



# Senate

General Assembly

**File No. 782**

January Session, 2005

Substitute Senate Bill No. 61

*Senate, May 20, 2005*

The Committee on Finance, Revenue and Bonding reported through SEN. DAILY of the 33rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT PROVIDING FOR COMPREHENSIVE CAMPAIGN FINANCE REFORM FOR STATE-WIDE CONSTITUTIONAL AND GENERAL ASSEMBLY OFFICES.***

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

1 Section 1. (NEW) (*Effective July 1, 2005*) There is established, within  
2 the General Fund, a separate, nonlapsing account to be known as the  
3 "Citizens' Election Fund". The fund may contain any moneys required  
4 by law to be deposited in the fund. Investment earnings credited to the  
5 assets of the fund shall become part of the assets of the fund. The State  
6 Treasurer shall administer the fund. Any balance remaining in the  
7 fund at the end of any fiscal year shall be carried forward in the fund  
8 for the next fiscal year. All moneys deposited in the fund shall be used  
9 for the purposes of sections 1 and 5 to 24, inclusive, of this act. The  
10 State Elections Enforcement Commission may deduct and retain from  
11 the moneys in the fund an amount equal to the costs incurred by the  
12 commission in administering the provisions of sections 1 and 5 to 24,  
13 inclusive, of this act provided said amount shall not exceed one per

14 cent of the moneys deposited in the fund in any fiscal year. Any  
15 portion of said one per cent allocation which exceeds said costs  
16 incurred by the commission in any fiscal year shall continue to be  
17 available for any said costs incurred by the commission in subsequent  
18 fiscal years.

19       Sec. 2. (NEW) (*Effective July 1, 2005*) (a) In addition to any fine, fee or  
20 cost that may be imposed pursuant to any provision of the general  
21 statutes, the court shall impose a surcharge of (1) ten dollars on any  
22 person who, on or after the effective date of this section, is convicted  
23 of, or pleads guilty or nolo contendere to, any offense classified as an  
24 infraction under the general statutes, or (2) twenty dollars on any  
25 person who, on or after the effective date of this section, is convicted  
26 of, or pleads guilty or nolo contendere to, (A) any offense classified as  
27 a felony or a misdemeanor under the general statutes, or (B) any other  
28 offense under the general statutes that is not classified as an infraction,  
29 felony or misdemeanor.

30       (b) Each surcharge imposed under subsection (a) of this section shall  
31 be immediately transmitted to the State Treasurer for deposit in the  
32 Citizens' Election Fund established in section 1 of this act.

33       Sec. 3. (NEW) (*Effective July 1, 2005*) (a) In addition to any fine, fee or  
34 cost that may be imposed pursuant to any provision of the general  
35 statutes, a state agency or a quasi-public agency, as defined in section  
36 1-120 of the general statutes, shall impose a surcharge of (1) ten dollars  
37 on each civil penalty of less than one hundred dollars levied by the  
38 agency against a person, or agreed to be paid by such person in a  
39 negotiated settlement, pursuant to the general statutes or regulations  
40 adopted pursuant to the general statutes, or (2) twenty dollars on each  
41 civil penalty of one hundred dollars or more levied by the agency  
42 against a person, or agreed to be paid by such person in a negotiated  
43 settlement, pursuant to the general statutes or regulations adopted  
44 pursuant to the general statutes.

45       (b) Each surcharge imposed under subsection (a) of this section shall  
46 be immediately transmitted to the State Treasurer for deposit in the

47 Citizens' Election Fund established in section 1 of this act.

48 Sec. 4. Section 52-259 of the general statutes is repealed and the  
49 following is substituted in lieu thereof (*Effective July 1, 2005*):

50 (a) There shall be paid to the clerks for entering each appeal or writ  
51 of error to the Supreme Court, or entering each appeal to the Appellate  
52 Court, as the case may be, two hundred fifty dollars, and for each civil  
53 cause in the Superior Court, two hundred twenty-five dollars, except  
54 (1) one hundred twenty dollars for entering each case in the Superior  
55 Court in which the sole claim for relief is damages and the amount,  
56 legal interest or property in demand is less than two thousand five  
57 hundred dollars and for summary process, landlord and tenant and  
58 paternity actions, and (2) there shall be no entry fee for making an  
59 application to the Superior Court for relief under section 46b-15 or for  
60 making an application to modify or extend an order issued pursuant to  
61 section 46b-15. If the amount, legal interest or property in demand by  
62 the plaintiff is alleged to be less than two thousand five hundred  
63 dollars, a new entry fee of seventy-five dollars shall be charged if the  
64 plaintiff amends his complaint to state that such demand is not less  
65 than two thousand five hundred dollars. The fee for the entry of a  
66 small claims case shall be thirty-five dollars. If a motion is filed to  
67 transfer a small claims case to the regular docket, the moving party  
68 shall pay a fee of seventy-five dollars. There shall be paid to the clerk  
69 of the Superior Court by any party who requests that a matter be  
70 designated as a complex litigation case the sum of two hundred fifty  
71 dollars, to be paid at the time the request is filed. There shall be paid to  
72 the clerk of the Superior Court by any party who requests a finding of  
73 fact by a judge of such court to be used on appeal the sum of twenty-  
74 five dollars, to be paid at the time the request is filed. There shall be  
75 paid to the clerk of the Superior Court a fee of seventy-five dollars for  
76 a petition for certification to the Supreme Court and Appellate Court.  
77 Such clerks shall also receive for receiving and filing an assessment of  
78 damages by appraisers of land taken for public use or the appointment  
79 of a commissioner of the Superior Court, two dollars; for recording the  
80 commission and oath of a notary public or certifying under seal to the

81 official character of any magistrate, ten dollars; for certifying under  
82 seal, two dollars; for exemplifying, twenty dollars; for making all  
83 necessary records and certificates of naturalization, the fees allowed  
84 under the provisions of the United States statutes for such services;  
85 and for making copies, one dollar a page. There shall be paid to the  
86 clerk of the Superior Court for a copy of a judgment file a fee of  
87 twenty-five dollars, inclusive of the fees for certification and copying,  
88 for a certified copy and a fee of fifteen dollars, inclusive of the fee for  
89 copying, for a copy which is not certified; and for a copy of a certificate  
90 of judgment in a foreclosure action, as provided by the rules of practice  
91 and procedure, twenty-five dollars, inclusive of the fees for  
92 certification and copying. There shall be paid to the clerk of the court a  
93 fee of one hundred dollars at the time any application for a  
94 prejudgment remedy is filed. A fee of twenty dollars for any check  
95 issued to the court in payment of any fee which is returned as  
96 uncollectible by the bank on which it is drawn may be imposed. The  
97 tax imposed under chapter 219 shall not be imposed upon any fee  
98 charged under the provisions of this section.

99 (b) In addition to the entry fee for a civil cause required under  
100 subsection (a) of this section, there shall be paid to the clerks a  
101 surcharge of thirty dollars for each such civil cause. The clerks shall  
102 immediately transmit each such surcharge to the State Treasurer for  
103 deposit in the Citizens' Election Fund established in section 1 of this  
104 act.

105 Sec. 5. (NEW) (*Effective July 1, 2005, and applicable to primary and*  
106 *general election campaigns for elections in 2008, and thereafter*) As used in  
107 sections 1 and 5 to 8, inclusive, of this act:

108 (1) "Commission" means the State Elections Enforcement  
109 Commission.

110 (2) "Convention" has the same meaning as provided in section 9-372  
111 of the general statutes.

112 (3) "Eligible petitioning party candidate" means a candidate for

113 election to an office pursuant to part III C of chapter 153 of the general  
114 statutes whose nominating petition has been approved by the  
115 Secretary of the State pursuant to subsection (c) of section 9-453o of the  
116 general statutes.

117 (4) "Fund" means the Citizens' Election Fund established in section 1  
118 of this act.

119 (5) "General election period" means the period beginning on the  
120 date that a candidate files either a committee statement under  
121 subsection (a) of section 9-333f of the general statutes or a certification  
122 under subsection (b) of said section 9-333f, and ending on the day the  
123 campaign treasurer files the final statement for the election campaign  
124 pursuant to section 9-333j of the general statutes, provided, the election  
125 period shall not include the primary period in the case of a candidate  
126 who qualifies under section 9-400 of the general statutes to be a  
127 candidate in a primary held for nomination to an office pursuant to  
128 section 9-423 of the general statutes.

129 (6) "Major party" has the same meaning as provided in section 9-372  
130 of the general statutes.

131 (7) "Minor party" has the same meaning as provided in section 9-372  
132 of the general statutes.

133 (8) "Primary period" means the period (A) beginning (i) in the case  
134 of a candidate for nomination by a political party to the district office  
135 of state senator or state representative, on the day following the close  
136 of the district convention held for the purpose of nominating such  
137 party's candidate for such office, or (ii) in the case of a candidate for  
138 nomination by a political party to the municipal office of state senator  
139 or state representative, on the day following the making of the party's  
140 endorsement of a candidate for such office, and (B) ending on the day  
141 that a primary is held for nomination to an office pursuant to section 9-  
142 423 of the general statutes.

143 Sec. 6. (NEW) *(Effective July 1, 2005, and applicable to primary and*

144 *general election campaigns for elections in 2008, and thereafter*) (a) There is  
145 established a program of voluntary campaign expenditure limits for  
146 major party, minor party and eligible petitioning party candidates for  
147 nomination or election to the office of state senator or state  
148 representative in 2008, and thereafter. Any such candidate who agrees  
149 to limit the amount of expenditures made or incurred by the candidate  
150 committee for such candidate during the general election period and,  
151 in the event of a primary, during the primary period, shall be eligible  
152 to receive moneys from the Citizens' Election Fund, in accordance with  
153 section 8 of this act, if a candidate for election to the same office in said  
154 year does not agree to said limits and exceeds either the general  
155 election period limit or, in the event of a primary, the primary period  
156 limit.

157 (b) (1) For a candidate for election to the office of state senator in  
158 2008, the voluntary general election period expenditure limits shall be  
159 one hundred fifty thousand dollars and the voluntary primary period  
160 expenditure limits shall be fifty thousand dollars.

161 (2) For a candidate for election to the office of state representative in  
162 2008, the voluntary general election period expenditure limits shall be  
163 twenty-five thousand dollars and the voluntary primary period  
164 expenditure limits shall be fifteen thousand dollars.

165 (c) For elections held in 2010, and biennially thereafter, the  
166 expenditure limits in subsection (b) of this section shall be adjusted by  
167 the State Elections Enforcement Commission not later than January 15,  
168 2010, and biennially thereafter, in accordance with any change in the  
169 consumer price index for all urban consumers as published by the  
170 United States Department of Labor, Bureau of Labor Statistics, during  
171 the period beginning on January 1, 2008, and ending on December  
172 thirty-first in the year preceding the year in which said adjustment is  
173 to be made.

174 (d) No candidate whose primary period expenditures are less than  
175 the primary period expenditure limit may apply the difference  
176 between such limit and such expenditures to the general election

177 expenditure limit.

178       Sec. 7. (NEW) (*Effective July 1, 2005, and applicable to primary and*  
179 *general election campaigns for elections in 2008, and thereafter*) Each  
180 candidate for nomination or election to the office of state  
181 representative or state senator in 2008, or thereafter, shall file an  
182 affidavit with the State Elections Enforcement Commission at the same  
183 time that the candidate files either a committee statement under  
184 subsection (a) of section 9-333f of the general statutes or a certification  
185 under subsection (b) of said section 9-333f. The affidavit shall include a  
186 written certification that the candidate either intends to abide by the  
187 applicable expenditure limits under subsection (b) or (c) of section 6 of  
188 this act or does not intend to abide by said limits. If the candidate  
189 intends to abide by said limits, the affidavit shall also include written  
190 certifications (1) that the campaign treasurer of the candidate  
191 committee for said candidate shall expend any moneys received from  
192 the Citizens' Election Fund in accordance with the provisions of  
193 subsection (g) of section 9-333i of the general statutes and guidelines  
194 adopted by the State Elections Enforcement Commission under  
195 subsection (e) of section 14 of this act, (2) that the candidate shall repay  
196 to the fund any such moneys that are not expended in accordance with  
197 subsection (g) of said section 9-333i and said guidelines, and (3) stating  
198 the candidate's status as a major party, minor party or petitioning  
199 candidate and, in the case of a major party or minor party candidate,  
200 the name of such party. No candidate who changes such status or  
201 becomes a candidate of a different party during a campaign shall be  
202 eligible to receive a grant from the fund during the campaigns for  
203 which the affidavit is filed. A candidate who so certifies the candidate's  
204 intent to abide by said limits shall be referred to in section 8 of this act  
205 as a "participating candidate" and a candidate who so certifies the  
206 candidate's intent to not abide by said limits shall be referred to in  
207 section 8 of this act as a "nonparticipating candidate". The commission  
208 shall prepare a list of the participating candidates and a list of the  
209 nonparticipating candidates and shall make such lists available for  
210 public inspection.

211       Sec. 8. (NEW) (*Effective July 1, 2005, and applicable to primary and*  
212 *general election campaigns for elections in 2008, and thereafter*) (a) The  
213 campaign treasurer of the candidate committee for each candidate for  
214 the office of state representative or state senator shall file campaign  
215 finance statements with the office of the Secretary of the State (1)  
216 according to the same schedule as required of a campaign treasurer of  
217 a candidate committee under section 9-333j of the general statutes until  
218 receiving contributions and receipts totaling seventy-five per cent of  
219 (A) the general election period expenditure limit in subsection (b) or (c)  
220 of section 6 of this act for the office to which the candidate is seeking  
221 election, or (B) the primary period expenditure limit in said subsection  
222 (b) or (c) if a primary is being held for nomination to said office, and  
223 (2) then, notwithstanding said schedule in said section 9-333j, on the  
224 second Thursday of each month between the beginning of the fourth  
225 month preceding the day of the election for said office and the  
226 beginning of the sixth week preceding the election and then on each  
227 Thursday until the day of the election. Said statements shall be  
228 prepared in the same manner as statements required under section 9-  
229 333j of the general statutes.

230       (b) (1) The State Elections Enforcement Commission shall review all  
231 statements filed by campaign treasurers under subsection (a) of this  
232 section and under section 9-333j of the general statutes.

233       (2) If a primary is being held for nomination to an office and the  
234 commission determines that (A) the candidate committee for a  
235 nonparticipating candidate has made or incurred campaign  
236 expenditures during the primary period that exceed the applicable  
237 primary period expenditure limit under subsection (b) or (c) of section  
238 6 of this act, and (B) the candidate committee for one or more  
239 participating candidates for the same office has not made or incurred  
240 such excess campaign expenditures during the primary period and has  
241 received contributions and receipts totaling, in the case of a candidate  
242 for nomination to the office of state senator, at least twenty-five  
243 thousand dollars, or in the case of a candidate for nomination to the  
244 office of state representative, at least five thousand dollars, subject to

245 adjustment under subsection (d) of this section, the commission shall  
246 notify the State Comptroller that the candidate committee for each said  
247 participating candidate shall be entitled to payment in the amount of  
248 the nonparticipating candidate's excess expenditures, up to a  
249 maximum of one hundred per cent of such expenditure limit. Not later  
250 than two business days following notification by the commission, the  
251 State Comptroller shall draw an order on the State Treasurer for  
252 payment of said amount to each said participating candidate.

253 (3) If the commission determines that (A) the candidate committee  
254 for a nonparticipating candidate has made or incurred campaign  
255 expenditures during the general election period that exceed the  
256 applicable election period expenditure limit under subsection (b) or (c)  
257 of section 6 of this act, and (B) the candidate committee for one or more  
258 participating candidates for the same office has not made or incurred  
259 such excess campaign expenditures during the general election period  
260 and has received contributions and receipts totaling, in the case of a  
261 candidate for election to the office of state senator, at least seventy-five  
262 thousand dollars, or in the case of a candidate for nomination to the  
263 office of state representative, at least eight thousand dollars, subject to  
264 adjustment under subsection (d) of this section, the commission shall  
265 notify the State Comptroller that the candidate committee for each said  
266 participating candidate shall be entitled to payment in the amount of  
267 the nonparticipating candidate's excess expenditures, up to a  
268 maximum of one hundred per cent of such expenditure limit. Not later  
269 than two business days following notification by the commission, the  
270 State Comptroller shall draw an order on the State Treasurer for  
271 payment of said amount to each said participating candidate.

272 (c) (1) Upon the receipt of a report under subsection (e) of section 9-  
273 333n of the general statutes, as amended by this act, that an  
274 independent expenditure has been made or obligated to be made  
275 during the primary period, with the intent to promote the defeat of a  
276 participating candidate who has received contributions and receipts  
277 totaling, in the case of a candidate for nomination to the office of state  
278 senator, at least twenty-five thousand dollars, or in the case of a

279 candidate for nomination to the office of state representative, at least  
280 five thousand dollars, subject to adjustment under subsection (d) of  
281 this section, the commission shall immediately notify such  
282 participating candidate that the candidate may exceed the expenditure  
283 limit for the primary period, as set forth in subsection (b) or (c) of  
284 section 6 of this act, by the amount of the independent expenditure.

285 (2) Upon the receipt of a report under subsection (e) of section 9-  
286 333n of the general statutes, as amended by this act, that an  
287 independent expenditure has been made or obligated to be made  
288 during the general election period, with the intent to promote the  
289 defeat of a participating candidate who has received contributions and  
290 receipts totaling, in the case of a candidate for nomination to the office  
291 of state senator, at least seventy-five thousand dollars, or in the case of  
292 a candidate for nomination to the office of state representative, at least  
293 eight thousand dollars, subject to adjustment under subsection (d) of  
294 this section, the commission shall immediately notify such  
295 participating candidate that the candidate may exceed the expenditure  
296 limit for the general election period, as set forth in subsection (b) or (c)  
297 of section 6 of this act, by the amount of the independent expenditure.

298 (d) For elections held in 2010, and biennially thereafter, the total  
299 contributions and receipts required for participating candidates to  
300 qualify for a payment under subsection (b) of this section or an  
301 authorization under subsection (c) of this section to exceed a primary  
302 period or general election period expenditure limit shall be adjusted by  
303 the State Elections Enforcement Commission not later than January 15,  
304 2010, and biennially thereafter, in accordance with any change in the  
305 consumer price index for all urban consumers as published by the  
306 United States Department of Labor, Bureau of Labor Statistics, during  
307 the period beginning on January 1, 2008, and ending on December  
308 thirty-first in the year preceding the year in which said adjustment is  
309 to be made.

310 Sec. 9. (NEW) (*Effective July 1, 2005, and applicable to elections held in*  
311 *2010, and thereafter*) As used in sections 1 and 9 to 24, inclusive, of this

312 act:

313 (1) "Commission" means the State Elections Enforcement  
314 Commission.

315 (2) "Convention" has the same meaning as provided in section 9-372  
316 of the general statutes.

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

321 (4) "Eligible petitioning party candidate" means a candidate for  
322 election to an office pursuant to part III C of chapter 153 of the general  
323 statutes whose nominating petition has been approved by the  
324 Secretary of the State pursuant to subsection (c) of section 9-453o of the  
325 general statutes.

326 (5) "Fund" means the Citizens' Election Fund established in section 1  
327 of this act.

328 (6) "General election campaign" means (A) in the case of a candidate  
329 nominated at a primary, the period beginning on the day following the  
330 primary and ending on the date the campaign treasurer files the final  
331 statement for such campaign pursuant to section 9-333j of the general  
332 statutes, as amended by this act, or (B) in the case of a candidate  
333 nominated without a primary, the period beginning on the day  
334 following the day on which the candidate is nominated and ending on  
335 the date the campaign treasurer files the final statement for such  
336 campaign pursuant to section 9-333j of the general statutes, as  
337 amended by this act.

338 (7) "Major party" has the same meaning as provided in section 9-372  
339 of the general statutes.

340 (8) "Minor party" has the same meaning as provided in section 9-372  
341 of the general statutes.

342 (9) "Primary campaign" means the period beginning on the day  
343 following the close of a convention and ending on the day of a primary  
344 held for the purpose of nominating a candidate for an office.

345 (10) "Qualified candidate committee" means a candidate committee  
346 (A) established to aid or promote the success of any candidate for  
347 nomination or election to a state office, and (B) approved by the  
348 commission to receive a grant from the Citizens' Election Fund under  
349 section 12 of this act.

350 (11) "State office" means the office of Governor, Lieutenant  
351 Governor, Attorney General, State Comptroller, State Treasurer or  
352 Secretary of the State.

353 Sec. 10. (NEW) (*Effective July 1, 2005, and applicable to elections held in*  
354 *2010, and thereafter*) (a) There is established a Citizens' Election  
355 Program under which (1) the candidate committee of a major party or  
356 minor party candidate for nomination to the office of Governor,  
357 Lieutenant Governor, Attorney General, State Comptroller, Secretary  
358 of the State or State Treasurer in 2010, or thereafter, may receive a  
359 grant from the Citizens' Election Fund for the candidate's primary  
360 campaign for said nomination, and (2) the candidate committee of a  
361 candidate who is nominated by a major party or a minor party, or the  
362 candidate committee of an eligible petitioning party candidate, for  
363 election to the office of Governor, Attorney General, State Comptroller,  
364 Secretary of the State or State Treasurer in 2010, or thereafter, may  
365 receive a grant from the fund for the candidate's general election  
366 campaign for said office.

367 (b) Any such candidate committee is eligible to receive such grants  
368 for a primary campaign, if applicable, and a general election campaign  
369 if (1) the candidate certifies as a participating candidate under section  
370 11 of this act, (2) the candidate's candidate committee receives the  
371 required amount of qualifying contributions under section 12 of this  
372 act, (3) the candidate's candidate committee returns all contributions  
373 that do not meet the criteria for qualifying contributions under section  
374 12 of this act, (4) the candidate's exploratory committee, if any, returns

375 all contributions that do not meet the criteria for qualifying  
376 contributions to a candidate committee under section 12 of this act, (5)  
377 the candidate agrees to limit the campaign expenditures of the  
378 candidate's candidate committee in accordance with the provisions of  
379 subdivision (1) of subsection (c) of this section, and (6) the candidate  
380 submits an application and the commission approves the application  
381 in accordance with the provisions of section 14 of this act.

382 (c) (1) A candidate participating in the Citizens' Election Program  
383 shall limit the campaign expenditures of the candidate's candidate  
384 committee (A) before a primary campaign and a general election  
385 campaign, to the amount of qualifying contributions permitted in  
386 section 12 of this act, (B) for a primary campaign, to the sum of the  
387 amount of qualifying contributions permitted in section 12 of this act  
388 that have not been spent before the primary campaign, the amount of  
389 the grant for the primary campaign authorized under section 13 of this  
390 act and the total amount of contributions permitted in section 9-333s of  
391 the general statutes from the state central committee for the party in  
392 which the candidate is enrolled and all town committees, and (C) for a  
393 general election campaign, to the sum of the amount of qualifying  
394 contributions permitted in section 12 of this act that have not been  
395 spent before the general election campaign, any unexpended funds  
396 from any grant for a primary campaign, the amount of the grant for  
397 the general election campaign authorized under section 13 of this act  
398 and the total amount of contributions permitted in section 9-333s of the  
399 general statutes from the state central committee for the party in which  
400 the candidate is enrolled and all town committees, which party  
401 contributions have not been spent before the general election  
402 campaign.

403 (2) There shall be a rebuttable presumption that any expenditure by  
404 a party committee for the benefit of the candidate committee of a  
405 candidate shall be counted toward the applicable expenditure limit for  
406 such candidate committee under this subsection, except for any  
407 expenditures by a party committee that benefits all candidates  
408 nominated by the party. The State Elections Enforcement Commission

409 shall adopt regulations, in accordance with the provisions of chapter  
410 54 of the general statutes, to carry out the purposes of this subdivision.

411       Sec. 11. (NEW) (*Effective July 1, 2005, and applicable to elections held in*  
412 *2010, and thereafter*) (a) Each candidate for nomination or election to a  
413 state office in 2010, or thereafter, shall file an affidavit with the State  
414 Elections Enforcement Commission, at the same time that the  
415 candidate files either a committee statement under subsection (a) of  
416 section 9-333f of the general statutes or a certification under subsection  
417 (b) of said section 9-333f. The affidavit shall include a written  
418 certification that the candidate either intends to abide by the  
419 expenditure limits under the Citizens' Election Program set forth in  
420 subdivision (1) of subsection (c) of section 10 of this act, or does not  
421 intend to abide by said limits. If the candidate intends to abide by said  
422 limits, the affidavit shall also include written certifications (1) that the  
423 campaign treasurer of the candidate committee for said candidate shall  
424 expend any moneys received from the Citizens' Election Fund in  
425 accordance with the provisions of subsection (g) of section 9-333i of the  
426 general statutes and guidelines adopted by the State Elections  
427 Enforcement Commission under subsection (e) of section 14 of this act,  
428 (2) that the candidate shall repay to the fund any such moneys that are  
429 not expended in accordance with subsection (g) of said section 9-333i  
430 and said guidelines, and (3) stating the candidate's status as a major  
431 party, minor party or petitioning candidate and, in the case of a major  
432 party or minor party candidate, the name of such party. No candidate  
433 who changes such status or becomes a candidate of a different party  
434 during a campaign shall be eligible to receive a grant under the  
435 Citizens' Election Program during the campaigns for which the  
436 affidavit is filed.

437       (b) A candidate who so certifies the candidate's intent to abide by  
438 the expenditure limits under the Citizens' Election Program set forth in  
439 subdivision (1) of subsection (c) of section 10 of this act shall be  
440 referred to in sections 9 to 24, inclusive, of this act as a "participating  
441 candidate" and a candidate who so certifies the candidate's intent to  
442 not abide by said limits shall be referred to in sections 9 to 24,

443 inclusive, of this act as a "nonparticipating candidate". The commission  
444 shall prepare a list of the participating candidates and a list of the  
445 nonparticipating candidates and shall make such lists available for  
446 public inspection.

447 Sec. 12. (NEW) (*Effective July 1, 2005, and applicable to elections held in*  
448 *2010, and thereafter*) (a) The amount of qualifying contributions which  
449 the candidate committee of a candidate shall be required to receive in  
450 order to be eligible for grants from the Citizens' Election Fund shall be:

451 (1) In the case of a candidate for nomination or election to the office  
452 of Governor, contributions from individuals in the aggregate amount  
453 of two hundred fifty thousand dollars, of which two hundred twenty-  
454 five thousand dollars or more is contributed by individuals residing in  
455 the state, provided (A) the candidate committee shall return the  
456 portion of any contribution or contributions from an individual other  
457 than such candidate that exceeds one hundred dollars, and such excess  
458 portion shall not be considered in calculating such amounts, and (B) all  
459 contributions received by an exploratory committee that meet the  
460 criteria for qualifying contributions to candidate committees under this  
461 section shall be considered in calculating such amounts; and

462 (2) In the case of a candidate for nomination or election to the office  
463 of Lieutenant Governor, Attorney General, State Comptroller, State  
464 Treasurer or Secretary of the State, contributions from individuals in  
465 the aggregate amount of seventy-five thousand dollars, of which sixty-  
466 seven thousand five hundred dollars or more is contributed by  
467 individuals residing in the state, provided (A) the candidate committee  
468 shall return the portion of any contribution or contributions from an  
469 individual other than such candidate that exceeds one hundred  
470 dollars, and such excess portion shall not be considered in calculating  
471 such amounts, and (B) all contributions received by an exploratory  
472 committee that meet the criteria for qualifying contributions to  
473 candidate committees under this section shall be considered in  
474 calculating such amounts.

475 (b) After a candidate committee receives the applicable aggregate

476 amount of qualifying contributions under subsection (a) of this section,  
477 the candidate committee shall return any additional contributions that  
478 it receives.

479 (c) Each individual who makes a contribution to a candidate  
480 committee established to aid or promote the success of a participating  
481 candidate for nomination or election to a state office shall include with  
482 the contribution a certification that (1) neither the individual nor any  
483 member of the immediate family of the individual is a lobbyist, and (2)  
484 neither the individual, any member of the immediate family of the  
485 individual nor an associated business of the individual or any such  
486 immediate family member has a contract with the state. A contribution  
487 from (A) a lobbyist or a member of the immediate family of a lobbyist,  
488 or (B) an individual who has a contract with the state, any member of  
489 the immediate family of such individual, or an associated business of  
490 such individual or any such immediate family member shall not be  
491 deemed to be a qualifying contribution under subsection (a) of this  
492 section and shall be returned by the candidate committee. As used in  
493 this subsection, "immediate family" means any spouse or child of an  
494 individual or any dependent relatives who reside in the individual's  
495 household.

496 (d) Each individual who makes a contribution to a candidate  
497 committee established to aid or promote the success of a participating  
498 candidate for nomination or election to a state office shall include the  
499 individual's name and address with the contribution. A contribution  
500 (1) from an individual that does not include such information, or (2)  
501 from an individual who does not reside in the state, in excess of the  
502 applicable limit on contributions from nonresidents in subsection (a) of  
503 this section, shall not be deemed to be a qualifying contribution under  
504 subsection (a) of this section and shall be returned by the candidate  
505 committee.

506 Sec. 13. (NEW) (*Effective July 1, 2005, and applicable to elections held in*  
507 *2010, and thereafter*) (a) (1) The qualified candidate committee of a  
508 major party or minor party candidate for the office of Governor who

509 has a primary for nomination to said office shall be eligible to receive a  
510 grant from the Citizens' Election Fund for the primary campaign in the  
511 amount of one million two hundred fifty thousand dollars, provided,  
512 in the case of a primary held in 2014, or thereafter, said amount shall  
513 be adjusted under subsection (c) of this section.

514 (2) The qualified candidate committee of a major party or minor  
515 party candidate for the office of Governor who is nominated shall be  
516 eligible to receive a grant from the fund for the general election  
517 campaign in the amount of three million dollars, provided (A) in the  
518 case of an election held in 2014, or thereafter, said amount shall be  
519 adjusted under subsection (c) of this section, and (B) if a candidate is  
520 nominated at a primary and does not expend the entire grant from the  
521 fund for the primary campaign, the amount of the grant for the general  
522 election campaign shall be reduced by the amount of such unexpended  
523 primary grant funds.

524 (3) The qualified candidate committee of an eligible petitioning  
525 party candidate for the office of Governor shall be eligible to receive a  
526 grant from the fund for the general election campaign in the amount of  
527 three million dollars, provided in the case of an election held in 2014,  
528 or thereafter, said amount shall be adjusted under subsection (c) of this  
529 section.

530 (b) (1) The qualified candidate committee of a major party or minor  
531 party candidate for the office of Lieutenant Governor, Attorney  
532 General, State Comptroller, Secretary of the State or State Treasurer  
533 who has a primary for nomination to said office shall be eligible to  
534 receive a grant from the fund for the primary campaign in the amount  
535 of one hundred seventy-five thousand dollars, provided, in the case of  
536 a primary held in 2014, or thereafter, said amount shall be adjusted  
537 under subsection (c) of this section.

538 (2) The qualified candidate committee of a candidate for the office of  
539 Attorney General, State Comptroller, Secretary of the State or State  
540 Treasurer who is nominated shall be eligible to receive a grant from  
541 the fund for the general election campaign in the amount of five

542 hundred thousand dollars, provided (A) in the case of an election held  
543 in 2014, or thereafter, said amount shall be adjusted under subsection  
544 (c) of this section, and (B) if a candidate is nominated at a primary and  
545 does not expend the entire grant from the fund for the primary  
546 campaign, the amount of the grant for the general election campaign  
547 shall be reduced by the amount of such unexpended primary grant  
548 funds.

549 (3) The qualified candidate committee of an eligible petitioning  
550 party candidate for the office of Attorney General, State Comptroller,  
551 Secretary of the State or State Treasurer shall be eligible to receive a  
552 grant from the fund for the general election campaign in the amount of  
553 five hundred thousand dollars, provided in the case of an election held  
554 in 2014, or thereafter, said amount shall be adjusted under subsection  
555 (c) of this section.

556 (c) For elections held in 2014, and thereafter, the amount of the  
557 grants in subsections (a) and (b) of this section shall be adjusted by the  
558 State Elections Enforcement Commission not later than January 15,  
559 2014, and quadrennially thereafter, in accordance with any change in  
560 the consumer price index for all urban consumers as published by the  
561 United States Department of Labor, Bureau of Labor Statistics, during  
562 the period beginning on January 1, 2010, and ending on December  
563 thirty-first in the year preceding the year in which said adjustment is  
564 to be made.

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

567 Sec. 14. (NEW) (*Effective July 1, 2005, and applicable to elections held in*  
568 *2010, and thereafter*) (a) (1) A candidate for nomination to the office of  
569 Governor, Lieutenant Governor, Attorney General, State Comptroller,  
570 Secretary of the State or State Treasurer in 2010, or thereafter, may  
571 apply to the State Elections Enforcement Commission for a grant from  
572 the fund under the Citizens' Election Program for a primary campaign,  
573 after the close of the state convention of the candidate's party that is  
574 called for the purpose of choosing candidates for nomination for the

575 office that the candidate is seeking, if a primary is required under  
576 chapter 153 of the general statutes, and (A) said party endorses the  
577 candidate for the office that the candidate is seeking, (B) the candidate  
578 receives at least fifteen per cent of the votes of the convention delegates  
579 present and voting on any roll-call vote taken on the endorsement or  
580 proposed endorsement of a candidate for the office the candidate is  
581 seeking, or (C) the candidate circulates a petition and obtains the  
582 required number of signatures for filing a candidacy for nomination  
583 for said office pursuant to section 9-400 of the general statutes.

584 (2) A candidate for election to the office of Governor, Attorney  
585 General, State Comptroller, Secretary of the State or State Treasurer in  
586 2010, or thereafter, may apply to the State Elections Enforcement  
587 Commission for a grant from the fund under the Citizens' Election  
588 Program for a general election campaign, (A) after the close of the state  
589 convention of the candidate's party that is called for the purpose of  
590 choosing candidates for nomination for the office that the candidate is  
591 seeking, if (i) said party endorses said candidate for the office that the  
592 candidate is seeking and no other candidate of said party files a  
593 certificate of candidacy with the Secretary of the State in accordance  
594 with the provisions of section 9-400 of the general statutes, (ii) the  
595 candidate receives at least fifteen per cent of the votes of the  
596 convention delegates present and voting on any roll-call vote taken on  
597 the endorsement or proposed endorsement of a candidate for the office  
598 the candidate is seeking, no other candidate for said office at such  
599 convention either receives the party endorsement or said percentage of  
600 said votes for said endorsement or files a certificate of endorsement  
601 with the Secretary of the State in accordance with the provisions of  
602 section 9-388 of the general statutes or a certificate of candidacy with  
603 the Secretary of the State in accordance with the provisions of section  
604 9-400 of the general statutes, and no other candidate for said office  
605 circulates a petition and obtains the required number of signatures for  
606 filing a candidacy for nomination for said office pursuant to section 9-  
607 400 of the general statutes, or (iii) the candidate circulates a petition  
608 and obtains the required number of signatures for filing a candidacy  
609 for nomination for said office pursuant to section 9-400 of the general

610 statutes and no other candidate for said office at such convention  
611 either receives the party endorsement or said percentage of said votes  
612 for said endorsement or files a certificate of endorsement with the  
613 Secretary of the State in accordance with the provisions of section 9-388  
614 of the general statutes or a certificate of candidacy with the Secretary  
615 of the State in accordance with the provisions of section 9-400 of the  
616 general statutes, (B) after any primary held by such party for  
617 nomination for said office, if the Secretary of the State declares that the  
618 candidate is the party nominee in accordance with the provisions of  
619 section 9-440 of the general statutes, or (C) in the case of a petitioning  
620 party candidate, after approval by the Secretary of the State of such  
621 candidate's nominating petition pursuant to subsection (c) of section 9-  
622 453o of the general statutes.

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

624 (1) The candidate committee has received the required amount of  
625 qualifying contributions;

626 (2) The candidate committee has repaid all moneys borrowed on  
627 behalf of the campaign, as required by subsection (b) of section 18 of  
628 this act;

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

632 (4) The candidate committee and exploratory committee have  
633 returned all contributions or portions of contributions that do not meet  
634 the criteria for qualifying contributions under section 12 of this act;

635 (5) The campaign treasurer of the candidate committee shall comply  
636 with the provisions of sections 1 and 9 to 24, inclusive, of this act;

637 (6) All moneys received from the Citizens' Election Fund shall be  
638 deposited upon receipt into the depository account of the candidate  
639 committee;

640 (7) The campaign treasurer of the candidate committee shall expend  
641 all moneys received from the fund in accordance with the provisions of  
642 subsection (g) of section 9-333i of the general statutes and guidelines  
643 adopted by the State Elections Enforcement Commission under  
644 subsection (e) of this section; and

645 (8) If the candidate withdraws from the campaign, becomes  
646 ineligible or dies during the campaign, the candidate committee of the  
647 candidate shall return to the commission, for deposit in the fund, all  
648 moneys received from the fund pursuant to sections 1 and 9 to 24,  
649 inclusive, of this act which said candidate committee has not spent as  
650 of the date of such occurrence.

651 (c) The application shall be accompanied by a cumulative itemized  
652 accounting of all funds received, expenditures made and expenses  
653 incurred but not yet paid by the candidate committee as of three days  
654 before the date that the application is signed. Such accounting shall be  
655 sworn to under penalty of false statement by the campaign treasurer of  
656 the candidate committee. The commission shall prescribe the form of  
657 the application and the cumulative itemized accounting, after  
658 consulting with the Secretary of the State. The form for such  
659 accounting shall conform to the requirements of section 9-333j of the  
660 general statutes, as amended by this act. Both the candidate and the  
661 campaign treasurer of the candidate committee shall sign the  
662 application.

663 (d) Not later than three business days following receipt of any such  
664 application, the commission shall review the application, determine  
665 whether the candidate committee for the applicant (1) has received the  
666 required qualifying contributions, (2) in the case of an application for a  
667 grant from the fund for a primary campaign, the applicant has met the  
668 applicable condition under subsection (a) of this section for applying  
669 for such moneys and complied with the provisions of subsections (b)  
670 and (c) of this section, and at least either one other participating  
671 candidate for nomination in the primary, from the same party and for  
672 the same office as the applicant, has also received the required

673 qualifying contributions or at least one nonparticipating candidate for  
674 nomination in the primary, from the same party and for the same  
675 office as the applicant, has received an amount of contributions equal  
676 to the amount of such qualifying contributions, and (3) in the case of  
677 an application for a grant from the fund for a general election  
678 campaign, the applicant has met the applicable condition under  
679 subsection (a) of this section for applying for such moneys and  
680 complied with the provisions of subsections (b) and (c) of this  
681 subsection. If the commission approves an application, the commission  
682 shall determine the amount of the grant payable to the candidate  
683 committee for the applicant, from the fund, and notify the State  
684 Comptroller and the candidate of such candidate committee, of such  
685 amount. Not later than two business days following notification by the  
686 commission, the State Comptroller shall draw an order on the State  
687 Treasurer for payment of such amount to the qualified candidate  
688 committee from the fund.

689 (e) The State Elections Enforcement Commission shall establish  
690 guidelines on permissible expenditures under subsection (g) of section  
691 9-333i of the general statutes for qualified candidate committees  
692 receiving grants from the fund under sections 9 to 24, inclusive, of this  
693 act.

694 Sec. 15. (NEW) (*Effective July 1, 2005, and applicable to elections held in*  
695 *2010, and thereafter*) Following the initial deposit of moneys from the  
696 Citizens' Election Fund into the depository account of a qualified  
697 candidate committee, no contribution, loan, amount of the candidate's  
698 own moneys or any other moneys received by the candidate or the  
699 campaign treasurer on behalf of the committee shall be deposited into  
700 said depository account, except (1) grants from the fund, and (2) any  
701 additional moneys from the fund as provided in sections 20 and 21 of  
702 this act.

703 Sec. 16. (NEW) (*Effective July 1, 2005, and applicable to elections held in*  
704 *2010, and thereafter*) A qualified candidate committee that received  
705 moneys from the Citizens' Election Fund for a primary campaign and

706 whose candidate is the party nominee shall receive moneys from the  
707 fund for a general election campaign. Upon receiving verification from  
708 the Secretary of the State of the declaration by the Secretary of the State  
709 in accordance with the provisions of section 9-440 of the general  
710 statutes of the results of the votes cast at the primary, the State  
711 Elections Enforcement Commission shall notify the State Comptroller  
712 of the amount payable to such qualified candidate committee. Not  
713 later than two business days following notification by the commission,  
714 the State Comptroller shall draw an order on the State Treasurer for  
715 payment of the general election campaign grant to said committee  
716 from said fund.

717       Sec. 17. (NEW) (*Effective July 1, 2005, and applicable to elections held in*  
718 *2010, and thereafter*) (a) For purposes of this section, expenditures made  
719 to aid or promote the success of both a candidate for nomination or  
720 election to the office of Governor and a candidate for nomination or  
721 election to the office of Lieutenant Governor jointly, shall be  
722 considered expenditures made to aid or promote the success of a  
723 candidate for nomination or election to the office of Governor. The  
724 party-endorsed candidate for nomination or election to the office of  
725 Lieutenant Governor and the party-endorsed candidate for nomination  
726 or election to the office of Governor shall be deemed to be aiding or  
727 promoting the success of both candidates jointly upon the earliest of  
728 the following: (1) The primary, whether held for the office of Governor,  
729 the office of Lieutenant Governor, or both; (2) if no primary is held for  
730 the office of Governor or Lieutenant Governor, the convention; or (3) a  
731 declaration by the party-endorsed candidates that they shall campaign  
732 jointly. Any other candidate for nomination or election to the office of  
733 Lieutenant Governor shall be deemed to be aiding or promoting the  
734 success of such candidacy for the office of Lieutenant Governor and  
735 the success of a candidate for nomination or election to the office of  
736 Governor jointly upon a declaration by the candidates that they shall  
737 campaign jointly.

738       (b) The candidate committee formed to aid or promote the success  
739 of a candidate for nomination or election to the office of Lieutenant

740 Governor, the candidate of which campaigns jointly with a candidate  
741 for nomination or election to the office of Governor, shall be dissolved  
742 as of the applicable date set forth in subsection (a) of this section. Not  
743 later than fifteen days after the applicable date set forth in subsection  
744 (a) of this section, the campaign treasurer of the candidate committee  
745 formed to aid or promote the success of said candidate for nomination  
746 or election to the office of Lieutenant Governor shall file a statement  
747 with the proper authority under section 9-333e of the general statutes,  
748 as amended by this act, identifying all contributions received or  
749 expenditures made by the committee since the previous statement and  
750 the balance on hand or deficit, as the case may be. Not later than thirty  
751 days after the applicable date set forth in subsection (a) of this section,  
752 (1) the campaign treasurer of a qualified candidate committee formed  
753 to aid or promote the success of said candidate for nomination or  
754 election to the office of Lieutenant Governor shall distribute any  
755 surplus to the fund, and (2) the campaign treasurer of a nonqualified  
756 candidate committee formed to aid or promote the success of said  
757 candidate for nomination or election to the office of Lieutenant  
758 Governor shall distribute such surplus in accordance with the  
759 provisions of subsection (e) of section 9-333j of the general statutes, as  
760 amended by this act.

761       Sec. 18. (NEW) (*Effective July 1, 2005, and applicable to elections held in*  
762 *2010, and thereafter*) (a) A qualified candidate committee may borrow  
763 moneys on behalf of a campaign for a primary or a general election  
764 from one or more financial institutions, as defined in section 36a-41 of  
765 the general statutes, in an aggregate amount not to exceed one  
766 thousand dollars. The amount borrowed shall not constitute a  
767 qualifying contribution. No individual, political committee or party  
768 committee, except the candidate or, in a general election, the state  
769 central committee of a political party, shall endorse or guarantee such  
770 a loan in an aggregate amount in excess of five hundred dollars. An  
771 endorsement or guarantee of such a loan shall constitute a contribution  
772 by such individual or committee for so long as the loan is outstanding.  
773 The amount endorsed or guaranteed by such individual or committee  
774 shall cease to constitute a contribution upon repayment of the amount

775 endorsed or guaranteed.

776 (b) All such loans shall be repaid in full prior to the date a candidate  
777 committee applies for the moneys from the Citizens' Election Fund  
778 pursuant to section 14 of this act. A candidate who fails to repay such  
779 loans or fails to certify such repayment to the State Elections  
780 Enforcement Commission shall not be eligible to receive and shall not  
781 receive moneys from the fund.

782 Sec. 19. (NEW) (*Effective July 1, 2005, and applicable to elections held in*  
783 *2010, and thereafter*) (a) A qualified candidate committee that receives a  
784 grant from the Citizens' Election Fund pursuant to section 14 of this act  
785 and makes expenditures in excess of the sum of an expenditure limit  
786 set forth in subdivision (1) of subsection (c) of section 10 of this act and  
787 the amount of any additional moneys the candidate committee  
788 receives from the fund under section 20 or 21 of this act, (1) shall repay  
789 to the fund the full amount of such grant and moneys, (2) shall not  
790 receive any additional moneys from the fund for the remainder of the  
791 election cycle, (3) shall be subject to civil penalties under section 9-7b  
792 of the general statutes, as amended by this act, and (4) shall be deemed  
793 to be a nonparticipating candidate for the purposes of sections 1 and 9  
794 to 24, inclusive, of this act.

795 (b) A candidate whose candidate committee fails to return any  
796 surplus grant funds to the fund not later than ninety days after a  
797 primary or an election, whichever is applicable shall be subject to the  
798 penalties for larceny under sections 53a-122 to 53a-125b, inclusive, of  
799 the general statutes depending on the amount involved.

800 Sec. 20. (NEW) (*Effective July 1, 2005, and applicable to elections held in*  
801 *2010, and thereafter*) (a) Additional moneys from the Citizens' Election  
802 Fund shall be paid to a qualified candidate committee that received  
803 moneys from the fund if the committee of an opposing candidate  
804 makes expenditures in excess of an expenditure limit set forth in  
805 subdivision (1) of subsection (c) of section 10 of this act. Such  
806 additional moneys from the fund shall be paid to a qualified candidate  
807 committee that received moneys from the fund (1) regardless of

808 whether the candidate committee that makes expenditures in excess of  
809 the applicable expenditure limit has received moneys from the fund,  
810 (2) in an amount equal to the greatest amount of expenditures in excess  
811 of the applicable expenditure limit that the committee of an opposing  
812 candidate has made, but not more than one hundred per cent of the  
813 amount of moneys that the qualified candidate committee has received  
814 from the fund for the primary campaign or general election campaign  
815 for which such excess expenditures are made, and (3) immediately  
816 following the State Elections Enforcement Commission's verification  
817 that the committee of an opposing candidate has made expenditures in  
818 excess of the applicable expenditure limit.

819 (b) If a nonparticipating candidate makes or incurs the obligation to  
820 make an excess expenditure more than twenty days before the day of a  
821 primary or election, the candidate shall file a declaration of excess  
822 expenditures not later than forty-eight hours after making or incurring  
823 the expenditure. If a nonparticipating candidate makes or incurs the  
824 obligation to make an excess expenditure twenty days or less before  
825 the day of a primary or election, the candidate shall file a declaration of  
826 excess expenditures not later than twenty-four hours after making or  
827 incurring the expenditure. The commission may determine whether  
828 any expenditure by a nonparticipating candidate shall be deemed an  
829 excess expenditure.

830 Sec. 21. (NEW) (*Effective July 1, 2005, and applicable to elections held in*  
831 *2010, and thereafter*) Upon the receipt of a report under subsection (e) of  
832 section 9-333n of the general statutes, as amended by this act, that an  
833 independent expenditure has been made or obligated to be made, with  
834 the intent to promote the defeat of a candidate whose candidate  
835 committee has received a grant under the Citizens' Election Program,  
836 the State Elections Enforcement Commission shall immediately notify  
837 the State Comptroller that additional money, equal to the amount of  
838 the independent expenditure, shall be paid to said candidate  
839 committee. Not later than two business days following notification by  
840 the commission, the State Comptroller shall draw an order on the State  
841 Treasurer for payment of such amount to said candidate committee

842 from the Citizens' Election Fund. The provisions of this section shall be  
843 subject to the following:

844 (1) The maximum aggregate amount of funding that the qualified  
845 candidate committee of a participating candidate shall receive to  
846 match the independent expenditures made or obligated to be made on  
847 behalf of an opposing participating candidate shall not be greater than  
848 one hundred per cent of the total moneys that said candidate  
849 committee has received from the fund for the primary campaign or  
850 general election campaign for which such independent expenditures  
851 are made or obligated to be made.

852 (2) The maximum aggregate amount of funding that the qualified  
853 candidate committee of a participating candidate shall receive to  
854 match the independent expenditures and the excess expenditures of a  
855 nonparticipating candidate shall not be greater than two hundred per  
856 cent of the total moneys that said candidate committee has received  
857 from the fund for the primary campaign or general election campaign  
858 for which such independent expenditures and excess expenditures are  
859 made or obligated to be made.

860 (3) The additional moneys under this section to match independent  
861 expenditures shall be granted to the qualified candidate committee of a  
862 participating candidate opposed by a nonparticipating candidate only  
863 if the nonparticipating candidate's campaign expenditures, combined  
864 with the amount of the independent expenditures, exceed the  
865 applicable permitted expenditure amount for the participating  
866 candidate, during the primary campaign or the general election  
867 campaign.

868 (4) If a participating candidate receives additional moneys under  
869 this section to match independent expenditures made during a  
870 primary campaign and such candidate does not spend all of such  
871 additional moneys during such campaign, the candidate may carry  
872 over the moneys to the general election campaign. In such case, the  
873 general election grant shall be reduced by the amount of such moneys  
874 carried over.

875       Sec. 22. (NEW) (*Effective July 1, 2005, and applicable to elections held in*  
876 *2010, and thereafter*) The campaign treasurer for each candidate for  
877 election to state office in 2010, or thereafter shall file campaign finance  
878 statements with the office of the Secretary of the State (1) according to  
879 the same schedules as required of a campaign treasurer of a candidate  
880 committee under section 9-333j of the general statutes, as amended by  
881 this act, until receiving contributions, receipts and grants totaling  
882 seventy-five per cent of the applicable expenditure limit for a general  
883 election campaign, as set forth in subdivision (1) of subsection (c) of  
884 section 10 of this act, and (2) then, notwithstanding said schedule in  
885 section 9-333j of the general statutes, as amended by this act, on the  
886 second Thursday of each month between the beginning of the fourth  
887 month preceding the day of the election for said office and the  
888 beginning of the sixth week preceding the election and then on each  
889 Thursday until the day of the election. Said statements shall be  
890 prepared in the same manner as statements required under section 9-  
891 333j of the general statutes, as amended by this act. If a campaign  
892 treasurer fails to file any statement required by this section (A) within  
893 the time required, or (B) with both the Secretary of the State and the  
894 State Elections Enforcement Commission, such campaign treasurer  
895 shall be subject to a civil penalty imposed by the commission, of not  
896 more than one thousand dollars for each such failure under  
897 subparagraph (A) or (B) of subdivisions (1) and (2) of this section.

898       Sec. 23. (NEW) (*Effective July 1, 2005, and applicable to elections held in*  
899 *2010, and thereafter*) The Secretary of the State shall provide to each  
900 committee whose candidate has filed an affidavit under subsection (a)  
901 of section 11 of this act certifying that the candidate intends to abide by  
902 the applicable expenditure limits under the Citizens' Election Program,  
903 a copy of the voter registration list for the state, which is generated  
904 from the state-wide centralized voter registration system established  
905 pursuant to the plan authorized under section 1 of special act 91-45  
906 and completed pursuant to section 9-50b of the general statutes. The  
907 Secretary shall provide the copy in electronic format, free of charge.

908       Sec. 24. (NEW) (*Effective July 1, 2005, and applicable to elections held in*

909 2008, and thereafter) (a) Not later than June 1, 2006, and annually  
910 thereafter, the State Elections Enforcement Commission shall issue a  
911 report on the status of the Citizens' Election Fund during the previous  
912 calendar year. Such report shall include the amount of moneys  
913 deposited in the fund, the sources of moneys received by category, the  
914 number of contributions, the number of contributors, the amount of  
915 moneys expended by category, the recipients of moneys distributed  
916 from the fund and an accounting of the costs incurred by the  
917 commission in administering the provisions of sections 1 and 5 to 24,  
918 inclusive, of this act.

919 (b) Not later than January first in any year in which a state election  
920 is to be held, the commission shall determine whether the amount of  
921 moneys in the fund is sufficient to carry out the purposes of sections 1  
922 and 5 to 24, inclusive, of this act. If the commission determines that  
923 such amount is not sufficient to carry out such purposes, the  
924 commission shall, not later than three days after such later  
925 determination, (1) determine the percentage of the fund's obligations  
926 that can be met for such election, (2) recalculate the amount of each  
927 payment that a candidate committee is entitled to receive under  
928 section 8 of this act and that a qualified candidate committee is entitled  
929 to receive under section 14 of this act by multiplying such percentage  
930 by the amount that such committees would have been entitled to  
931 receive under sections 1 and 5 to 24, inclusive, of this act if there were a  
932 sufficient amount of moneys in the fund, and (3) notify each such  
933 committee of such insufficiency, percentage and applicable  
934 recalculation. After a candidate committee under section 8 of this act or  
935 a qualified candidate committee under section 14 of this act first  
936 receives any such recalculated payment, the committee may resume  
937 accepting contributions and making expenditures from such  
938 contributions, up to the highest amount of expenditures made by a  
939 nonparticipating candidate for the same nomination or primary. The  
940 commission shall also issue a report on said determination.

941 (c) The commission shall establish a reserve account in the fund. The  
942 first twenty-five thousand dollars deposited in the fund during any

943 year shall be placed in said account. The commission shall use moneys  
944 in the reserve account only during the seven days preceding a primary  
945 or an election for payments to candidates (1) whose payments were  
946 reduced under subsection (b) of this section, or (2) who are entitled to  
947 funding to match, during said seven-day period, independent  
948 expenditures pursuant to section 21 of this act.

949 Sec. 25. Section 9-333a of the general statutes is repealed and the  
950 following is substituted in lieu thereof (*Effective July 1, 2005*):

951 As used in this chapter and sections 5 to 24, inclusive, of this act:

952 (1) "Committee" means a party committee, political committee or a  
953 candidate committee organized, as the case may be, for a single  
954 primary, election or referendum, or for ongoing political activities, to  
955 aid or promote the success or defeat of any political party, any one or  
956 more candidates for public office or the position of town committee  
957 member or any referendum question.

958 (2) "Party committee" means a state central committee or a town  
959 committee. "Party committee" does not mean a party-affiliated or  
960 district, ward or borough committee which receives all of its funds  
961 from the state central committee of its party or from a single town  
962 committee with the same party affiliation. Any such committee so  
963 funded shall be construed to be a part of its state central or town  
964 committee for purposes of this chapter and sections 5 to 24, inclusive,  
965 of this act.

966 (3) "Political committee" means (A) a committee organized by a  
967 business entity or organization, (B) persons other than individuals, or  
968 two or more individuals organized or acting jointly conducting their  
969 activities in or outside the state, (C) a committee established by a  
970 candidate to determine the particular public office to which [he] such  
971 candidate shall seek nomination or election, and referred to in this  
972 chapter as an exploratory committee, or (D) a committee established by  
973 or on behalf of a slate of candidates in a primary for the office of justice  
974 of the peace, but does not mean a candidate committee or a party

975 committee.

976 (4) "Candidate committee" means any committee designated by a  
977 single candidate, or established with the consent, authorization or  
978 cooperation of a candidate, for the purpose of a single primary or  
979 election and to aid or promote [his] such candidate's candidacy alone  
980 for a particular public office or the position of town committee  
981 member, but does not mean a political committee or a party  
982 committee.

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

986 (6) "Organization" means all labor organizations, (A) as defined in  
987 the Labor-Management Reporting and Disclosure Act of 1959, as from  
988 time to time amended, or (B) as defined in subdivision (9) of section  
989 31-101, employee organizations as defined in subsection (d) of section  
990 5-270 and subdivision (6) of section 7-467, bargaining representative  
991 organizations for teachers, any local, state or national organization, to  
992 which a labor organization pays membership or per capita fees, based  
993 upon its affiliation or membership, and trade or professional  
994 associations which receive their funds exclusively from membership  
995 dues, whether organized in or outside of this state, but does not mean  
996 a candidate committee, party committee or a political committee.

997 (7) "Business entity" means the following, whether organized in or  
998 outside of this state: Stock corporations, banks, insurance companies,  
999 business associations, bankers associations, insurance associations,  
1000 trade or professional associations which receive funds from  
1001 membership dues and other sources, partnerships, joint ventures,  
1002 private foundations, as defined in Section 509 of the Internal Revenue  
1003 Code of 1986, or any subsequent corresponding internal revenue code  
1004 of the United States, as from time to time amended; trusts or estates;  
1005 corporations organized under sections 38a-175 to 38a-192, inclusive,  
1006 38a-199 to 38a-209, inclusive, and 38a-214 to 38a-225, inclusive, and  
1007 chapters 594 to 597, inclusive; cooperatives, and any other association,

1008 organization or entity which is engaged in the operation of a business  
1009 or profit-making activity; but does not include professional service  
1010 corporations organized under chapter 594a and owned by a single  
1011 individual, nonstock corporations which are not engaged in business  
1012 or profit-making activity, organizations, as defined in subdivision (6)  
1013 of this section, candidate committees, party committees and political  
1014 committees as defined in this section. For purposes of this chapter,  
1015 corporations which are component members of a controlled group of  
1016 corporations, as those terms are defined in Section 1563 of the Internal  
1017 Revenue Code of 1986, or any subsequent corresponding internal  
1018 revenue code of the United States, as from time to time amended, shall  
1019 be deemed to be one corporation.

1020 (8) "Individual" means a human being, a sole proprietorship, or a  
1021 professional service corporation organized under chapter 594a and  
1022 owned by a single human being.

1023 (9) "Person" means an individual, committee, firm, partnership,  
1024 organization, association, syndicate, company trust, corporation,  
1025 limited liability company or any other legal entity of any kind but does  
1026 not mean the state or any political or administrative subdivision of the  
1027 state.

1028 (10) "Candidate" means an individual who seeks nomination for  
1029 election or election to public office whether or not such individual is  
1030 elected, and for the purposes of this chapter and sections 5 to 24,  
1031 inclusive, of this act an individual shall be deemed to seek nomination  
1032 for election or election if [he] such individual has (A) been endorsed by  
1033 a party or become eligible for a position on the ballot at an election or  
1034 primary, or (B) solicited or received contributions, made expenditures  
1035 or given [his] such individual's consent to any other person to solicit or  
1036 receive contributions or make expenditures with the intent to bring  
1037 about [his] such individual's nomination for election or election to any  
1038 such office. "Candidate" also means a slate of candidates which is to  
1039 appear on the ballot in a primary for the office of justice of the peace.  
1040 For the purposes of sections 9-333 to 9-333l, inclusive, as amended by

1041 this act, and section 9-333w, "candidate" also means an individual who  
1042 is a candidate in a primary for town committee members.

1043 (11) "Campaign treasurer" means the individual appointed by a  
1044 candidate or by the [chairman] chairperson of a party committee or a  
1045 political committee to receive and disburse funds on behalf of the  
1046 candidate or committee.

1047 (12) "Deputy campaign treasurer" means the individual appointed  
1048 by the candidate or by the [chairman] chairperson of a committee to  
1049 serve in the capacity of the campaign treasurer if the campaign  
1050 treasurer is unable to perform [his] the campaign treasurer's duties.

1051 (13) "Solicitor" means an individual appointed by a campaign  
1052 treasurer of a committee to receive, but not to disburse, funds on  
1053 behalf of the committee.

1054 (14) "Referendum question" means a question to be voted upon at  
1055 any election or referendum, including a proposed constitutional  
1056 amendment.

1057 (15) "Lobbyist" means a lobbyist as defined in subsection (l) of  
1058 section 1-91.

1059 (16) "Business with which he is associated" means any business in  
1060 which the contributor is a director, officer, owner, limited or general  
1061 partner or holder of stock constituting five per cent or more of the total  
1062 outstanding stock of any class. Officer refers only to the president,  
1063 executive or senior vice-president or treasurer of such business.

1064 (17) "Independent expenditure" means an expenditure that is made  
1065 without the consent, knowing participation, or consultation of, a  
1066 candidate or agent of the candidate committee. "Independent  
1067 expenditure" does not include an expenditure (A) if there is any  
1068 coordination or direction with respect to the expenditure between the  
1069 candidate or the treasurer, deputy treasurer or [chairman] chairperson  
1070 of [his] such candidate committee and the person making the  
1071 expenditure, or (B) if, during the same election cycle, the individual

1072 making the expenditure serves or has served as the treasurer, deputy  
1073 treasurer or [chairman] chairperson of the candidate committee.

1074 (18) "Federal account" means a depository account that is subject to  
1075 the disclosure and contribution limits provided under the Federal  
1076 Election Campaign Act of 1971, as amended from time to time.

1077 (19) "Public funds" means funds belonging to, or under the control  
1078 of, the state or a political subdivision of the state.

1079 Sec. 26. Section 9-333b of the general statutes is repealed and the  
1080 following is substituted in lieu thereof (*Effective January 1, 2007*):

1081 (a) As used in this chapter and sections 5 to 24, inclusive, of this act,  
1082 "contribution" means:

1083 (1) Any gift, subscription, loan, advance, payment or deposit of  
1084 money or anything of value, made for the purpose of influencing the  
1085 nomination for election, or election, of any person or for the purpose of  
1086 aiding or promoting the success or defeat of any referendum question  
1087 or on behalf of any political party;

1088 (2) A written contract, promise or agreement to make a contribution  
1089 for any such purpose;

1090 (3) The payment by any person, other than a candidate or campaign  
1091 treasurer, of compensation for the personal services of any other  
1092 person which are rendered without charge to a committee or candidate  
1093 for any such purpose;

1094 (4) An expenditure when made by a person with the cooperation of,  
1095 or in consultation with, any candidate, candidate committee or  
1096 candidate's agent or which is made in concert with, or at the request or  
1097 suggestion of, any candidate, candidate committee or candidate's  
1098 agent; or

1099 (5) Funds received by a committee which are transferred from  
1100 another committee or other source for any such purpose.

1101 (b) As used in this chapter and sections 5 to 24, inclusive, of this act,  
1102 "contribution" does not mean:

1103 (1) A loan of money made in the ordinary course of business by a  
1104 national or state bank;

1105 (2) Any communication made by a corporation, organization or  
1106 association to its members, owners, stockholders, executive or  
1107 administrative personnel, or their families;

1108 (3) Nonpartisan voter registration and get-out-the-vote campaigns  
1109 by any corporation, organization or association aimed at its members,  
1110 owners, stockholders, executive or administrative personnel, or their  
1111 families;

1112 (4) Uncompensated services provided by individuals volunteering  
1113 their time;

1114 (5) The use of real or personal property, and the cost of invitations,  
1115 food or beverages, voluntarily provided by an individual to a  
1116 candidate or on behalf of a state central or town committee, in  
1117 rendering voluntary personal services for candidate or party-related  
1118 activities at the individual's residence, to the extent that the cumulative  
1119 value of the invitations, food or beverages provided by the individual  
1120 on behalf of any single candidate does not exceed two hundred dollars  
1121 with respect to any single election, and on behalf of all state central  
1122 and town committees does not exceed four hundred dollars in any  
1123 calendar year;

1124 (6) The sale of food or beverage for use in a candidate's campaign or  
1125 for use by a state central or town committee at a discount, if the charge  
1126 is not less than the cost to the vendor, to the extent that the cumulative  
1127 value of the discount given to or on behalf of any single candidate does  
1128 not exceed two hundred dollars with respect to any single election,  
1129 and on behalf of all state central and town committees does not exceed  
1130 four hundred dollars in a calendar year;

1131 (7) Any unreimbursed payment for travel expenses made by an

1132 individual who on the individual's own behalf volunteers the  
1133 individual's personal services to any single candidate to the extent the  
1134 cumulative value does not exceed two hundred dollars with respect to  
1135 any single election, and on behalf of all state central or town  
1136 committees does not exceed four hundred dollars in a calendar year;

1137 (8) The payment, by a party committee, political committee or an  
1138 individual, of the costs of preparation, display, mailing or other  
1139 distribution incurred by the committee or individual with respect to  
1140 any printed slate card, sample ballot or other printed list containing  
1141 the names of three or more candidates;

1142 (9) The donation of any item of personal property by an individual  
1143 to a committee for a fund-raising affair, including a tag sale or auction,  
1144 or the purchase by an individual of any such item at such an affair, to  
1145 the extent that the cumulative value donated or purchased does not  
1146 exceed fifty dollars;

1147 (10) (A) The purchase of advertising space which clearly identifies  
1148 the purchaser, in a program for a fund-raising affair, provided the  
1149 cumulative purchase of such space does not exceed (i) two hundred  
1150 fifty dollars from any single candidate or the candidate's committee  
1151 with respect to any single election campaign or two hundred fifty  
1152 dollars from any single party committee or other political committee in  
1153 any calendar year if the purchaser is a business entity that is not a  
1154 client lobbyist and does not employ a lobbyist; (ii) one hundred dollars  
1155 from any single candidate or the candidate's committee with respect to  
1156 any single election campaign or one hundred dollars from any single  
1157 party committee or other political committee in any calendar year if  
1158 the purchaser is a business entity that is either a client lobbyist or  
1159 employs a lobbyist; or (iii) fifty dollars for purchases by any other  
1160 person;

1161 (B) The exclusion under subparagraph (A) of this subdivision shall  
1162 not apply to (i) the purchase of advertising space by a communicator  
1163 lobbyist, (ii) in the case of a business entity or person that has a  
1164 contract with the state valued at two hundred fifty thousand dollars or

1165 more, the purchase of advertising space by such business entity or  
1166 person from a candidate for the office of Governor or Lieutenant  
1167 Governor or said candidate's committee, (iii) in the case of a business  
1168 entity or person that has a contract with the office of the Attorney  
1169 General, State Comptroller, Secretary of the State or State Treasurer  
1170 valued at two hundred fifty thousand dollars or more, the purchase of  
1171 advertising space by such business entity or person from a candidate  
1172 for said office or said candidate's committee, and (iv) in the case of a  
1173 business entity or person that has a contract with the General  
1174 Assembly valued at two hundred fifty thousand dollars or more, the  
1175 purchase of advertising space by such business entity or person from a  
1176 candidate for the office of state senator or state representative or said  
1177 candidate's committee;

1178 (C) As used in this subdivision, "client lobbyist" and "communicator  
1179 lobbyist" have the same meanings as provided in section 1-91;

1180 (11) The payment of money by a candidate to the candidate's  
1181 candidate committee;

1182 (12) The donation of goods or services by a business entity to a  
1183 committee for a fund-raising affair, including a tag sale or auction, to  
1184 the extent that the cumulative value donated does not exceed one  
1185 hundred dollars;

1186 (13) The advance of a security deposit by an individual to a  
1187 telephone company, as defined in section 16-1, for telecommunications  
1188 service for a committee, provided the security deposit is refunded to  
1189 the individual;

1190 (14) The provision of facilities, equipment, technical and managerial  
1191 support, and broadcast time by a community antenna television  
1192 company, as defined in section 16-1, for community access  
1193 programming pursuant to section 16-331a, unless (A) the major  
1194 purpose of providing such facilities, equipment, support and time is to  
1195 influence the nomination or election of a candidate, or (B) such  
1196 facilities, equipment, support and time are provided on behalf of a

1197 political party; or

1198 (15) The sale of food or beverage by a town committee to an  
1199 individual at a town fair, county fair or similar mass gathering held  
1200 within the state, to the extent that the cumulative payment made by  
1201 any one individual for such items does not exceed fifty dollars.

1202 Sec. 27. Subsection (a) of section 9-333e of the general statutes is  
1203 repealed and the following is substituted in lieu thereof (*Effective July*  
1204 *1, 2005*):

1205 (a) Statements filed by party committees, political committees  
1206 formed to aid or promote the success or defeat of a referendum  
1207 question proposing a constitutional convention, constitutional  
1208 amendment or revision of the Constitution, individual lobbyists, and  
1209 those political committees and candidate committees formed to aid or  
1210 promote the success or defeat of any candidate for the office of  
1211 Governor, Lieutenant Governor, Secretary of the State, State Treasurer,  
1212 Comptroller, Attorney General, judge of probate and members of the  
1213 General Assembly, shall be filed with the office of the Secretary of the  
1214 State. On and after January 1, 2008, a copy of each statement filed by a  
1215 candidate committee formed to aid or promote the success of any  
1216 candidate for the office of Governor, Lieutenant Governor, Secretary of  
1217 the State, State Treasurer, State Comptroller, Attorney General, state  
1218 senator or state representative shall be filed at the same time with the  
1219 State Elections Enforcement Commission. A copy of each statement  
1220 filed by a town committee shall be filed at the same time with the town  
1221 clerk of the municipality in which the committee is situated. A political  
1222 committee formed for a slate of candidates in a primary for the office  
1223 of justice of the peace shall file statements with both the Secretary of  
1224 the State and the town clerk of the municipality in which the primary  
1225 is to be held.

1226 Sec. 28. Subsection (e) of section 9-333j of the general statutes is  
1227 repealed and the following is substituted in lieu thereof (*Effective July*  
1228 *1, 2005*):

1229 (e) (1) Notwithstanding any provisions of this chapter, [to the  
1230 contrary,] in the event of a surplus the campaign treasurer of a  
1231 candidate committee or of a political committee, other than a political  
1232 committee formed for ongoing political activities or an exploratory  
1233 committee, shall distribute or expend such surplus [within] not later  
1234 than ninety days after a primary which results in the defeat of the  
1235 candidate, an election or referendum not held in November or by  
1236 January thirty-first following an election or referendum held in  
1237 November, in the following manner:

1238 (A) Such committees may distribute their surplus to a party  
1239 committee, or a political committee organized for ongoing political  
1240 activities, return such surplus to all contributors to the committee on a  
1241 prorated basis of contribution, distribute all or any part of such surplus  
1242 to the Citizens' Election Fund established in section 1 of this act or  
1243 distribute such surplus to any charitable organization which is a tax-  
1244 exempt organization under Section 501(c)(3) of the Internal Revenue  
1245 Code of 1986, or any subsequent corresponding internal revenue code  
1246 of the United States, as from time to time amended, provided (i) no  
1247 candidate committee may distribute such surplus to a committee  
1248 which has been established to finance future political campaigns of the  
1249 candidate, and (ii) a candidate committee which received moneys from  
1250 the Citizens' Election Fund shall distribute such surplus to such fund;

1251 (B) Each such political committee established by an organization  
1252 which received its funds from the organization's treasury shall return  
1253 its surplus to its sponsoring organization;

1254 (C) (i) Each political committee formed solely to aid or promote the  
1255 success or defeat of any referendum question, which does not receive  
1256 contributions from a business entity or an organization, shall distribute  
1257 its surplus to a party committee, to a political committee organized for  
1258 ongoing political activities, to a national committee of a political party,  
1259 to all contributors to the committee on a prorated basis of contribution,  
1260 to state or municipal governments or agencies or to any organization  
1261 which is a tax-exempt organization under Section 501(c)(3) of the

1262 Internal Revenue Code of 1986, or any subsequent corresponding  
1263 internal revenue code of the United States, as from time to time  
1264 amended. [, (ii) each] (ii) Each political committee formed solely to aid  
1265 or promote the success or defeat of any referendum question, which  
1266 receives contributions from a business entity or an organization, shall  
1267 distribute its surplus to all contributors to the committee on a prorated  
1268 basis of contribution, to state or municipal governments or agencies, or  
1269 to any organization which is tax-exempt under said provisions of the  
1270 Internal Revenue Code. Notwithstanding the provisions of this  
1271 subsection, a committee formed for a single referendum shall not be  
1272 required to expend its surplus within ninety days after the referendum  
1273 and may continue in existence if a substantially similar referendum  
1274 question on the same issue will be submitted to the electorate within  
1275 six months after the first referendum. If two or more substantially  
1276 similar referenda on the same issue are submitted to the electorate,  
1277 each no more than six months apart, the committee shall expend such  
1278 surplus within ninety days following the date of the last such  
1279 referendum;

1280 (D) The campaign treasurer of the candidate committee of a  
1281 candidate who is elected to office may, upon the authorization of such  
1282 candidate, expend surplus campaign funds to pay for the cost of  
1283 clerical, secretarial or other office expenses necessarily incurred by  
1284 such candidate in preparation for taking office; except such surplus  
1285 shall not be distributed for the personal benefit of any individual or to  
1286 any organization; and

1287 (E) The campaign treasurer of a candidate committee, or of a  
1288 political committee, other than a political committee formed for  
1289 ongoing political activities or an exploratory committee, shall, prior to  
1290 the dissolution of such committee, either (i) distribute any equipment  
1291 purchased, including but not limited to computer equipment, to any  
1292 recipient as set forth in subparagraph (A) of this subdivision, or (ii) sell  
1293 any equipment purchased, including but not limited to computer  
1294 equipment, to any person for fair market value and then distribute the  
1295 proceeds of such sale to any recipient as set forth in said subparagraph

1296 (A).

1297 (2) Notwithstanding any provisions of this chapter, [to the  
1298 contrary,] the campaign treasurer of the candidate committee of a  
1299 candidate who has withdrawn from a primary or election may, prior to  
1300 the primary or election, distribute its surplus to any organization  
1301 which is tax-exempt under Section 501(c)(3) of the Internal Revenue  
1302 Code of 1986, or any subsequent corresponding internal revenue code  
1303 of the United States, as from time to time amended, or return such  
1304 surplus to all contributors to the committee on a prorated basis of  
1305 contribution.

1306 (3) [Within] Not later than seven days after such distribution or  
1307 [within] not later than seven days after all funds have been expended  
1308 in accordance with subparagraph (D) of subdivision (1) of this  
1309 subsection, the campaign treasurer shall file a supplemental statement,  
1310 sworn under penalty of false statement, with the proper authority,  
1311 identifying all further contributions received since the previous  
1312 statement and explaining how any surplus has been distributed or  
1313 expended in accordance with this section. No surplus may be  
1314 distributed or expended until after the election, primary or  
1315 referendum.

1316 (4) In the event of a deficit the campaign treasurer shall file a  
1317 supplemental statement ninety days after an election, primary or  
1318 referendum not held in November or on the seventh calendar day in  
1319 February, or the next business day if such day is a Saturday, Sunday or  
1320 legal holiday, after an election or referendum held in November, with  
1321 the proper authority and, thereafter, on the seventh day of each month  
1322 following if on the last day of the previous month there was an  
1323 increase or decrease in the deficit in excess of five hundred dollars  
1324 from that reported on the last statement filed. The campaign treasurer  
1325 shall file such supplemental statements as required until the deficit is  
1326 eliminated. If any such committee does not have a surplus or a deficit,  
1327 the statement required to be filed [within] not later than forty-five days  
1328 following any election or referendum not held in November or on the

1329 seventh calendar day in January, or the next business day if such day is  
1330 a Saturday, Sunday or legal holiday, following an election or  
1331 referendum held in November, or [within] not later than thirty days  
1332 following any primary shall be the last required statement.

1333 Sec. 29. Subsection (a) of section 9-333m of the general statutes is  
1334 repealed and the following is substituted in lieu thereof (*Effective July*  
1335 *1, 2005*):

1336 (a) No individual shall make a contribution or contributions to, for  
1337 the benefit of, or pursuant to the authorization or request of, a  
1338 candidate or a committee supporting or opposing any candidate's  
1339 campaign for nomination at a primary, or any candidate's campaign  
1340 for election, to the office of (1) Governor, in excess of two thousand  
1341 five hundred dollars for a primary or an election held in 2006, and in  
1342 excess of one thousand five hundred dollars for a primary and an  
1343 election held in 2010, or thereafter; (2) Lieutenant Governor, Secretary  
1344 of the State, State Treasurer, State Comptroller or Attorney General, in  
1345 excess of one thousand five hundred dollars for a primary or an  
1346 election held in 2006, and in excess of one thousand dollars for a  
1347 primary and an election held in 2010, or thereafter; (3) chief executive  
1348 officer of a town, city or borough, in excess of one thousand dollars; (4)  
1349 state senator or probate judge, in excess of five hundred dollars; or (5)  
1350 state representative or any other office of a municipality not  
1351 [previously] specifically included in this subsection, in excess of two  
1352 hundred fifty dollars. [The] Except for contributions to, or for the  
1353 benefit of, a candidate's campaign for election in 2010, or thereafter to  
1354 the office of Governor, Lieutenant Governor, Secretary of the State,  
1355 State Treasurer, State Comptroller or Attorney General, the limits  
1356 imposed by this subsection shall be applied separately to primaries  
1357 and elections.

1358 Sec. 30. Subsection (e) of section 9-333n of the general statutes is  
1359 repealed and the following is substituted in lieu thereof (*Effective July*  
1360 *1, 2005*):

1361 (e) (1) Any individual acting alone may, independent of any

1362 candidate, agent of the candidate, or committee, make unlimited  
1363 expenditures to promote the success or defeat of any candidate's  
1364 campaign for election, or nomination at a primary, to any office or  
1365 position. [, provided] Except as provided in subdivision (2) of this  
1366 subsection, any individual who makes an independent expenditure or  
1367 expenditures in excess of one thousand dollars to promote the success  
1368 or defeat of any candidate's campaign for election, or nomination at a  
1369 primary, to any such office or position shall file statements according  
1370 to the same schedule and in the same manner as is required of a  
1371 campaign treasurer of a candidate committee under section 9-333j, as  
1372 amended by this act.

1373 (2) Any person who makes or obligates to make an independent  
1374 expenditure, as defined in section 9-333a, as amended by this act,  
1375 intended to promote the success or defeat of a candidate for (A) the  
1376 office of state senator or state representative, which exceeds one  
1377 thousand dollars, in the aggregate, during a primary period or a  
1378 general election period, as defined in section 5 of this act, on or after  
1379 January 1, 2008, or (B) the office of Governor, Lieutenant Governor,  
1380 Secretary of the State, State Treasurer, State Comptroller or Attorney  
1381 General, during a primary campaign or a general election campaign, as  
1382 defined in section 9 of this act, on or after January 1, 2010, shall file a  
1383 report of such independent expenditure to the State Elections  
1384 Enforcement Commission. The report shall be in the same form as  
1385 statements filed under section 9-333j, as amended by this act. If the  
1386 person makes or obligates to make such independent expenditure  
1387 more than twenty days before the day of a primary or election, the  
1388 person shall file such report not later than forty-eight hours after such  
1389 payment or obligation. If the person makes or obligates to make such  
1390 independent expenditure twenty days or less before the day of a  
1391 primary or election, the person shall file such report not later than  
1392 twenty-four hours after such payment or obligation. The report shall  
1393 be filed under penalty of false statement.

1394 (3) The independent expenditure report in subdivision (2) of this  
1395 subsection shall include a statement (A) identifying the candidate for

1396 whom the independent expenditure is intended to promote the success  
1397 or defeat, and (B) affirming that the expenditure is totally independent  
1398 and involves no cooperation or coordination with or direction from a  
1399 candidate or a political party.

1400 (4) Any person may file a complaint with the commission upon the  
1401 belief that (A) any such independent expenditure report or statement  
1402 is false, or (B) any person who is required to file an independent  
1403 expenditure report under subdivision (2) of this subsection has failed  
1404 to do so. The commission shall make a prompt determination on such  
1405 a complaint.

1406 Sec. 31. Section 9-333n of the general statutes is amended by adding  
1407 subsections (g) and (h) as follows (*Effective January 1, 2007*):

1408 (NEW) (g) No lobbyist shall make a contribution or contributions to,  
1409 or for the benefit of, any candidate's campaign for nomination at a  
1410 primary or election to the office of Governor, Lieutenant Governor,  
1411 Secretary of the State, Treasurer, Comptroller, Attorney General, state  
1412 senator, or state representative, in excess of one hundred dollars.

1413 (NEW) (h) (1) No executive head of a state agency in the executive  
1414 branch, executive head of a quasi-public agency, deputy of any such  
1415 executive head, or other full-time official or employee of any such state  
1416 agency or quasi-public agency who is appointed by the Governor shall  
1417 make a contribution or contributions to, or for the benefit of, any  
1418 candidate's campaign for nomination at a primary or election to the  
1419 office of Governor or Lieutenant Governor, in excess of one hundred  
1420 dollars. As used in this section, "quasi-public agency" has the same  
1421 meaning as provided in section 1-120.

1422 (2) No official or employee of the office of the Attorney General,  
1423 State Comptroller, Secretary of the State or State Treasurer shall make  
1424 a contribution or contributions to, or for the benefit of, any candidate's  
1425 campaign for nomination at a primary or election to the office in which  
1426 such official or employee serves, in excess of one hundred dollars.

1427 (3) No member of a caucus staff for a major party in the Senate or  
1428 House of Representatives shall make a contribution or contributions to,  
1429 or for the benefit of, any candidate's campaign for nomination at a  
1430 primary or election to the office of state senator or state representative,  
1431 in excess of one hundred dollars.

1432 Sec. 32. Subsection (d) of section 9-333o of the general statutes is  
1433 repealed and the following is substituted in lieu thereof (*Effective July*  
1434 *1, 2005*):

1435 (d) A political committee organized by a business entity shall not  
1436 make a contribution or contributions to or for the benefit of any  
1437 candidate's campaign for nomination at a primary or any candidate's  
1438 campaign for election to the office of: (1) Governor, in excess of five  
1439 thousand dollars for a primary or an election held in 2006, and in  
1440 excess of three thousand seven hundred fifty dollars for a primary and  
1441 an election held in 2010, or thereafter; (2) Lieutenant Governor,  
1442 Secretary of the State, State Treasurer, State Comptroller or Attorney  
1443 General, in excess of three thousand dollars for a primary or an  
1444 election held in 2006, and in excess of two thousand two hundred fifty  
1445 dollars for a primary and an election held in 2010, or thereafter; (3)  
1446 [state senator,] probate judge or chief executive officer of a town, city  
1447 or borough, in excess of one thousand dollars; (4) state senator, in  
1448 excess of one thousand dollars for a primary or an election held in  
1449 2006, and in excess of seven hundred fifty dollars for a primary and an  
1450 election held in 2008, or thereafter; (5) state representative, in excess of  
1451 five hundred dollars for a primary or an election held in 2006, and in  
1452 excess of three hundred seventy-five dollars for a primary and an  
1453 election held in 2008, or thereafter; or [(5)] (6) any other office of a  
1454 municipality not included in subdivision (3) of this subsection, in  
1455 excess of two hundred fifty dollars; or an exploratory committee, in  
1456 excess of two hundred fifty dollars. [The] Except for contributions to,  
1457 or for the benefit of, a candidate's campaign for election in 2010, or  
1458 thereafter to the office of Governor, Lieutenant Governor, Secretary of  
1459 the State, State Treasurer, State Comptroller or Attorney General, the  
1460 limits imposed by this subsection shall apply separately to primaries

1461 and elections and contributions by any such committee to candidates  
1462 designated in this subsection shall not exceed one hundred thousand  
1463 dollars in the aggregate for any single election and primary  
1464 preliminary thereto. Contributions to such committees shall also be  
1465 subject to the provisions of section 9-333t, as amended by this act, in  
1466 the case of committees formed for ongoing political activity or section  
1467 9-333u, as amended by this act, in the case of committees formed for a  
1468 single election or primary.

1469 Sec. 33. Section 9-333q of the general statutes is repealed and the  
1470 following is substituted in lieu thereof (*Effective July 1, 2005*):

1471 (a) No political committee established by an organization shall  
1472 make a contribution or contributions to, or for the benefit of, any  
1473 candidate's campaign for nomination at a primary or for election to the  
1474 office of: (1) Governor, in excess of two thousand five hundred dollars  
1475 for a primary or an election held in 2006, and in excess of three  
1476 thousand seven hundred fifty dollars for a primary and an election  
1477 held in 2010, or thereafter; (2) Lieutenant Governor, Secretary of the  
1478 State, State Treasurer, State Comptroller or Attorney General, in excess  
1479 of one thousand five hundred dollars for a primary or an election held  
1480 in 2006, and in excess of two thousand two hundred fifty dollars for a  
1481 primary and an election held in 2010, or thereafter; (3) chief executive  
1482 officer of a town, city or borough, in excess of one thousand dollars; (4)  
1483 [state senator or] probate judge, in excess of five hundred dollars; [or]  
1484 (5) state senator, in excess of five hundred dollars for a primary or an  
1485 election held in 2006, and in excess of seven hundred fifty dollars for a  
1486 primary and an election held in 2008, or thereafter; (6) state  
1487 representative, in excess of two hundred fifty dollars for a primary or  
1488 an election held in 2006, and in excess of three hundred seventy-five  
1489 dollars for a primary and an election held in 2008, or thereafter; or (7)  
1490 any other office of a municipality not [previously] specifically included  
1491 in this subsection, in excess of two hundred fifty dollars.

1492 (b) No such committee shall make a contribution or contributions to,  
1493 or for the benefit of, an exploratory committee, in excess of two

1494 hundred fifty dollars. Any such committee may make unlimited  
1495 contributions to a political committee formed solely to aid or promote  
1496 the success or defeat of a referendum question.

1497 (c) [The] Except for contributions to, or for the benefit of, a  
1498 candidate's campaign for election in 2010, or thereafter to the office of  
1499 Governor, Lieutenant Governor, Secretary of the State, State Treasurer,  
1500 State Comptroller or Attorney General, the limits imposed by  
1501 subsection (a) of this section shall apply separately to primaries and  
1502 elections and no such committee shall make contributions to the  
1503 candidates designated in this section which in the aggregate exceed  
1504 fifty thousand dollars for any single election and primary preliminary  
1505 thereto.

1506 (d) No political committee established by an organization shall  
1507 make contributions in any one calendar year to, or for the benefit of, (1)  
1508 the state central committee of a political party, in excess of five  
1509 thousand dollars; (2) a town committee, in excess of one thousand  
1510 dollars; or (3) any political committee, other than an exploratory  
1511 committee or a committee formed solely to aid or promote the success  
1512 or defeat of a referendum question, in excess of two thousand dollars.

1513 (e) No political committee established by an organization shall make  
1514 contributions to the committees designated in subsection (d) of this  
1515 section, which in the aggregate exceed fifteen thousand dollars in any  
1516 one calendar year. Contributions to a political committee established  
1517 by an organization shall also be subject to the provisions of section 9-  
1518 333t, as amended by this act, in the case of a committee formed for  
1519 ongoing political activity or section 9-333u, as amended by this act, in  
1520 the case of a committee formed for a single election or primary.

1521 Sec. 34. Section 9-333s of the general statutes is repealed and the  
1522 following is substituted in lieu thereof (*Effective July 1, 2005*):

1523 (a) A party committee may make unlimited contributions to, or for  
1524 the benefit of, any of the following: (1) Another party committee; (2) a  
1525 candidate committee, except as provided in subsections (b) and (c) of

1526 this section; (3) a national committee of a political party; (4) a  
1527 committee of a candidate for federal or out-of-state office; or (5) a  
1528 political committee. A party committee may also make contributions to  
1529 a charitable organization which is a tax-exempt organization under  
1530 Section 501(c)(3) of the Internal Revenue Code, as from time to time  
1531 amended, or make memorial contributions. A town committee may  
1532 also contribute to a scholarship awarded by a high school on the basis  
1533 of objective criteria.

1534 (b) (1) On and after January 1, 2007, no state central committee shall  
1535 make a contribution or contributions in excess of (A) fifty thousand  
1536 dollars to a candidate committee established to aid or promote the  
1537 success of one candidate for nomination at a primary or election to the  
1538 office of Governor, or (B) ten thousand dollars to a candidate  
1539 committee established to aid or promote the success of one candidate  
1540 for nomination at a primary or election to the office of Lieutenant  
1541 Governor, Secretary of the State, State Treasurer, State Comptroller or  
1542 Attorney General.

1543 (2) On and after January 1, 2007, no state central committee shall  
1544 make a contribution or contributions in excess of (A) five thousand  
1545 dollars to a candidate committee established to aid or promote the  
1546 success of one candidate for nomination at a primary or election to the  
1547 office of state senator, or (B) two thousand five hundred dollars to a  
1548 candidate committee established to aid or promote the success of one  
1549 candidate for nomination at a primary or election to the office of state  
1550 representative.

1551 (3) On and after January 1, 2007, no town committee shall make a  
1552 contribution or contributions in excess of (A) one thousand dollars to a  
1553 candidate committee established to aid or promote the success of one  
1554 candidate for nomination at a primary or election to the office of  
1555 Governor, or (B) five hundred dollars to a candidate committee  
1556 established to aid or promote the success of one candidate for  
1557 nomination at a primary or election to the office of Lieutenant  
1558 Governor, Secretary of the State, State Treasurer, State Comptroller or

1559 Attorney General.

1560 (4) The limits imposed by this subsection shall not apply separately  
1561 to primaries and elections.

1562 (c) (1) On and after January 1, 2007, no candidate committee of a  
1563 candidate for nomination or election to the office of Governor shall  
1564 receive more than seventy-five thousand dollars in total contributions  
1565 from town committees.

1566 (2) On and after January 1, 2007, no candidate committee of a  
1567 candidate for nomination or election to the office of Lieutenant  
1568 Governor, Attorney General, State Comptroller, State Treasurer or  
1569 Secretary of the State shall receive more than twenty thousand dollars  
1570 in total contributions from town committees.

1571 (3) The limits imposed by this subsection shall not apply separately  
1572 to primaries and elections.

1573 [(b)] (d) A party committee may receive contributions from a federal  
1574 account of a national committee of a political party, but may not  
1575 receive contributions from any other account of a national committee  
1576 of a political party or from a committee of a candidate for federal or  
1577 out-of-state office, for use in the election of candidates subject to the  
1578 provisions of this chapter.

1579 Sec. 35. Section 9-333t of the general statutes is repealed and the  
1580 following is substituted in lieu thereof (*Effective July 1, 2007*):

1581 (a) A political committee organized for ongoing political activities  
1582 may make unlimited contributions to, or for the benefit of, a party  
1583 committee; any national committee of a political party; a candidate  
1584 committee, except as provided in subsection (b) of this section; or a  
1585 committee of a candidate for federal or out-of-state office. No such  
1586 political committee shall make a contribution or contributions in excess  
1587 of two thousand dollars to another political committee in any calendar  
1588 year except that a political committee organized by a business entity  
1589 may make unlimited contributions to, or for the benefit of, another

1590 political committee organized by a business entity. No political  
1591 committee organized for ongoing political activities shall make a  
1592 contribution in excess of two hundred fifty dollars to an exploratory  
1593 committee. If such an ongoing committee is established by an  
1594 organization or a business entity, its contributions shall be subject to  
1595 the limits imposed by sections 9-333o to 9-333q, inclusive. A political  
1596 committee organized for ongoing political activities may make  
1597 contributions to a charitable organization which is a tax-exempt  
1598 organization under Section 501(c)(3) of the Internal Revenue Code, as  
1599 from time to time amended, or make memorial contributions.

1600 (b) No political committee organized for ongoing political activities  
1601 shall make a contribution or contributions to, or for the benefit of, any  
1602 candidate's campaign for nomination at a primary or election to the  
1603 office of (1) Governor, in excess of one hundred thousand dollars; (2)  
1604 Lieutenant Governor, Secretary of the State, State Treasurer, State  
1605 Comptroller or Attorney General, in excess of seventy-five thousand  
1606 dollars; or (3) state senator or state representative, in excess of thirty  
1607 per cent of the applicable primary period or general election period  
1608 expenditure limits under subsection (b) or (c) of section 6 of this act.  
1609 The limits imposed under subdivision (1) and (2) of this subsection  
1610 shall not apply separately to primaries and elections.

1611 ~~[(b)]~~ (c) A political committee organized for ongoing political  
1612 activities may receive contributions from the federal account of a  
1613 national committee of a political party, but may not receive  
1614 contributions from any other account of a national committee of a  
1615 political party or from a committee of a candidate for federal or out-of-  
1616 state office.

1617 Sec. 36. Subsection (b) of section 9-333y of the general statutes is  
1618 repealed and the following is substituted in lieu thereof (*Effective July*  
1619 *1, 2005*):

1620 (b) If any campaign treasurer or lobbyist fails to file the statements  
1621 required by section 9-333j, as amended by this act, or subsection (g) of  
1622 section 9-333l, as the case may be, within the time required, [he] the

1623 campaign treasurer or lobbyist shall pay a late filing fee of fifty-five  
1624 dollars. In the case of a statement that is required to be filed with the  
1625 Secretary of the State, the secretary shall, within ten days after the  
1626 filing deadline, notify by certified mail, return receipt requested, the  
1627 person required to file that, if such statement is not filed within  
1628 twenty-one days after the deadline, the person is in violation of said  
1629 section or subsection. If the person does not file such statement within  
1630 twenty-one days after the deadline, the secretary shall notify the State  
1631 Elections Enforcement Commission within twenty-eight days after the  
1632 deadline. In the case of a copy of a statement that is required to be filed  
1633 with the State Elections Enforcement Commission, the commission  
1634 shall, not later than ten days after the filing deadline, notify, by  
1635 certified mail, return receipt requested, the person required to file that  
1636 if such statement is not filed not later than twenty-one days after the  
1637 deadline the person is in violation of section 9-333j, as amended by this  
1638 act. In the case of a statement that is required to be filed with a town  
1639 clerk, the town clerk shall forthwith after the filing deadline notify by  
1640 certified mail, return receipt requested, the person required to file that,  
1641 if such statement is not filed within seven days after receiving such  
1642 notice, the town clerk shall notify the State Elections Enforcement  
1643 Commission that the person is in violation of said section or  
1644 subsection. The penalty for any violation of said section or subsection  
1645 shall be a fine of not more than one thousand dollars or imprisonment  
1646 for not more than one year or both.

1647       Sec. 37. Section 9-7b of the general statutes is repealed and the  
1648 following is substituted in lieu thereof (*Effective July 1, 2005*):

1649       (a) The State Elections Enforcement Commission shall have the  
1650 following duties and powers:

1651       (1) To make investigations on its own initiative or with respect to  
1652 statements filed with the commission by the Secretary of the State or  
1653 any town clerk, or upon written complaint under oath by any  
1654 individual, with respect to alleged violations of any provision of the  
1655 general statutes and sections 5 to 24, inclusive, of this act, relating to

1656 any election or referendum, any primary held pursuant to section 9-  
1657 423, 9-425 or 9-464 or any primary held pursuant to a special act, and  
1658 to hold hearings when the commission deems necessary to investigate  
1659 violations of any provisions of the general statutes or sections 5 to 24,  
1660 inclusive, of this act, relating to any such election, primary or  
1661 referendum, and for the purpose of such hearings the commission may  
1662 administer oaths, examine witnesses and receive oral and  
1663 documentary evidence, and shall have the power to subpoena  
1664 witnesses under procedural rules the commission shall adopt, to  
1665 compel their attendance and to require the production for examination  
1666 of any books and papers which the commission deems relevant to any  
1667 matter under investigation or in question. In connection with its  
1668 investigation of any alleged violation of any provision of chapter 145,  
1669 or of any provision of section 9-359 or section 9-359a, the commission  
1670 shall also have the power to subpoena any municipal clerk and to  
1671 require the production for examination of any absentee ballot, inner  
1672 and outer envelope from which any such ballot has been removed,  
1673 depository envelope containing any such ballot or inner or outer  
1674 envelope as provided in sections 9-150a and 9-150b and any other  
1675 record, form or document as provided in section 9-150b, in connection  
1676 with the election, primary or referendum to which the investigation  
1677 relates. In case of a refusal to comply with any subpoena issued  
1678 pursuant to this subsection or to testify with respect to any matter  
1679 upon which that person may be lawfully interrogated, the superior  
1680 court for the judicial district of Hartford, on application of the  
1681 commission, may issue an order requiring such person to comply with  
1682 such subpoena and to testify; failure to obey any such order of the  
1683 court may be punished by the court as a contempt thereof. In any  
1684 matter under investigation which concerns the operation or inspection  
1685 of or outcome recorded on any voting machine, the commission may  
1686 issue an order to the municipal clerk to impound such machine until  
1687 the investigation is completed;

1688 (2) To levy a civil penalty not to exceed (A) two thousand dollars  
1689 per offense against any person the commission finds to be in violation  
1690 of any provision of chapter 145, part V of chapter 146, part I of chapter

1691 147, chapter 148, section 9-12, subsection (a) of section 9-17, section 9-  
1692 19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h, 9-23j to 9-  
1693 23o, inclusive, 9-23r, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-  
1694 43, 9-50a, 9-56, 9-59, 9-168d, 9-170, 9-171, 9-172, 9-232i to 9-232o,  
1695 inclusive, 9-404a to 9-404c, inclusive, 9-409, 9-410, 9-412, 9-436, 9-436a,  
1696 9-453e to 9-453h, inclusive, 9-453k or 9-453o, or (B) two thousand  
1697 dollars per offense or twice the amount of any improper payment or  
1698 contribution, whichever is greater, against any person the commission  
1699 finds to be in violation of any provision of chapter 150 or sections 5 to  
1700 24, inclusive, of this act. The commission may levy a civil penalty  
1701 against any person under subparagraph (A) or (B) of this subdivision  
1702 only after giving the person an opportunity to be heard at a hearing  
1703 conducted in accordance with sections 4-176e to 4-184, inclusive. In the  
1704 case of failure to pay any such penalty levied pursuant to this  
1705 subsection within thirty days of written notice sent by certified or  
1706 registered mail to such person, the superior court for the judicial  
1707 district of Hartford, on application of the commission, may issue an  
1708 order requiring such person to pay the penalty imposed and such  
1709 court costs, state marshal's fees and attorney's fees incurred by the  
1710 commission as the court may determine. Any civil penalties paid,  
1711 collected or recovered under subparagraph (B) of this subdivision for a  
1712 violation of any provision of chapter 150 applying to the office of the  
1713 Treasurer shall be deposited on a pro rata basis in any trust funds, as  
1714 defined in section 3-13c, affected by such violation;

1715 (3) (A) To issue an order requiring any person the commission finds  
1716 to have received any contribution or payment which is prohibited by  
1717 any of the provisions of chapter 150, after an opportunity to be heard  
1718 at a hearing conducted in accordance with the provisions of sections 4-  
1719 176e to 4-184, inclusive, to return such contribution or payment to the  
1720 donor or payor, or to remit such contribution or payment to the state  
1721 for deposit in the General Fund, whichever is deemed necessary to  
1722 effectuate the purposes of chapter 150;

1723 (B) To issue an order when the commission finds that an intentional  
1724 violation of any provision of chapter 150 has been committed, after an

1725 opportunity to be heard at a hearing conducted in accordance with  
1726 sections 4-176e to 4-184, inclusive, which order may contain one or  
1727 more of the following sanctions: (i) Removal of a campaign treasurer,  
1728 deputy campaign treasurer or solicitor; (ii) prohibition on serving as a  
1729 campaign treasurer, deputy campaign treasurer or solicitor, for a  
1730 period not to exceed four years; and (iii) in the case of a party  
1731 committee or a political committee, suspension of all political  
1732 activities, including, but not limited to, the receipt of contributions and  
1733 the making of expenditures, provided the commission may not order  
1734 such a suspension unless the commission has previously ordered the  
1735 removal of the campaign treasurer and notifies the officers of the  
1736 committee that the commission is considering such suspension;

1737 (C) To issue an order revoking any person's eligibility to be  
1738 appointed or serve as an election, primary or referendum official or  
1739 unofficial checker or in any capacity at the polls on the day of an  
1740 election, primary or referendum, when the commission finds such  
1741 person has intentionally violated any provision of the general statutes  
1742 relating to the conduct of an election, primary or referendum, after an  
1743 opportunity to be heard at a hearing conducted in accordance with  
1744 sections 4-176e to 4-184, inclusive;

1745 (D) To issue an order to enforce the provisions of the Help America  
1746 Vote Act, P.L. 107-252, as amended from time to time, as the  
1747 commission deems appropriate;

1748 (4) To issue an order to a candidate committee that receives moneys  
1749 from the Citizens' Election Fund pursuant to sections 1 and 5 to 24,  
1750 inclusive, of this act, to comply with the provisions of sections 1 and 5  
1751 to 24, inclusive, of this act after an opportunity to be heard at a hearing  
1752 conducted in accordance with the provisions of sections 4-176e to 4-  
1753 184, inclusive;

1754 [(4)] (5) To inspect or audit at any reasonable time and upon  
1755 reasonable notice the accounts or records of any campaign treasurer or  
1756 principal campaign treasurer, as required by chapter 150 and to audit  
1757 any such election, primary or referendum held within the state;

1758 provided, (A) (i) not later than two months preceding the day of an  
1759 election at which a candidate is seeking election, the commission shall  
1760 complete any audit it has initiated in the absence of a complaint that  
1761 involves a committee of the same candidate from a previous election,  
1762 and (ii) during the two-month period preceding the day of an election  
1763 at which a candidate is seeking election, the commission shall not  
1764 initiate an audit in the absence of a complaint that involves a  
1765 committee of the same candidate from a previous election, and (B) the  
1766 commission shall not audit any caucus, as defined in subdivision (1) of  
1767 section 9-372;

1768 ~~[(5)]~~ (6) To attempt to secure voluntary compliance, by informal  
1769 methods of conference, conciliation and persuasion, with any  
1770 provision of chapters 149 to 153, inclusive, or any other provision of  
1771 the general statutes relating to any such election, primary or  
1772 referendum;

1773 ~~[(6)]~~ (7) To consult with the Secretary of the State, the Chief State's  
1774 Attorney or the Attorney General on any matter which the commission  
1775 deems appropriate;

1776 ~~[(7)]~~ (8) To refer to the Chief State's Attorney evidence bearing upon  
1777 violation of any provision of chapters 149 to 153, inclusive, or any  
1778 other provision of the general statutes pertaining to or relating to any  
1779 such election, primary or referendum;

1780 ~~[(8)]~~ (9) To refer to the Attorney General evidence for injunctive  
1781 relief and any other ancillary equitable relief in the circumstances of  
1782 subdivision ~~[(7)]~~ (8) of this subsection. Nothing in this subsection  
1783 shall preclude a person who claims that he is aggrieved by a violation  
1784 of any provision of chapter 152 or any other provision of the general  
1785 statutes relating to referenda from pursuing injunctive and any other  
1786 ancillary equitable relief directly from the Superior Court by the filing  
1787 of a complaint;

1788 ~~[(9)]~~ (10) To refer to the Attorney General evidence pertaining to any  
1789 ruling which the commission finds to be in error made by election

1790 officials in connection with any election, primary or referendum. Those  
1791 remedies and procedures available to parties claiming to be aggrieved  
1792 under the provisions of sections 9-323, 9-324, 9-328 and 9-329a shall  
1793 apply to any complaint brought by the Attorney General as a result of  
1794 the provisions of this subdivision;

1795        [(10)] (11) To consult with the United States Department of Justice  
1796 and the United States Attorney for Connecticut on any investigation  
1797 pertaining to a violation of this section, section 9-12, subsection (a) of  
1798 section 9-17 or section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a,  
1799 9-23g, 9-23h, 9-23j to 9-23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-  
1800 35c, 9-40a, 9-42, 9-43, 9-50a, 9-56 or 9-59 and to refer to said department  
1801 and attorney evidence bearing upon any such violation for prosecution  
1802 under the provisions of the National Voter Registration Act of 1993,  
1803 P.L. 103-31, as amended from time to time;

1804        [(11)] (12) To inspect reports filed with the Secretary of the State and  
1805 with town clerks pursuant to chapter 150 and refer to the Chief State's  
1806 Attorney evidence bearing upon any violation of law therein if such  
1807 violation was committed knowingly and wilfully;

1808        [(12)] (13) To intervene in any action brought pursuant to the  
1809 provisions of sections 9-323, 9-324, 9-328 and 9-329a upon application  
1810 to the court in which such action is brought when in the opinion of the  
1811 court it is necessary to preserve evidence of possible criminal violation  
1812 of the election laws;

1813        [(13)] (14) To adopt and publish regulations pursuant to chapter 54  
1814 to carry out the provisions of section 9-7a, this section and chapter 150;  
1815 to issue upon request and publish advisory opinions in the  
1816 Connecticut Law Journal upon the requirements of chapter 150, and to  
1817 make recommendations to the General Assembly concerning  
1818 suggested revisions of the election laws;

1819        [(14)] (15) To the extent that the Elections Enforcement Commission  
1820 is involved in the investigation of alleged or suspected criminal  
1821 violations of any provision of the general statutes pertaining to or

1822 relating to any such election, primary or referendum and is engaged in  
1823 such investigation for the purpose of presenting evidence to the Chief  
1824 State's Attorney, the Elections Enforcement Commission shall be  
1825 deemed a law enforcement agency for purposes of subdivision (3) of  
1826 subsection (b) of section 1-210, provided nothing in this section shall be  
1827 construed to exempt the Elections Enforcement Commission in any  
1828 other respect from the requirements of the Freedom of Information  
1829 Act, as defined in section 1-200;

1830       [(15)] (16) To enter into such contractual agreements as may be  
1831 necessary for the discharge of its duties, within the limits of its  
1832 appropriated funds and in accordance with established procedures;

1833       [(16)] (17) To provide the Secretary of the State with notice and  
1834 copies of all decisions rendered by the commission in contested cases,  
1835 advisory opinions and declaratory judgments, at the time such  
1836 decisions, judgments and opinions are made or issued;

1837       [(17)] (18) To receive and determine complaints filed under the Help  
1838 America Vote Act, P.L. 107-252, as amended from time to time, by any  
1839 person who believes there is a violation of any provision of Title III of  
1840 P.L. 107-252, as amended. Any complaint filed under this subdivision  
1841 shall be in writing, notarized and signed and sworn by the person  
1842 filing the complaint. At the request of the complainant, there shall be a  
1843 hearing on the record, conducted in accordance with sections 4-167e to  
1844 4-184, inclusive. The commission shall make a final determination with  
1845 respect to a complaint prior to the expiration of the ninety-day period  
1846 beginning on the date the complaint is filed, unless the complainant  
1847 consents to a longer period for making such determination. If the  
1848 commission fails to meet the applicable deadline under this  
1849 subdivision with respect to a complaint, the commission shall resolve  
1850 the complaint within sixty days after the expiration of such ninety-day  
1851 period under an alternative dispute resolution procedure established  
1852 by the commission.

1853       (b) In the case of a refusal to comply with an order of the  
1854 commission issued pursuant to subdivision (3) of subsection (a) of this

1855 section, the superior court for the judicial district of Hartford, on  
1856 application of the commission, may issue a further order to comply.  
1857 Failure to obey such further order may be punished by the court as a  
1858 contempt thereof.

1859 Sec. 38. Section 9-324 of the general statutes is repealed and the  
1860 following is substituted in lieu thereof (*Effective January 1, 2007*):

1861 Any elector or candidate who claims that [he] such elector or  
1862 candidate is aggrieved by any ruling of any election official in  
1863 connection with any election for Governor, Lieutenant Governor,  
1864 Secretary of the State, State Treasurer, Attorney General, State  
1865 Comptroller or judge of probate, held in [his] such elector's or  
1866 candidate's town, or that there has been a mistake in the count of the  
1867 votes cast at such election for candidates for said offices or any of  
1868 them, at any voting district in [his] such elector's or candidate's town,  
1869 or any candidate for such an office who claims that [he] such candidate  
1870 is aggrieved by a violation of any provision of [sections] section 9-355,  
1871 9-357 to 9-361, inclusive, 9-364, 9-364a or 9-365 in the casting of  
1872 absentee ballots at such election or any candidate for the office of  
1873 Governor, Lieutenant Governor, Secretary of the State, State Treasurer,  
1874 Attorney General or State Comptroller, who claims that such candidate  
1875 is aggrieved by a violation of any provision of sections and sections 9  
1876 to 24, inclusive, of this act, may bring [his] such elector's or candidate's  
1877 complaint to any judge of the Superior Court, in which [he] such  
1878 elector or candidate shall set out the claimed errors of such election  
1879 official, the claimed errors in the count or the claimed violations of said  
1880 sections. In any action brought pursuant to the provisions of this  
1881 section, the complainant shall send a copy of the complaint by first-  
1882 class mail, or deliver a copy of the complaint by hand, to the State  
1883 Elections Enforcement Commission. If such complaint is made prior to  
1884 such election, such judge shall proceed expeditiously to render  
1885 judgment on the complaint and shall cause notice of the hearing to be  
1886 given to the Secretary of the State and the State Elections Enforcement  
1887 Commission. If such complaint is made subsequent to the election, it  
1888 shall be brought [within] not later than fourteen days of the election

1889 and such judge shall forthwith order a hearing to be had upon such  
1890 complaint, upon a day not more than five nor less than three days  
1891 from the making of such order, and shall cause notice of not less than  
1892 three nor more than five days to be given to any candidate or  
1893 candidates whose election may be affected by the decision upon such  
1894 hearing, to such election official, the Secretary of the State, the State  
1895 Elections Enforcement Commission and to any other party or parties  
1896 whom such judge deems proper parties thereto, of the time and place  
1897 for the hearing upon such complaint. Such judge shall, on the day  
1898 fixed for such hearing and without unnecessary delay, proceed to hear  
1899 the parties. If sufficient reason is shown, [he] such judge may order  
1900 any voting machines to be unlocked or any ballot boxes to be opened  
1901 and a recount of the votes cast, including absentee ballots, to be made.  
1902 Such judge shall thereupon, in case [he] such judge finds any error in  
1903 the rulings of the election official, any mistake in the count of the votes  
1904 or any violation of said sections, certify the result of [his] such judge's  
1905 finding or decision to the Secretary of the State before the fifteenth day  
1906 of the next succeeding December. Such judge may order a new election  
1907 or a change in the existing election schedule. Such certificate of such  
1908 judge of [his] such judge's finding or decision shall be final and  
1909 conclusive upon all questions relating to errors in the rulings of such  
1910 election officials, to the correctness of such count, and, for the purposes  
1911 of this section only, such claimed violations, and shall operate to  
1912 correct the returns of the moderators or presiding officers, so as to  
1913 conform to such finding or decision, unless the same is appealed from  
1914 as provided in section 9-325.

1915 Sec. 39. (NEW) (*Effective July 1, 2005*) (a) (1) No candidate for the  
1916 office of Governor or Lieutenant Governor shall solicit contributions,  
1917 on behalf of a candidate committee established by a candidate for  
1918 nomination or election to any public office or on behalf of any political  
1919 committee or party committee, or accept contributions (A) from any  
1920 individual who (i) is an officer, director, owner, limited or general  
1921 partner or holder of stock constituting five per cent or more of the total  
1922 outstanding stock of any class of a business which has a contract with  
1923 the state valued at two hundred fifty thousand dollars or more, and (ii)

1924 has substantial policy or decision-making authority related to the  
1925 administration of said contract, or (B) from a political committee  
1926 established by such business.

1927 (2) No such individual from such business and no political  
1928 committee established by such business shall make a contribution to  
1929 any candidate committee established by a candidate for the office of  
1930 Governor or Lieutenant Governor, during the term of such contract. If  
1931 any such individual or political committee makes such a contribution,  
1932 the business shall be prohibited from being awarded a state contract,  
1933 or an extension or an amendment to a state contract, for one year after  
1934 the election for which such contribution is made.

1935 (b) (1) No candidate for the office of Attorney General, State  
1936 Comptroller or Secretary of the State shall solicit contributions, on  
1937 behalf of a candidate committee established by a candidate for  
1938 nomination or election to any public office or on behalf of any political  
1939 committee or party committee, or accept contributions (A) from any  
1940 individual who (i) is an officer, director, owner, limited or general  
1941 partner or holder of stock constituting five per cent or more of the total  
1942 outstanding stock of any class of a business which has a contract with  
1943 such official's office valued at two hundred fifty thousand dollars or  
1944 more, and (ii) has substantial policy or decision-making authority  
1945 related to the administration of said contract, or (B) from a political  
1946 committee established by such business.

1947 (2) No such individual from such business and no political  
1948 committee established by such business shall make a contribution to  
1949 any candidate committee established by a candidate for the office with  
1950 which the business has a contract, during the term of such contract. If  
1951 any such individual or political committee makes such a contribution,  
1952 the business shall be prohibited from being awarded a contract from  
1953 such office, or an extension or an amendment to such a contract, for  
1954 one year after the election for which such contribution is made.

1955 (3) The provisions of this subsection shall also apply to the State  
1956 Treasurer to the extent such provisions are not inconsistent with the

1957 provisions of subsection (f) of section 9-333n of the general statutes, as  
1958 amended by this act.

1959 (c) (1) No candidate for the office of state senator or state  
1960 representative shall solicit contributions, on behalf of a candidate  
1961 committee established by a candidate for nomination or election to any  
1962 public office or on behalf of any political committee or party  
1963 committee, or accept contributions (A) from any individual who (i) is  
1964 an officer, director, owner, limited or general partner or holder of stock  
1965 constituting five per cent or more of the total outstanding stock of any  
1966 class of a business which has a contract with the General Assembly  
1967 valued at two hundred fifty thousand dollars or more, and (ii) has  
1968 substantial policy or decision-making authority related to the  
1969 administration of said contract, or (B) from a political committee  
1970 established by such business.

1971 (2) No such individual from such business and no political  
1972 committee established by such business shall make a contribution to  
1973 any candidate committee established by a candidate for the office of  
1974 state senator or state representative, during the term of such contract.  
1975 If any such individual or political committee makes such a  
1976 contribution, the business shall be prohibited from being awarded a  
1977 contract by the General Assembly, or an extension or an amendment to  
1978 such a contract, for one year after the election for which such  
1979 contribution is made.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	New section
Sec. 2	<i>July 1, 2005</i>	New section
Sec. 3	<i>July 1, 2005</i>	New section
Sec. 4	<i>July 1, 2005</i>	52-259
Sec. 5	<i>July 1, 2005, and applicable to primary and general election campaigns for elections in 2008, and thereafter</i>	New section

Sec. 6	<i>July 1, 2005, and applicable to primary and general election campaigns for elections in 2008, and thereafter</i>	New section
Sec. 7	<i>July 1, 2005, and applicable to primary and general election campaigns for elections in 2008, and thereafter</i>	New section
Sec. 8	<i>July 1, 2005, and applicable to primary and general election campaigns for elections in 2008, and thereafter</i>	New section
Sec. 9	<i>July 1, 2005, and applicable to elections held in 2010, and thereafter</i>	New section
Sec. 10	<i>July 1, 2005, and applicable to elections held in 2010, and thereafter</i>	New section
Sec. 11	<i>July 1, 2005, and applicable to elections held in 2010, and thereafter</i>	New section
Sec. 12	<i>July 1, 2005, and applicable to elections held in 2010, and thereafter</i>	New section
Sec. 13	<i>July 1, 2005, and applicable to elections held in 2010, and thereafter</i>	New section
Sec. 14	<i>July 1, 2005, and applicable to elections held in 2010, and thereafter</i>	New section
Sec. 15	<i>July 1, 2005, and applicable to elections held in 2010, and thereafter</i>	New section
Sec. 16	<i>July 1, 2005, and applicable to elections held in 2010, and thereafter</i>	New section
Sec. 17	<i>July 1, 2005, and applicable to elections held in 2010, and thereafter</i>	New section

Sec. 18	<i>July 1, 2005, and applicable to elections held in 2010, and thereafter</i>	New section
Sec. 19	<i>July 1, 2005, and applicable to elections held in 2010, and thereafter</i>	New section
Sec. 20	<i>July 1, 2005, and applicable to elections held in 2010, and thereafter</i>	New section
Sec. 21	<i>July 1, 2005, and applicable to elections held in 2010, and thereafter</i>	New section
Sec. 22	<i>July 1, 2005, and applicable to elections held in 2010, and thereafter</i>	New section
Sec. 23	<i>July 1, 2005, and applicable to elections held in 2010, and thereafter</i>	New section
Sec. 24	<i>July 1, 2005, and applicable to elections held in 2008, and thereafter</i>	New section
Sec. 25	<i>July 1, 2005</i>	9-333a
Sec. 26	<i>January 1, 2007</i>	9-333b
Sec. 27	<i>July 1, 2005</i>	9-333e(a)
Sec. 28	<i>July 1, 2005</i>	9-333j(e)
Sec. 29	<i>July 1, 2005</i>	9-333m(a)
Sec. 30	<i>July 1, 2005</i>	9-333n(e)
Sec. 31	<i>January 1, 2007</i>	9-333n
Sec. 32	<i>July 1, 2005</i>	9-333o(d)
Sec. 33	<i>July 1, 2005</i>	9-333q
Sec. 34	<i>July 1, 2005</i>	9-333s
Sec. 35	<i>July 1, 2007</i>	9-333t
Sec. 36	<i>July 1, 2005</i>	9-333y(b)
Sec. 37	<i>July 1, 2005</i>	9-7b
Sec. 38	<i>January 1, 2007</i>	9-324
Sec. 39	<i>July 1, 2005</i>	New section

**Statement of Legislative Commissioners:**

The effective dates for sections 33, 36 and 37 were changed from "January 1, 2005" to "July 1, 2005" for clarity and statutory consistency.

**FIN**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

### **OFA Fiscal Note**

#### **State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 06 \$</b>	<b>FY 07 \$</b>
Elect. Enforcement Com.	Citizens' Election Fund - Revenue Gain	\$3,975,000	\$5,300,000
Secretary of the State	GF - Cost	Significant	Significant
Elect. Enforcement Com.; Comptroller Misc. Accounts (Fringe Benefits)	GF - Cost	See Below	See Below

Note: GF=General Fund

**Municipal Impact:** None

#### **Explanation**

This bill establishes a two-part system of public financing for election campaigns, one for candidates for statewide elected offices (beginning in 2010) and the other for legislative candidates (beginning in 2008). In the first part, candidates for state offices who receive qualifying contributions and agree to limit their spending and comply with other requirements are eligible to receive state grants for their campaigns. State office candidates are those running for Governor, Lieutenant Governor, Attorney General, State Comptroller, State Treasurer, and Secretary of the State.

The second part sets up a voluntary spending limit program for the primary and general election that grants state funding to legislative candidates only after a participating candidate's nonparticipating opponent exceeds the spending limit. To participate in the program, a candidate must agree to the spending limits and receive a threshold level of contributions and receipts.

The bill establishes the Citizens' Election Fund (CEF), a separate nonlapsing fund within the General Fund, which provides grants to

candidates who comply with certain program requirements.

The bill would generate about \$5.3 million in state revenues each year, which would be deposited in to the Citizens' Election Fund that the bill establishes. Approximately \$3.5 million would be generated by a ten dollar surcharge on any infraction and a twenty dollar surcharge on any violation and criminal offense. (Note that a majority of these revenues would be motor vehicle related.) An additional \$1.8 million would result from a thirty dollar surcharge on the filing of certain civil cases. It is anticipated that the Judicial Department would require three months subsequent to passage of the bill in order to fully implement the surcharge increases that are required. Consequently, revenues in the first year are proportionately less.

To estimate whether the revenues of the CEF are sufficient to fund the potential grant obligations in the 2010 state office campaigns, three scenarios are considered for candidates who intend on participating in the voluntary program by receiving qualifying contributions and adhering to the spending limits.

<b>Combined Grants from the Citizens' Election Fund (CEF) for Campaigns for Each State Office<sup>1</sup></b>							
	Governor	Lt. Gov.	Sec. of State	Comptroller	Attorney General	Treasurer	<b>TOTAL</b>
A. 2 Candidates; No Primaries	\$6,000,000	\$0	\$500,000	\$500,000	\$500,000	\$500,000	<b>\$8,000,000</b>
B. One Party Primary	\$8,500,000	\$350,000	\$1,350,000	\$1,350,000	\$1,350,000	\$1,350,000	<b>\$14,250,000</b>
C. Two Party Primaries	\$11,000,000	\$700,000	\$1,700,000	\$1,700,000	\$1,700,000	\$1,700,000	<b>\$18,500,000</b>

In scenario A, it is assumed that there will be no primaries for state office, and only one candidate from each of the major parties for each state office for the general election. In this scenario, \$8 million in CEF grants would be needed.

In scenario B, it is assumed that there will be two candidates from

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<sup>1</sup> Assumes each qualifying candidate receives the maximum grant for delegate selection, convention, primary, and general election (Under the bill, Lt. Governor candidates are not eligible for grants for the general election). Unsuccessful participating primary candidates receive the maximum grant only through the primary.

only one of the major parties in primaries for every state office, and one candidate from each of the major parties for each state office for the general election. Under this scenario, \$14.25 million in CEF grants would be required.

In scenario C, it is assumed that there will be two candidates from each of the major parties in a primary for every state office, and one candidate from each of the major parties for each state office for the general election. Under this scenario, \$18.5 million in CEF grants would be required.

It is anticipated that there will be a small number of participating legislative candidates who will be eligible to receive CEF grants in 2008, resulting in a minimal cost to the CEF. Nebraska has implemented a similar plan and has given out a minimal number of grants since the inception of their plan. Under the bill, a participating legislative candidate must have a nonparticipating opponent exceed the program spending limit before receiving a CEF grant.

It should be noted that if the State Elections Enforcement Commission (SEEC) determines that the CEF cannot cover its grant obligations, the SEEC can distribute money in percentage shares to all participating candidates and the candidates can resume accepting contributions and spend up to the program limits. The bill requires the SEEC, by January 15, 2014, and every four years thereafter, to adjust the grant amounts in accordance with any change during the four preceding calendar years in the Consumer Price Index for urban consumers as published by the U.S. Department of Labor.

The bill charges the SEEC with additional responsibilities, and extends some of the commission's existing responsibilities, to administer and enforce the provisions of the public financing program. The SEEC may retain up to 1% of receipts to the CEF for administration of the program, which is anticipated to be \$53,000 annually.

It is anticipated that the SEEC will need \$350,000 for four full time

staff: a Director for the Public Finance Program with a salary of \$68,000; two Accountant positions with salaries of \$51,000 each; and a paralegal with a salary of \$43,000.<sup>2</sup> There will also be one-time start up costs of \$20,000 related to purchasing equipment and supplies for the new employees. It is anticipated that these positions will start on January 1, 2007.

The bill will increase the Secretary of the State's (SOTS) workload. An Elections Officer with a salary of \$55,000<sup>2</sup> will handle the additional responsibilities. The bill makes several changes that will require modifications to the Campaign Finance Information System (CFIS). These changes would require several new screens and tables to be developed and tested on the CFIS program. The costs for an outside vendor to recode and reprogram CFIS to be able to distinguish candidates that participate in the program from those who do not, account for the amount of grant funds candidates receive, and track other minor changes the bill requires will be significant.

The bill increases the number of campaign finance statements that must to be filed with the SOTS. It is estimated that the SOTS will incur annual costs of \$70,000 in election years to have a vendor scan those campaign finance statements that are filed in paper copy, with the SOTS, into the File-It system. Currently, the majority of legislative campaign finance statements are filed in paper copy.

The SOTS will incur increased mailing costs to notify candidates of filing dates. It is anticipated that the increased mailing costs will be less than \$5,000. The bill requires the SOTS to provide participating candidate committees with a free electronic copy of the statewide computerized voter registry list. Providing this list free of charge will

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<sup>2</sup> The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller. The estimated fringe benefit reimbursement rate as a percentage of payroll is 53.91%, effective July 1, 2004. However, first year fringe benefit costs for new positions do not include pension costs lowering the rate to 22.65%. The state's pension contribution is based upon the prior year's certification by the actuary for the State Employees Retirement System.

result in a minimal General Fund revenue loss. Currently, the SOTS's office charges \$300 for the electronic copy of the list. This fee generated approximately \$4,500 in revenue in FY 03.

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**OLR Bill Analysis**

sSB 61

**AN ACT PROVIDING FOR COMPREHENSIVE CAMPAIGN FINANCE REFORM FOR STATE-WIDE CONSTITUTIONAL AND GENERAL ASSEMBLY OFFICES****SUMMARY:**

This bill establishes a two-part system of public financing for election campaigns, one for candidates for statewide elected offices beginning in 2010 and the other for legislative candidates beginning in 2008.

In the first part, candidates for statewide offices who receive qualifying contributions and agree to limit their spending and comply with other requirements are eligible to receive state grants for their campaigns. Statewide office candidates are those running for governor, lieutenant governor, attorney general, state comptroller, secretary of the state, and state treasurer.

The second part sets up a voluntary spending limit program for primary and general elections that grants state funding to legislative candidates if a participating candidate's opponent exceeds the spending limit. To participate in the program, a candidate must agree to the spending limits and receive a threshold level of contributions and receipts. For purposes of the new programs, the existing campaign finance laws' definitions apply.

The bill:

1. creates a Citizens' Election Fund to fund the programs;
2. limits campaign spending for primary and general election periods;
3. sets an aggregate contribution amount that qualifies candidates to receive public funds;
4. establishes the amounts a candidate can receive from the fund;
5. reduces several contribution limits for all candidates;

6. provides money from the fund to participating statewide and legislative candidates whose opponent exceeds the spending limits;
7. establishes additional procedures for reporting independent expenditures and allows participating statewide candidates to receive money from the fund, and legislative candidates to exceed the spending limit, when they are subject to independent expenditures opposing their nomination or election; and
8. provides incentives and penalties to promote compliance.

Under the bill, the Citizens' Election Fund is funded through (1) surcharges on infractions, felonies, misdemeanors, other unclassified criminal offenses, civil penalties, and certain court filing fees; (2) contributions of campaign committee surpluses and of certain other committees that dissolve; and (3) its own investment earnings.

Qualifying candidates can receive a grant for each portion of the campaign in which they are eligible to run. Major or minor party and petitioning candidates can qualify. A gubernatorial candidate who runs in a primary can receive as much as \$4,250,000; other constitutional officers, \$675,000. A participating gubernatorial candidate who receives the total allowable party contributions can spend up to \$4,625,000 on the entire election campaign, including up to \$1,625,000 on a primary. For other statewide office campaigns (except for lieutenant governor), the spending limits are \$780,000 for the entire election cycle, including \$280,000 for a primary.

A gubernatorial candidate can qualify by receiving \$250,000 in total contributions of up to \$100 each, \$225,000 of which must come from state residents. The bill also establishes the qualifying contribution thresholds and fund payments for each phase of the campaign for candidates for attorney general, comptroller, treasurer, and secretary of the state. Candidates for lieutenant governor can apply for grants for the delegate selection, convention, and primary phases of a campaign or for petition circulating, but not for the general election.

The bill reduces several contribution limits including those from individuals, most political committees (known as PACs), party committees, lobbyists, state contractors, and state employees. It also

limits contributions through ad books and places restrictions on soliciting and receiving contributions from state contractors. For program implementation purposes, it expands campaign finance reporting requirements for candidates and those who make independent expenditures.

The State Elections Enforcement Commission (SEEC) is responsible for administering and enforcing the programs. It must report on the status of the fund each year. If, at the beginning of an election year, the SEEC determines that the fund cannot cover its obligations to participating candidates, it must reduce each candidate's share proportionately and the candidates may resume accepting contributions and spend up to their original limits.

The bill establishes procedures for applying for the grant program's financing and for allocating and distributing funds. A candidate who receives program funds must comply with its restrictions on spending and borrowing money. As soon as it is determined that candidates for governor and lieutenant governor are running together, the gubernatorial candidate's committee handles campaign financing. The lieutenant governor's committee must be dissolved and its surplus funds distributed to the fund or other eligible recipients depending on whether the candidate participated in the program or not.

All candidate committees for statewide and legislative offices must file (1) copies of their campaign finance statements with the SEEC in addition to the secretary of the state and (2) additional campaign finance statements with the secretary and the SEEC when they reach 75% of the applicable spending limit for the general election.

The bill creates penalties for violating program requirements. It allows candidates for state offices to file complaints in Superior Court if they claim they have been harmed with respect to this program in the same way they may currently complain about other election violations.

The bill requires the secretary of the state to provide participating statewide office candidate committees with a free electronic copy of the statewide computerized voter registry list.

The bill includes a severability clause, which means its provisions are to be considered separately. If a court rules that any are unconstitutional, it does not affect the validity, legality, and

enforceability of the others.

EFFECTIVE DATE: July 1, 2005, except for the provisions changing lobbyists' and state employees' contributions, ad books, and complaints by an aggrieved candidate, which are effective January 1, 2007 and the limit on campaign contributions from ongoing PACs, which is effective on July 1, 2007. The provisions establishing the Citizens' Election Program are applicable to elections for statewide office candidates in 2010 and to legislative office candidates in 2008.

### **CITIZENS' ELECTION FUND SOURCES (§§ 1–4, 17, 28)**

Beginning July 1, 2005, the bill establishes a Citizens' Election Fund from which payments to participating candidates are made. It includes proceeds from (1) surcharges on criminal and civil penalties, (2) surcharges on certain court filing fees, (3) contributions of campaign committee surpluses and of certain other committees that dissolve, and (4) the fund's own investment earnings. The fund is a separate, nonlapsing account in the General Fund.

### ***Criminal and Civil Fines and Court Filing Fees (§§ 2–4)***

The bill requires state courts to impose a surcharge of (1) \$10 on a person who is convicted or pleads guilty or no contest to an infraction and (2) \$20 on a person who is convicted or pleads guilty or no contest to a felony, misdemeanor, or any other offense that is not classified as an infraction, felony, or misdemeanor. It also establishes a \$30 surcharge on court fees for filing civil causes of action.

The bill requires a state agency or quasi-public agency that levies civil penalties to impose a surcharge of (1) \$10 on a civil penalty or negotiated settlement less than \$100 and (2) \$20 on a civil penalty or negotiated settlement of \$100 or more.

Every surcharge is in addition to any other fine, fee, or cost that the court or agency imposes and must be immediately transmitted to the state treasurer for deposit into the Citizens' Election Fund.

### ***Donations of Surpluses (§§ 17, 28)***

Any candidate committee or a political committee, other than an ongoing PAC or an exploratory committee, can contribute to the fund

some or all of its surplus when it dissolves. The law requires committee treasurers to spend or distribute surplus funds within 90 days of (1) a primary when a candidate loses, (2) an election, or (3) a referendum. The bill adds the fund to the following list of recipients that are eligible to receive surplus funds: party committees, ongoing PACs, charitable organizations, and contributors on a prorated basis.

Under the bill, a candidate committee that receives money from the fund must return any surplus to it. In addition, a participating lieutenant governor candidate's committee that has a surplus when the candidate joins a gubernatorial candidate's campaign must turn it over to the fund at that time.

### **INSUFFICIENT FUNDS (§ 24)**

No later than June 1, 2006, and annually thereafter, the SEEC must issue a report on the status of the fund during the previous calendar year. The report must include (1) the amount of money deposited into the fund, (2) the sources of money received by category, (3) the number of contributions, (4) the number of contributors, (5) the amount of money expended by category, (6) the names of recipients of the fund's money, and (7) an accounting of the SEEC's costs to administer the programs.

By January 1 in a state election year, the SEEC must determine whether the money in the fund is sufficient to provide grants to candidates. If the SEEC finds that there are insufficient funds, it has three days to recalculate the amount of money qualified candidates can receive, on a proportionate basis, and notify the candidates. It must also issue a report on this determination. After the candidates receive their shares of money from the fund, they can resume accepting contributions up to the highest amount that their nonparticipating opponent spends.

The bill requires the SEEC to set aside the first \$25,000 deposited into the fund each year in a reserve account. The SEEC can only use the reserve account during the last week before a primary or general election to make payments to candidates who (1) received partial payments due to insufficient general funds or (2) are the targets of independent expenditures made during that week and are therefore entitled to matching funds.

### **CITIZENS' ELECTION PROGRAM (§§ 9–24)**

The bill establishes a Citizens' Election Program under which major, minor, and eligible petitioning party candidates for statewide offices, starting in 2010, can receive grants to finance their primary or general election campaigns.

### ***Eligibility Requirements (§ 10)***

To be eligible to receive grants, a candidate must certify with the SEEC as a participating candidate and agree to limit spending to the amount permitted under the bill. His candidate committee must receive the required amount of qualifying contributions and return those that do not meet the qualifying contribution criteria. Similarly, the candidate's exploratory committee, if any, must return all contributions that do not meet the qualifying contribution criteria. The candidate must also submit an application, which the SEEC must approve.

### ***Intent to Participate (§ 11)***

Starting in 2010, the bill requires every candidate for nomination or election to a statewide office, and each petitioning candidate for election to a statewide office, to file an affidavit with the SEEC when he forms a candidate committee or certifies that the registration is not required. The affidavit must include a written certification of whether the candidate intends to abide by the spending limits under the Citizens' Election Program. If the candidate intends to abide by the limits, he must also include a certification agreeing to the lawful use of funds he receives from the state and to personally repay any amount improperly spent. The certification must also state the candidate's status as a major or minor party candidate, and the name of the party, or a petitioning party candidate. The bill prohibits a candidate who changes his status or political party during a campaign from receiving grants from the fund for that campaign.

The bill specifies that a candidate who certifies his intent to abide by the spending limits is called a "participating candidate" and a candidate who certifies his intent not to abide by the limits is a "nonparticipating candidate." It requires the SEEC to prepare separate lists of participating and nonparticipating candidates and make them available to the public.

### ***Qualifying Contributions (§ 12)***

Candidates who want to participate in the program must qualify by raising a specified amount from individual donors, with a minimum coming from individuals who are state residents, in contributions of no more than \$100 (see Table 1). Candidate committees must return any portion of an individual's contribution (other than a contribution from the candidate himself) that exceeds \$100 and cannot count any excess portion toward the required qualifying contribution total. All contributions to a candidate's exploratory committee that meet the criteria for qualifying contributions are counted toward the qualifying thresholds. Once a candidate committee receives the threshold amount of qualifying contributions, it must return any subsequent contributions.

Under the bill, a registered lobbyist and his immediate family are banned from contributing to a participating candidate. The bill imposes the same restriction on a state contractor, his immediate family, and businesses with which he or his immediate family is associated (see BACKGROUND). A contributor must certify his eligibility in this regard and provide his name and address.

**Table 1: Qualifying Contributions for Statewide Offices**

<i>Candidates for</i>	<i>Qualifying Total</i>	<i>Including Contributions from State Residents Totaling at Least</i>	<i>Counting Amount from Separate Contributions Up To</i>
Governor	\$250,000	\$225,000	\$100
Other statewide offices	75,000	67,500	100

### ***Grants from the Fund (§ 13)***

Candidates who agree to limit spending are entitled to receive grants from the Citizens' Election Fund. Candidates for lieutenant governor can receive grants for the delegate selection, convention, and primary phases of a campaign or for petitioning for ballot access, but not for the general election when they must run together with a gubernatorial candidate whose committee may participate in the program. Table 2 shows the grant amounts.

**Table 2: Grants from the Citizens' Election Fund\***

	<i>Primary for Nomination</i>	<i>Nominated Candidate in a General Election</i>	<i>Petitioning Candidate in a General Election</i>
Governor	\$1,250,000	\$3,000,000	\$3,000,000
Other statewide offices	175,000	500,000	500,000

\*To be adjusted for inflation (see below).

If a candidate who is nominated at a primary does not spend the entire grant for the primary campaign, the amount of the grant for the general election is reduced by the unspent amount. The bill prohibits a candidate committee from applying a Citizens' Election Program grant to any deficit it incurs.

The bill requires the SEEC, by January 15, 2014, and every four years thereafter, to adjust the grant amounts in accordance with any change during the four preceding calendar years in the Consumer Price Index for urban consumers as published by the U.S. Department of Labor, Bureau of Labor Statistics.

### ***Spending Limits (§ 10(c))***

Under the bill, participating candidates for statewide office must agree to limit spending:

1. before a primary and a general election campaign, to the amount of qualifying contributions allowed;
2. for a primary campaign, to the sum of the qualifying contributions not spent before the primary campaign, the amount of the grant authorized for the primary campaign, and the total amount of allowable state central committee and town committees contributions; and
3. for a general election campaign, to the sum of qualifying contributions not spent before the general election campaign, any unspent funds from a grant for a primary campaign, the

amount of the grant authorized for the general election campaign, and the total amount of unspent and allowable contributions from the state central committee and town committees.

A candidate who benefits from a party committee's expenditures must count it toward his applicable primary or general election spending limit, unless the party spending benefits all of its candidates. Party contributions can be made at any time during the election cycle. Table 3 counts the maximum allowable party contributions prior to the primary and shows the spending limits for statewide office candidates under the bill.

**Table 3: Spending Limits for Statewide Office Candidates**

	<i>Governor</i>	<i>Other Statewide Offices</i>
Qualifying contributions	\$250,000	\$75,000
Party contributions*		
▪ State central	50,000	10,000
▪ Town committees	75,000	20,000
Primary grant	1,250,000	175,000
Spending limit total up through primary	\$1,625,000	\$280,000
General election grant	3,000,000	500,000
Spending limit total for entire election cycle <i>with</i> a primary	\$4,625,000	\$780,000
Spending limit total for entire election cycle <i>without</i> a primary	\$3,375,000	\$605,000

\*Party contributions can be made at any time during the election cycle.

### **Application Procedures (§ 14)**

Beginning in 2010, the bill allows a candidate for nomination to statewide office to apply for a grant under the Citizens' Election Program for a primary and general election campaign. For a primary

campaign, he applies after the close of his party's nominating convention if he (1) receives his party endorsement, (2) receives at least 15% of the delegate vote on a roll-call at the party convention, or (3) qualifies as a petitioning candidate.

For a general election campaign, the candidate applies after the close of his party's nominating convention if he (1) receives his party's endorsement and will not have to run in a primary; (2) receives at least 15% of the delegate vote on a roll-call at the party convention, no other candidate receives the party endorsement or 15% of the delegate vote, and no other candidate qualifies as a petitioning candidate; or (3) qualifies as a petitioning candidate and no candidate receives the party endorsement or 15% of the delegate vote. The candidate applies after a primary if the secretary of the state declares him the party nominee. Finally, if he is a petitioning party candidate, he applies after the secretary of the state approves the petition.

The bill requires the application to include a written certification signed by both the candidate and the campaign treasurer, that:

1. the candidate committee has received the required qualifying contributions;
2. the committee has repaid all loans;
3. the committee has returned contributions from any donor without the person's name and address;
4. the candidate and exploratory committees have returned all contributions or portions thereof that did not meet the criteria for qualifying contributions;
5. the campaign committee treasurer will comply with all program requirements;
6. public funds for the candidate committee will be deposited in the committee's bank account as soon as they are received;
7. the treasurer will spend program funds only for items permitted under existing law and in accordance with guidelines that the SEEC establishes; and

8. if the candidate withdraws, becomes ineligible, or dies, his committee will return unspent grants it received from the fund.

The application must be accompanied by a cumulative itemized accounting, as of three days before the application date, of all funds received, expenditures made, and expenses incurred but not yet paid. The campaign treasurer must swear to the accounting under penalty of false statement. The bill requires the SEEC, upon consultation with the secretary of the state, to prescribe the form of the application and the accounting.

The SEEC must review each application and, within three business days of receiving one, determine whether a candidate qualifies for a grant. If the SEEC approves an applicant, it must determine the amount of funds for which the candidate is eligible and inform the comptroller and the candidate of the amount. The comptroller then has two business days to notify the treasurer and issue the check.

#### ***Remedy for an Aggrieved Candidate (§ 38)***

The bill permits any statewide office candidate who claims he has been harmed by a violation of the laws establishing the public financing program to file a complaint in Superior Court.

#### ***No Additional Deposits (§ 15)***

After a candidate deposits program funds in his campaign account, he cannot deposit any other contribution, loan, personal funds, or other funds into it (see COMMENT). He can, however, deposit money he is entitled to because he is the target of an independent expenditure or an opponent exceeds the spending limit.

#### ***Automatic Qualification (§ 16)***

A qualified candidate who receives money from the fund for a primary and becomes the party nominee automatically receives a general election grant. The comptroller must pay it within two business days of receiving the commission's notification that the secretary declared the results of the primary.

#### ***Governor and Lieutenant Governor (§ 17)***

The bill requires a party's candidates for governor and lieutenant

governor to be considered as running jointly for purposes of participating in the gubernatorial financing program as soon as that determination can be made. That occurs (1) when the results of a primary are known, if there is a primary for either or both offices; (2) at the convention, if there is no primary; or (3) when party-endorsed candidates declare that they will campaign as a single ticket, which means they will run together in the general election so that electors can cast a single vote for both candidates. Candidates other than party-endorsed candidates can also declare that they are campaigning jointly.

Under the bill, any candidate for the office of lieutenant governor must dissolve his own candidate committee if he is running jointly with a gubernatorial candidate. As soon as the candidates' status determination is made, the treasurer of the lieutenant governor candidate's campaign committee must:

1. within 15 days, file a statement with the secretary of the state listing the committee's contributions and expenditures since the last filed report and showing the balance or deficit and
2. within 30 days, return any surplus to (a) the fund, if the candidate participated in the program or (b) those eligible to receive a surplus distribution under current law, which includes the fund, if the candidate did not participate.

### ***Loans (§ 18)***

A qualified candidate committee can borrow up to \$1,000 from a financial institution. Other than the candidate or, for a general election, a state central committee, no person, PAC, or party committee can endorse or guarantee more than a \$500 loan. As long as the loan is outstanding, the endorsement or guarantee is considered to be a contribution and no additional contribution from the person or committee is allowed. Borrowed funds cannot be included as contributions for the purpose of reaching the qualifying threshold. Repayment of all loans and certification of repayment are required before a candidate is eligible to apply for or receive funds.

### ***Disregard of Spending Limits (§§ 19-21)***

**Penalties.** The bill penalizes a qualified candidate committee that receives money from the fund and exceeds the spending limits. Specifically, it:

1. requires the committee to repay in full the amount of the grant,
2. prohibits it from receiving additional program funds for the remainder of the election cycle,
3. subjects it to civil penalties imposed by the SEEC, and
4. makes the candidate a “nonparticipating candidate” for program purposes.

Failure to return any unspent grant funds within 90 days after a primary or a general election constitutes larceny and is subject to criminal penalties that depend on the amount involved.

**Opponent Exceeds Spending Limits.** A qualified candidate who receives program funds is entitled to additional money from the fund if his opponent exceeds the spending limits (whether his opponent is participating or nonparticipating). The additional money is equal to the excess amount spent by the opponent, up to the amount the participating candidate has received from the fund. The extra funding must be paid as soon as the SEEC verifies a violation.

If a nonparticipating candidate makes or incurs an excess expenditure more than 20 days before the primary or general election, the bill requires him to file a declaration of excess expenditures within 48 hours of doing so. If he makes or incurs the expenditure 20 days or less before the primary or general election, he must file the declaration within 24 hours of doing so. The SEEC determines if a nonparticipating candidate’s expenditure will be considered an excess expenditure.

**Independent Expenditures.** When the SEEC receives a report that someone has made, or has obligated to make, an independent expenditure in an effort to oppose a participating candidate, it must immediately notify the comptroller, directing her to provide the candidate with additional money equal to the independent expenditure. She has two business days to do so.

The maximum aggregate amount that a participating candidate may receive to match independent expenditures made to benefit an opposing participating candidate is 100% of the total money he has received from the fund. The maximum aggregate amount that a participating candidate may receive to match the combination of independent expenditures and excess expenditures that an opposing nonparticipating candidate makes is 200% of all the money he has received from the fund for the primary or general election. The participating candidate receives this additional funding only if the sum of the nonparticipating candidate's campaign expenditures and the independent expenditures exceed the participating candidate's applicable spending limit for the primary or general election period.

### ***Campaign Finance Statements (§ 22)***

The treasurer for every candidate for statewide office must file campaign finance statements with the secretary of the state adhering to the existing schedule until the candidate receives contributions, receipts, and grants totaling 75% of the applicable spending limit for the general election period. Once the candidate reaches this threshold, the treasurer must file the statements (1) on the second Thursday of each month between the fourth month and sixth week before the election and (2) every Thursday during the last six weeks of the campaign. If a campaign treasurer fails to file a statement by the deadline or with both the secretary or the state and the SEEC, he is subject to a civil penalty of up to \$1,000 for each failure.

### **LEGISLATIVE SPENDING LIMIT PROGRAM (§§ 5–8)**

The bill establishes a voluntary spending limit program for major, minor, and eligible petitioning party candidates for state legislative office campaigns, beginning with the 2008 primary and general election. Under the program, a participating candidate (one who agrees to the spending limit) receives money from the fund when his nonparticipating opponent exceeds the limit.

To qualify, a candidate must first receive a specified amount of the spending limit in contributions and receipts, as Table 4 shows.

**Table 4: Legislative Qualifying Contributions\***

<i>Candidates for</i>	<i>Primary</i>	<i>General Election</i>
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State Senate	\$25,000	\$75,000
State House	5,000	8,000

\*To be adjusted for inflation (see below).

Table 5 shows the voluntary spending limits for legislative candidates.

**Table 5: Legislative Spending Limits\***

<i>Candidates for</i>	<i>Primary</i>	<i>General Election</i>
State Senate	\$50,000	\$150,000
State House	15,000	25,000

\*To be adjusted for inflation (see below).

The bill prohibits a participating candidate whose primary-period expenditures were less than the limit from applying the difference to the general election spending limit.

No later than January 15, 2010, the SEEC must adjust the qualifying contribution thresholds and spending limits for legislative candidates running in 2010 based on changes in the Consumer Price Index for Urban Consumers (CPI-U) between January 1, 2008, and December 31, 2009. The commission must make similar adjustments biennially thereafter.

### ***Intent to Participate (§ 7)***

Starting in 2008, the bill requires every candidate for nomination or election to a legislative office to file an affidavit with the SEEC when he forms a candidate committee or certifies that the registration is not required. The affidavit must include a written certification stating whether he intends to abide by the spending limits under the voluntary program. If the candidate intends to abide by the limits, he must also include a certification agreeing to the lawful use of any funds he receives from the state and to personally repay any amount improperly spent. The certification must also state the candidate's status as a major or minor party candidate, and the name of the party, or a petitioning party candidate. The bill prohibits a candidate who changes his status or political party during a campaign from receiving grants from the fund for that campaign.

As in the program for statewide office candidates, a candidate who certifies his intent to abide by the spending limits is called a

“participating candidate” and a candidate who certifies his intent not to abide by the limits is a “nonparticipating candidate.” The bill requires the SEEC to prepare separate lists of participating and nonparticipating candidates and make them available to the public.

### ***Campaign Finance Statements (§ 8)***

Under the bill, the campaign treasurer for every candidate for legislative office must file campaign finance statements with the secretary of the state and adhere to the current filing schedule until the candidate receives contributions, receipts, and grants totaling 75% of the spending limit for the general election period. Once the candidate reaches this threshold, the treasurer must file the statements (1) on the second Thursday of each month between the fourth month and sixth week preceding the election and (2) every Thursday during the last six weeks of the campaign.

### ***Matching Grants (§ 8)***

The SEEC must review all campaign finance statements to determine if and when a nonparticipating candidate exceeds the limit during the primary or general election period. When that happens and the candidate has a qualified opponent, the commission must inform the comptroller, who must pay the participating candidate an amount equal to the excess spending up to a maximum of 100% of the spending limit for the primary or general election. The comptroller has two business days to do so.

### ***Independent Expenditures (§ 8)***

When a qualified participating candidate is the target of an independent expenditure intended to promote his defeat, the SEEC must, immediately upon making such a determination, notify him that he can exceed the spending limit for the applicable primary or general election period by the amount of the independent expenditure.

### **CONTRIBUTION LIMITS (§§ 25–26, 29, 31–35)**

The bill makes several changes to campaign contribution limits for individuals, lobbyists, state employees, PACs, and party committees. It also places greater restrictions on the purchase of advertising book space.

**Individuals (§ 29)**

Beginning in 2010, the bill lowers the limits on contributions individuals can make to candidates for statewide office and applies those limits to a primary and general election together. Under current law, individual contribution limits apply separately to primaries and general elections and contributors can give up to the limit for each (e.g., \$2,500 to both the primary and general election campaign of a gubernatorial candidate for a total of \$5,000). The bill leaves unchanged the limits on individual contributions to candidates for state senator (\$500) and state representative (\$250), and applies them separately, as under current law, to a primary and the general election. Table 6 shows the limits on individual contributions.

**Table 6: Individual Contribution Limits**

<i>To candidates for</i>	<i>Current law (for a primary or an election)</i>	<i>The Bill (aggregate for a primary and an election)</i>
Governor	\$2,500	\$1,500
Other statewide offices	1,500	1,000

**Ad Books (§ 26)**

Under current law, businesses can generally purchase advertising space valued at \$250 or less in a campaign fundraising program but otherwise cannot make campaign contributions. Individuals can purchase up to an aggregate of \$50 in ad book space from a candidate that does not count toward contribution limits and is not reported as such. The bill caps at \$100 ad book purchases by client lobbyists and businesses that employ a lobbyist. It completely removes the contribution exemption for ad book purchases by (1) a communicator lobbyist or (2) a business or individual that has a contract with the state, the relevant state office, or the General Assembly, depending on the candidate, valued at \$250,000 or more, making the ad book purchase subject to contribution limits and reporting requirements.

**Lobbyists (§ 31)**

The bill limits to \$100 lobbyist contributions to candidates for statewide and legislative office during a primary or a general election.

Under current law, lobbyists are subject to the contribution limits for individuals to candidates for governor (\$2,500), other statewide offices (\$1,500), state senator (\$500), and state representative (\$250). Participants in the Citizens' Election Program are prohibited from receiving any contribution from a lobbyist or a member of his immediate family as a qualifying contribution.

### **State Employees (§ 31)**

The bill restricts contributions from certain state employees to candidates for the offices in which they work. It limits to \$100 contributions from (1) heads of executive branch and quasi-public state agencies, their deputies, and employees in those agencies who are appointed by the governor to any candidate for governor or lieutenant governor; (2) public officials and employees in the other statewide offices to any statewide office candidate for the office where they serve; and (3) caucus staff for a major party in either house of the General Assembly to candidate for state senator or state representative. The limits apply separately to primaries and general elections.

### **Business and Labor PACs (§§ 32-33)**

Beginning in 2010, the bill lowers the limits on business PAC contributions and raises the limits on labor PAC contributions, making them equal. The limits apply to a primary and general election together, rather than separately as they do under current law. Tables 7 and 8 compare the current and proposed limits

**Table 7: Business PAC Contribution Limits**

<i>To candidates for</i>	<i>Current law (for a primary or an election)</i>	<i>The Bill (aggregate for a primary and an election)</i>
Governor	\$5,000	\$3,750
Other statewide offices	3,000	2,250
State Senator	1,000	750
State Representative	500	375

**Table 8: Labor PAC Contribution Limits**

<i>To candidates for</i>	<i>Current law</i>	<i>The Bill</i>
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	<i>(for a primary or an election)</i>	<i>(aggregate for a primary and an election)</i>
Governor	\$2,500	\$3,750
Other statewide offices	1,500	2,250
State Senator	500	750
State Representative	250	375

### **Party Committees (§ 34)**

Under current law, party committees can make unlimited contributions to candidate committees. Beginning January 1, 2007, the bill creates limits for contributions to some campaigns and applies them to a primary and general election together. It also prohibits gubernatorial candidates from receiving more than \$75,000, and other statewide office candidates from receiving more than \$20,000, in total contributions from town committees. The bill makes no change to town committee contributions to legislative candidates, keeping them unlimited. Table 9 shows the party committee limits established by the bill.

**Table 9: Proposed Party Committee Contribution Limits**

<i>To candidates for</i>	<i>State Central Committees</i>	<i>Town Committees</i>
Governor	\$50,000	\$1,000
Other statewide offices	10,000	500
State Senator	5,000	(unlimited as under current law)
State Representative	2,500	(unlimited as under current law)

### **Ongoing PACs (§ 35)**

Under current law, ongoing or ideological PACs can make unlimited contributions to candidate committees. The bill establishes limits for their contributions to gubernatorial and other statewide office campaigns that apply to a primary and general election together. For legislative offices, the limits are 30% of the applicable primary or general election period spending limits under the bill and they apply to each separately. Table 10 shows the ongoing PAC limits.

**Table 10: Ongoing PAC Contribution Limits**

<i>To candidates for</i>	<i>The Bill</i>	
	<i>Aggregate for a primary and an election</i>	
Governor	\$100,000	
Other statewide offices	75,000	
	<i>Primary (30% of candidate spending limit)</i>	<i>General (30% of candidate spending limit)</i>
State Senator	\$15,000	\$45,000
State Representative	4,500	7,500

**SOLICITATION BAN (§ 39)**

The bill prohibits certain candidates from soliciting, and individuals and PACs from making, campaign contributions if the contributor is connected with a business that has a contract with the state valued at \$250,000 or more. The prohibition applies during the term of the contract. In addition, the bill bars individuals or business PACs that make contributions to statewide office candidates from getting a contract award for one year after the election for which they made a contribution.

The prohibition applies to contributions from any individual who (1) is an officer, director, owner, partner, or stockholder (with at least 5% of the total outstanding stock) of a business with a state contract valued at \$250,000 or more and (2) has substantial authority related to the contract. It also applies to business PAC contributions.

Candidates for governor and lieutenant governor cannot accept or solicit such contributions on behalf of a candidate for any public office, any PAC, or political party committee.

The bill prohibits candidates for the offices of attorney general, comptroller, and secretary of the state from accepting or soliciting such contributions for any candidate, PAC, or party committee from an individual or PAC associated with a business that has a contract valued at \$250,000 or more with the office for which the candidate is running. No such individual or business can contribute to a candidate for the office with which he or it has a contract during its term.

Anyone or any business PAC that makes a contribution to a candidate for a particular office is barred from getting a contract with that office for one year after the election. These provisions apply to candidates for the office of state treasurer, in addition to the law's restrictions on contributions from individuals and businesses providing investment services to that office.

The bill applies the same restrictions to candidates for state senator and state representative with respect to individuals and businesses that have contracts with the General Assembly with a value of at least \$250,000.

### **ADDITIONAL REPORTING REQUIREMENTS (§§ 27, 30)**

#### ***Candidate Committees (§ 27)***

Beginning January 1, 2008, a candidate committee must file copies of its statements with the SEEC, in addition to the originals it files with the secretary of the state. The requirement applies to committees formed to aid or promote the success or defeat of a candidate for statewide or legislative offices.

#### ***Independent Expenditures (§ 30)***

Beginning January 1, 2008 for legislative offices and January 1, 2010 for statewide offices, any person who makes an independent expenditure exceeding \$1,000 in the aggregate to promote the success or defeat of a candidate must file a report with the SEEC. Current law requires reporting to the secretary of the state independent spending over an aggregate of \$1,000 to promote the success or defeat of a candidate. Under the bill, if a person makes an independent expenditure more than 20 days before the primary or general election, he must file the report within 48 hours of doing so. If a person makes an independent expenditure 20 days or less before the primary or general election, he must file the report within 24 hours.

The report must include a statement (1) identifying the candidate who is the subject of the expenditure and (2) affirming that the expenditure is truly independent. The person files the statement under penalty of false statement, which carries a fine of up to \$2,000, up to one year in prison, or both (the punishment for a class A misdemeanor). Anyone can file a complaint with the SEEC alleging a false report or statement

or that a report was not filed at all. The SEEC must promptly decide on the complaint.

### **SEEC POWERS AND DUTIES (§§ 1, 36–37)**

Generally, the SEEC must (1) determine whether there is enough money in the Citizens' Election Fund to issue grants, (2) prescribe the programs' forms, (3) process candidates' applications and determine if a candidate is eligible, (4) notify the comptroller of the amount due and payable to each qualified candidate, and (5) establish guidelines for permissible expenditures for grant money, and (6) enforce the provisions of the programs.

Under the bill, the SEEC can deduct from the fund money to pay its program implementation costs, up to 1% of the funds deposited in a fiscal year. If the commission does not spend 1% of the funds in a year, it can use the balance to pay its costs in subsequent years.

The bill extends some of SEEC's existing authority to enforce the provisions of the Citizen's Election Program and the voluntary spending program. With respect to the programs the SEEC can (1) investigate complaints and alleged violations, and hold hearings; (2) impose civil penalties of up to \$2,000; and (3) issue an order to a participating candidate committee to comply with program requirements after granting an opportunity for a hearing under the Uniform Administrative Procedure Act.

The bill also gives the SEEC the authority to decide on a complaint alleging failure to file or falsehood in the statement that a person making an independent expenditure must file with the commission. For failure to file any report required by the bill, the SEEC has 10 days to notify the committee treasurer that he is in violation of the law if the report is not sent within 21 days of the deadline.

### **BACKGROUND**

#### ***Associated Business***

The bill defines "associated business" by reference to "business with which he is associated" in the campaign finance law (CGS § 9-333a (16)). That means any business in which a campaign contributor is a director, officer, owner, limited or general partner, or holder of stock constituting at least 5% of the total outstanding stock of any class.

***Immediate Family***

The bill defines “immediate family” as any spouse or child of an individual, or any dependent relatives who reside in the individual’s household.

***Related Bill***

sHB 6670 (File 598), An Act Concerning Comprehensive Campaign Finance Reform for State-wide Constitutional and General Assembly Offices, which the Government Administration and Elections Committee reported favorably on March 31, establishes a system of full public financing for both statewide office campaigns beginning in 2010 and legislative campaigns beginning in 2008; makes other campaign finance law changes, such as different changes to ad book purchases; and includes provisions on legislative caucus committees and municipal public financing for campaigns.

***Legislative History***

On May 5, the Senate referred the bill (File 597) to the Judiciary Committee, which report the bill favorably. The Senate referred the bill to the Finance, Revenue and Bonding Committee on May 11. On May 16, Finance reported a substitute that deleted revenue from state lottery ticket sales and substituted surcharges on certain criminal and civil penalties and court filing fees as a source of funding for the Citizens’ Election Fund grants.

**COMMENT*****No Additional Deposits***

The bill neglects to address party committee contributions that a participating candidate may receive in the exemptions to the ban on making additional deposits into his account after a Citizens’ Election Fund grant is received.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute Change of Reference

Yea 13 Nay 7

Appropriations Committee

Joint Favorable Report  
Yea 30 Nay 15

Judiciary Committee

Joint Favorable Report  
Yea 21 Nay 14

Finance, Revenue and Bonding Committee

Joint Favorable Substitute  
Yea 28 Nay 18