this section shall apply separately to primaries and
1178 elections and no such committee shall make contributions to the
1179 candidates designated in this section which in the aggregate exceed
1180 fifty thousand dollars for any single election and primary preliminary
1181 thereto.

1182 (d) No political committee established by an organization shall
1183 make contributions in any one calendar year to, or for the benefit of, (1)
1184 the state central committee of a political party, in excess of five
1185 thousand dollars; (2) a town committee, in excess of one thousand

1186 dollars; or (3) any political committee, other than an exploratory
1187 committee or a committee formed solely to aid or promote the success
1188 or defeat of a referendum question, in excess of two thousand dollars.

1189 (e) No political committee established by an organization shall make
1190 contributions to the committees designated in subsection (d) of this
1191 section, which in the aggregate exceed fifteen thousand dollars in any
1192 one calendar year. Contributions to a political committee established
1193 by an organization shall also be subject to the provisions of section 9-
1194 333t, as amended by this act, in the case of a committee formed for
1195 ongoing political activity or section 9-333u, as amended by this act, in
1196 the case of a committee formed for a single election or primary.

1197 Sec. 30. Subsection (b) of section 9-333y of the general statutes is
1198 repealed and the following is substituted in lieu thereof (*Effective*
1199 *January 1, 2007, and applicable to elections held in 2010, and thereafter*):

1200 (b) If any campaign treasurer or lobbyist fails to file the statements
1201 required by section 9-333j, as amended by this act, or subsection (g) of
1202 section 9-333l, as the case may be, within the time required, [he] the
1203 campaign treasurer of lobbyist shall pay a late filing fee of fifty-five
1204 dollars. In the case of a statement that is required to be filed with the
1205 Secretary of the State, the secretary shall, within ten days after the
1206 filing deadline, notify by certified mail, return receipt requested, the
1207 person required to file that, if such statement is not filed within
1208 twenty-one days after the deadline, the person is in violation of said
1209 section or subsection. If the person does not file such statement within
1210 twenty-one days after the deadline, the secretary shall notify the State
1211 Elections Enforcement Commission within twenty-eight days after the
1212 deadline. In the case of a copy of a statement that is required to be filed
1213 with the State Elections Enforcement Commission, the commission
1214 shall, not later than ten days after the filing deadline, notify by
1215 certified mail, return receipt requested, the person required to file that
1216 if such statement is not filed within twenty-one days after the deadline
1217 the person is in violation of section 9-333j, as amended by this act. In
1218 the case of a statement that is required to be filed with a town clerk, the

1219 town clerk shall forthwith after the filing deadline notify by certified
1220 mail, return receipt requested, the person required to file that, if such
1221 statement is not filed within seven days after receiving such notice, the
1222 town clerk shall notify the State Elections Enforcement Commission
1223 that the person is in violation of said section or subsection. The penalty
1224 for any violation of said section or subsection shall be a fine of not
1225 more than one thousand dollars or imprisonment for not more than
1226 one year or both.

1227 Sec. 31. Section 9-7b of the general statutes, as amended by section 2
1228 of public act 03-223 and sections 53 and 65 of public act 03-241, is
1229 repealed and the following is substituted in lieu thereof (*Effective*
1230 *January 1, 2007, and applicable to elections held in 2010, and thereafter*):

1231 (a) The State Elections Enforcement Commission shall have the
1232 following duties and powers:

1233 (1) To make investigations on its own initiative or with respect to
1234 statements filed with the commission by the Secretary of the State or
1235 any town clerk, or upon written complaint under oath by any
1236 individual, with respect to alleged violations of any provision of the
1237 general statutes or sections 1 to 4, inclusive, and 6 to 22, inclusive, of
1238 this act, relating to any election or referendum, any primary held
1239 pursuant to section 9-423, 9-425 or 9-464 or any primary held pursuant
1240 to a special act, and to hold hearings when the commission deems
1241 necessary to investigate violations of any provisions of the general
1242 statutes or sections 1 to 4, inclusive, and 6 to 22, inclusive, of this act,
1243 relating to any such election, primary or referendum, and for the
1244 purpose of such hearings the commission may administer oaths,
1245 examine witnesses and receive oral and documentary evidence, and
1246 shall have the power to subpoena witnesses under procedural rules the
1247 commission shall adopt, to compel their attendance and to require the
1248 production for examination of any books and papers which the
1249 commission deems relevant to any matter under investigation or in
1250 question. In connection with its investigation of any alleged violation
1251 of any provision of chapter 145, or of any provision of section 9-359 or

1252 section 9-359a, the commission shall also have the power to subpoena
1253 any municipal clerk and to require the production for examination of
1254 any absentee ballot, inner and outer envelope from which any such
1255 ballot has been removed, depository envelope containing any such
1256 ballot or inner or outer envelope as provided in sections 9-150a and 9-
1257 150b and any other record, form or document as provided in section 9-
1258 150b, in connection with the election, primary or referendum to which
1259 the investigation relates. In case of a refusal to comply with any
1260 subpoena issued pursuant to this subsection or to testify with respect
1261 to any matter upon which that person may be lawfully interrogated,
1262 the superior court for the judicial district of Hartford, on application of
1263 the commission, may issue an order requiring such person to comply
1264 with such subpoena and to testify; failure to obey any such order of the
1265 court may be punished by the court as a contempt thereof. In any
1266 matter under investigation which concerns the operation or inspection
1267 of or outcome recorded on any voting machine, the commission may
1268 issue an order to the municipal clerk to impound such machine until
1269 the investigation is completed;

1270 (2) To levy a civil penalty not to exceed (A) two thousand dollars
1271 per offense against any person the commission finds to be in violation
1272 of any provision of chapter 145, part V of chapter 146, part I of chapter
1273 147, chapter 148, section 9-12, subsection (a) of section 9-17, section 9-
1274 19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h, 9-23j to 9-
1275 23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-
1276 50a, 9-56, 9-59, 9-168d, 9-170, 9-171, 9-172, 9-409, 9-410, 9-412, 9-436, 9-
1277 436a, 9-453e to 9-453h, inclusive, 9-453k, 9-453o, [or] sections 1 to 3,
1278 inclusive, of [this act] public act 03-241, or sections 1 to 4, inclusive,
1279 and 6 to 22, inclusive, of this act, or (B) two thousand dollars per
1280 offense or twice the amount of any improper payment or contribution,
1281 whichever is greater, against any person the commission finds to be in
1282 violation of any provision of chapter 150. The commission may levy a
1283 civil penalty against any person under subparagraph (A) or (B) of this
1284 subdivision only after giving the person an opportunity to be heard at
1285 a hearing conducted in accordance with sections 4-176e to 4-184,

1286 inclusive. In the case of failure to pay any such penalty levied pursuant
1287 to this subsection [within] not later than thirty days of written notice
1288 sent by certified or registered mail to such person, the superior court
1289 for the judicial district of Hartford, on application of the commission,
1290 may issue an order requiring such person to pay the penalty imposed
1291 and such court costs, state marshal's fees and attorney's fees incurred
1292 by the commission as the court may determine. Any civil penalties
1293 paid, collected or recovered under subparagraph (B) of this
1294 subdivision for a violation of any provision of chapter 150 applying to
1295 the office of the Treasurer shall be deposited on a pro rata basis in any
1296 trust funds, as defined in section 3-13c, affected by such violation;

1297 (3) (A) To issue an order requiring any person the commission finds
1298 to have received any contribution or payment which is prohibited by
1299 any of the provisions of chapter 150, after an opportunity to be heard
1300 at a hearing conducted in accordance with the provisions of sections 4-
1301 176e to 4-184, inclusive, to return such contribution or payment to the
1302 donor or payor, or to remit such contribution or payment to the state
1303 for deposit in the General Fund, whichever is deemed necessary to
1304 effectuate the purposes of chapter 150;

1305 (B) To issue an order when the commission finds that an intentional
1306 violation of any provision of chapter 150 has been committed, after an
1307 opportunity to be heard at a hearing conducted in accordance with
1308 sections 4-176e to 4-184, inclusive, which order may contain one or
1309 more of the following sanctions: (i) Removal of a campaign treasurer,
1310 deputy campaign treasurer or solicitor; (ii) prohibition on serving as a
1311 campaign treasurer, deputy campaign treasurer or solicitor, for a
1312 period not to exceed four years; and (iii) in the case of a party
1313 committee or a political committee, suspension of all political
1314 activities, including, but not limited to, the receipt of contributions and
1315 the making of expenditures, provided the commission may not order
1316 such a suspension unless the commission has previously ordered the
1317 removal of the campaign treasurer and notifies the officers of the
1318 committee that the commission is considering such suspension;

1319 (C) To issue an order revoking any person's eligibility to be
1320 appointed or serve as an election, primary or referendum official or
1321 unofficial checker or in any capacity at the polls on the day of an
1322 election, primary or referendum, when the commission finds such
1323 person has intentionally violated any provision of the general statutes
1324 relating to the conduct of an election, primary or referendum, after an
1325 opportunity to be heard at a hearing conducted in accordance with
1326 sections 4-176e to 4-184, inclusive;

1327 (4) To issue an order to a candidate committee which receives
1328 moneys from the Citizens' Election Fund pursuant to sections 1 to 4,
1329 inclusive, and 6 to 22, inclusive, of this act, to comply with the
1330 provisions of said sections after an opportunity to be heard at a
1331 hearing conducted in accordance with the provisions of sections 4-176e
1332 to 4-184, inclusive;

1333 ~~[(4)]~~ (5) To inspect or audit at any reasonable time and upon
1334 reasonable notice the accounts or records of any campaign treasurer or
1335 principal campaign treasurer, as required by chapter 150 and sections 1
1336 to 4, inclusive, and 6 to 22, inclusive, of this act, and to audit any such
1337 election, primary or referendum held within the state; provided, (A) (i)
1338 not later than two months preceding the day of an election at which a
1339 candidate is seeking election, the commission shall complete any audit
1340 it has initiated in the absence of a complaint that involves a committee
1341 of the same candidate from a previous election, and (ii) during the
1342 two-month period preceding the day of an election at which a
1343 candidate is seeking election, the commission shall not initiate an audit
1344 in the absence of a complaint that involves a committee of the same
1345 candidate from a previous election, and (B) the commission shall not
1346 audit any caucus, as defined in subdivision (1) of section 9-372;

1347 ~~[(5)]~~ (6) To attempt to secure voluntary compliance, by informal
1348 methods of conference, conciliation and persuasion, with any
1349 provision of chapters 149 to 153, inclusive, or any other provision of
1350 the general statutes relating to any such election, primary or
1351 referendum;

1352 [(6)] (7) To consult with the Secretary of the State, the Chief State's
1353 Attorney or the Attorney General on any matter which the commission
1354 deems appropriate;

1355 [(7)] (8) To refer to the Chief State's Attorney evidence bearing upon
1356 violation of any provision of chapters 149 to 153, inclusive, or any
1357 other provision of the general statutes or sections 1 to 4, inclusive, and
1358 6 to 22, inclusive, of this act, pertaining to or relating to any such
1359 election, primary or referendum;

1360 [(8)] (9) To refer to the Attorney General evidence for injunctive
1361 relief and any other ancillary equitable relief in the circumstances of
1362 subdivision [(7)] (8) of this [section] subsection. Nothing in this
1363 subdivision shall preclude a person who claims that [he] such person is
1364 aggrieved by a violation of any provision of chapter 152 or any other
1365 provision of the general statutes relating to referenda from pursuing
1366 injunctive and any other ancillary equitable relief directly from the
1367 Superior Court by the filing of a complaint;

1368 [(9)] (10) To refer to the Attorney General evidence pertaining to any
1369 ruling which the commission finds to be in error made by election
1370 officials in connection with any election, primary or referendum. Those
1371 remedies and procedures available to parties claiming to be aggrieved
1372 under the provisions of sections 9-323, 9-324, as amended by this act, 9-
1373 328 and 9-329a shall apply to any complaint brought by the Attorney
1374 General as a result of the provisions of this subdivision;

1375 [(10)] (11) To consult with the United States Department of Justice
1376 and the United States Attorney for Connecticut on any investigation
1377 pertaining to a violation of this section, section 9-12, subsection (a) of
1378 section 9-17 or section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a,
1379 9-23g, 9-23h, 9-23j to 9-23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-
1380 35c, 9-40a, 9-42, 9-43, 9-50a, 9-56 or 9-59 and to refer to said department
1381 and attorney evidence bearing upon any such violation for prosecution
1382 under the provisions of the National Voter Registration Act of 1993,
1383 P.L. 103-31, as amended from time to time;

1384 [(11)] (12) To inspect reports filed with the Secretary of the State and
1385 with town clerks pursuant to chapter 150 and refer to the Chief State's
1386 Attorney evidence bearing upon any violation of law therein if such
1387 violation was committed knowingly and wilfully;

1388 [(12)] (13) To intervene in any action brought pursuant to the
1389 provisions of sections 9-323, 9-324, as amended by this act, 9-328 and 9-
1390 329a upon application to the court in which such action is brought
1391 when in the opinion of the court it is necessary to preserve evidence of
1392 possible criminal violation of the election laws;

1393 [(13)] (14) To adopt and publish regulations pursuant to chapter 54
1394 to carry out the provisions of section 9-7a, this section, sections 1 to 4,
1395 inclusive, and 6 to 22, inclusive, of this act, and chapter 150; to issue
1396 upon request and publish advisory opinions in the Connecticut Law
1397 Journal upon the requirements of chapter 150 and sections 1 to 4,
1398 inclusive, and 6 to 22, inclusive, of this act, and to make
1399 recommendations to the General Assembly concerning suggested
1400 revisions of the election laws;

1401 [(14)] (15) To the extent that the Elections Enforcement Commission
1402 is involved in the investigation of alleged or suspected criminal
1403 violations of any provision of the general statutes or sections 1 to 4,
1404 inclusive, and 6 to 22, inclusive, of this act, pertaining to or relating to
1405 any such election, primary or referendum and is engaged in such
1406 investigation for the purpose of presenting evidence to the Chief
1407 State's Attorney, the Elections Enforcement Commission shall be
1408 deemed a law enforcement agency for purposes of subdivision (3) of
1409 subsection (b) of section 1-210, provided nothing in this section shall be
1410 construed to exempt the Elections Enforcement Commission in any
1411 other respect from the requirements of the Freedom of Information
1412 Act, as defined in section 1-200;

1413 [(15)] (16) To enter into such contractual agreements as may be
1414 necessary for the discharge of its duties, within the limits of its
1415 appropriated funds and in accordance with established procedures;

1416 and

1417 [(16)] (17) To provide the Secretary of the State with notice and
1418 copies of all decisions rendered by the commission in contested cases,
1419 advisory opinions and declaratory judgments, at the time such
1420 decisions, judgments and opinions are made or issued.

1421 (b) In the case of a refusal to comply with an order of the
1422 commission issued pursuant to subdivision (3) of subsection (a) of this
1423 section, the superior court for the judicial district of Hartford, on
1424 application of the commission, may issue a further order to comply.
1425 Failure to obey such further order may be punished by the court as a
1426 contempt thereof.

1427 Sec. 32. Section 9-324 of the general statutes is repealed and the
1428 following is substituted in lieu thereof (*Effective January 1, 2007, and*
1429 *applicable to elections held in 2010, and thereafter*):

1430 Any elector or candidate who claims that [he] such elector or
1431 candidate is aggrieved by any ruling of any election official in
1432 connection with any election for Governor, Lieutenant Governor,
1433 Secretary of the State, State Treasurer, Attorney General, State
1434 Comptroller or judge of probate, held in [his] such elector's or
1435 candidate's town, or that there has been a mistake in the count of the
1436 votes cast at such election for candidates for said offices or any of
1437 them, at any voting district in [his] such elector's or candidate's town,
1438 or any candidate for such an office who claims that [he] such candidate
1439 is aggrieved by a violation of any provision of [sections] section 9-355,
1440 9-357 to 9-361, inclusive, 9-364, 9-364a or 9-365 in the casting of
1441 absentee ballots at such election or any candidate for the office of
1442 Governor, Lieutenant Governor, Secretary of the State, State Treasurer,
1443 Attorney General or State Comptroller, who claims that such candidate
1444 is aggrieved by a violation of any provision of sections 1 to 4, inclusive,
1445 and 6 to 22, inclusive, of this act, may bring [his] such elector's or
1446 candidate's complaint to any judge of the Superior Court, in which [he]
1447 such elector or candidate shall set out the claimed errors of such

1448 election official, the claimed errors in the count or the claimed
1449 violations of said sections. In any action brought pursuant to the
1450 provisions of this section, the complainant shall send a copy of the
1451 complaint by first-class mail, or deliver a copy of the complaint by
1452 hand, to the State Elections Enforcement Commission. If such
1453 complaint is made prior to such election, such judge shall proceed
1454 expeditiously to render judgment on the complaint and shall cause
1455 notice of the hearing to be given to the Secretary of the State and the
1456 State Elections Enforcement Commission. If such complaint is made
1457 subsequent to the election, it shall be brought [within] not later than
1458 fourteen days of the election and such judge shall forthwith order a
1459 hearing to be had upon such complaint, upon a day not more than five
1460 nor less than three days from the making of such order, and shall cause
1461 notice of not less than three nor more than five days to be given to any
1462 candidate or candidates whose election may be affected by the decision
1463 upon such hearing, to such election official, the Secretary of the State,
1464 the State Elections Enforcement Commission and to any other party or
1465 parties whom such judge deems proper parties thereto, of the time and
1466 place for the hearing upon such complaint. Such judge shall, on the
1467 day fixed for such hearing and without unnecessary delay, proceed to
1468 hear the parties. If sufficient reason is shown, [he] such judge may
1469 order any voting machines to be unlocked or any ballot boxes to be
1470 opened and a recount of the votes cast, including absentee ballots, to
1471 be made. Such judge shall thereupon, in case [he] such judge finds any
1472 error in the rulings of the election official, any mistake in the count of
1473 the votes or any violation of said sections, certify the result of [his]
1474 such judge's finding or decision to the Secretary of the State before the
1475 fifteenth day of the next succeeding December. Such judge may order a
1476 new election or a change in the existing election schedule. Such
1477 certificate of such judge of [his] such judge's finding or decision shall
1478 be final and conclusive upon all questions relating to errors in the
1479 rulings of such election officials, to the correctness of such count, and,
1480 for the purposes of this section only, such claimed violations, and shall
1481 operate to correct the returns of the moderators or presiding officers,
1482 so as to conform to such finding or decision, unless the same is

1483 appealed from as provided in section 9-325.

1484 Sec. 33. Subsections (b) and (c) of section 9-348ee of the general
1485 statutes, are repealed and the following is substituted in lieu thereof
1486 (*Effective January 1, 2007, and applicable to elections held in 2010, and*
1487 *thereafter*):

1488 (b) On and after January 1, [1999] 2007, the campaign treasurer of
1489 the candidate committee for each candidate for nomination or election
1490 to the office of Governor, Lieutenant Governor, Attorney General,
1491 State Comptroller, State Treasurer or Secretary of the State who raises
1492 or spends [two hundred fifty] one hundred thousand dollars or more
1493 during an election campaign shall file in electronic form all financial
1494 disclosure statements required by [said] section 9-333j, as amended by
1495 this act, by either transmitting disks, tapes or other electronic storage
1496 media containing the contents of such statements to the office of the
1497 Secretary of the State or transmitting the statements on-line to said
1498 office. Each such campaign treasurer shall use either (1) a software
1499 program created by the Secretary of the State under subdivision (1) of
1500 subsection (a) of this section, for all such statements filed on or after
1501 January 1, [1999] 2007, or (2) another software program which
1502 provides for the standard reporting format, and complies with the
1503 specifications, which are prescribed by the secretary under subdivision
1504 (2) of subsection (a) of this section, for all such statements filed on or
1505 after [July 1, 1999] January 1, 2007. The office of the Secretary of the
1506 State shall accept any statement that uses any such software program.
1507 Once any such candidate committee has raised or spent [two hundred
1508 fifty thousand dollars or more] said amount during an election
1509 campaign, all previously filed statements required by said section 9-
1510 333j, as amended by this act, which were not filed in electronic form
1511 shall be refiled in such form, using such a software program, not later
1512 than the date on which the campaign treasurer of the committee is
1513 required to file the next regular statement under said section 9-333j, as
1514 amended by this act.

1515 (c) On and after January 1, [1999] 2007, (1) the campaign treasurer of

1516 the candidate committee for any other candidate, as defined in section
1517 9-333a, as amended, who is required to file the financial disclosure
1518 statements required by section 9-333j, as amended by this act, with the
1519 office of the Secretary of the State and (2) the campaign treasurer of
1520 any political committee or party committee, may file in electronic form
1521 any financial disclosure statements required by said section 9-333j, as
1522 amended by this act. Such filings may be made by either transmitting
1523 disks, tapes or other electronic storage media containing the contents
1524 of such statements to the proper authority under section 9-333e, as
1525 amended, or transmitting the statements on-line to such proper
1526 authority. Each such campaign treasurer shall use either (A) a software
1527 program created by the Secretary of the State under subdivision (1) of
1528 subsection (a) of this section, for all such statements filed in electronic
1529 form on or after January 1, [1999] 2007, or (B) another software
1530 program which provides for the standard reporting format, and
1531 complies with the specifications, which are prescribed by the secretary
1532 under subdivision (2) of subsection (a) of this section, for all such
1533 statements filed in electronic form on or after [July 1, 1999] January 1,
1534 2007. The proper authority under section 9-333e, as amended, shall
1535 accept any statement that uses any such software program.

1536 Sec. 34. Section 9-348gg of the general statutes is repealed and the
1537 following is substituted in lieu thereof (*Effective January 1, 2007, and*
1538 *applicable to elections held in 2010, and thereafter*):

1539 On and after January 1, [2000] 2007, the Secretary of the State shall
1540 make all computerized data from statements required by section 9-
1541 333j, as amended by this act, available to the public, not later than two
1542 business days after the statements are filed, through (1) computer
1543 terminals in the Office of the Secretary of the State and, if feasible, at
1544 remote access locations and (2) the Internet or any other generally
1545 available on-line computer network.

1546 Sec. 35. (NEW) (*Effective July 1, 2004*) (a) (1) No candidate for the
1547 office of Governor or Lieutenant Governor shall solicit contributions,
1548 on behalf of a candidate committee established by a candidate for

1549 nomination or election to any public office or on behalf of any political
1550 committee or party committee, or accept contributions in excess of five
1551 hundred dollars, (A) from any individual who (i) is an officer, director,
1552 owner, limited or general partner or holder of stock constituting five
1553 per cent or more of the total outstanding stock of any class of a
1554 business which has a contract with the state valued at two hundred
1555 fifty thousand dollars or more, and (ii) has substantial policy or
1556 decision-making authority related to the administration of said
1557 contract, or (B) from a political committee established by such
1558 business.

1559 (2) No such individual from such business and no political
1560 committee established by such business shall make a contribution or
1561 contributions in excess of five hundred dollars to any candidate
1562 committee established by a candidate for the office of Governor or
1563 Lieutenant Governor, during the term of such contract. If any such
1564 individual or political committee makes such a contribution, the
1565 business shall be prohibited from being awarded a state contract for
1566 one year after the election for which such contribution is made.

1567 (b) (1) No candidate for the office of Attorney General, State
1568 Comptroller or Secretary of the State shall solicit contributions, on
1569 behalf of a candidate committee established by a candidate for
1570 nomination or election to any public office or on behalf of any political
1571 committee or party committee, or accept contributions in excess of five
1572 hundred dollars, (A) from any individual who (i) is an officer, director,
1573 owner, limited or general partner or holder of stock constituting five
1574 per cent or more of the total outstanding stock of any class of a
1575 business which has a contract with such official's office valued at two
1576 hundred fifty thousand dollars or more, and (ii) has substantial policy
1577 or decision-making authority related to the administration of said
1578 contract, or (B) from a political committee established by such
1579 business.

1580 (2) No such individual from such business and no political
1581 committee established by such business shall make a contribution or

1582 contributions in excess of five hundred dollars to any candidate
 1583 committee established by a candidate for the office with which the
 1584 business has a contract, during the term of such contract. If any such
 1585 individual or political committee makes such a contribution, the
 1586 business shall be prohibited from being awarded a contract from such
 1587 office for one year after the election for which such contribution is
 1588 made.

1589 (3) The provisions of this subsection shall also apply to the State
 1590 Treasurer to the extent such provisions are not inconsistent with other
 1591 statutory restrictions relating to the State Treasurer.

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 3	<i>July 1, 2004, and applicable to taxable years commencing on or after January 1, 2004</i>
Sec. 4	<i>July 1, 2004, and applicable to taxable years commencing on or after January 1, 2004</i>
Sec. 5	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 6	<i>July 1, 2004</i>
Sec. 7	<i>July 1, 2004</i>
Sec. 8	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 9	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 10	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 11	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 12	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 13	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 14	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>

Sec. 15	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 16	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 17	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 18	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 19	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 20	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 21	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 22	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 23	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 24	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 25	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 26	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 27	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 28	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 29	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 30	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 31	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 32	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 33	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 34	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 35	<i>July 1, 2004</i>

Statement of Legislative Commissioners:

The new language in subsection (e)(1) of section 27 was rephrased for statutory consistency.

GAE *Joint Favorable Subst. C/R*

APP