



Senate

General Assembly

File No. 445

February Session, 2006

Substitute Senate Bill No. 66

Senate, April 10, 2006

The Committee on Government Administration and Elections reported through SEN. DEFRONZO of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE SEVERABILITY OF THE PROVISIONS OF THE CAMPAIGN FINANCE REFORM LEGISLATION.

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

1 Section 1. Section 9-717 of the 2006 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective from passage*):

4 If a court of competent jurisdiction [prohibits or limits] holds any
5 provision of sections 9-700 to 9-716 of the 2006 supplement to the
6 general statutes unconstitutional and permanently enjoins the
7 expenditure of funds from the Citizens' Election Fund established in
8 section 9-701 for grants or moneys for candidate committees
9 authorized under sections 9-700 to 9-716, inclusive, [for a period of
10 seventy-two hours or more,] (1) sections 1-100b, 9-700 to 9-716,
11 inclusive, 9-750, 9-751 and 9-760 and section 49 of public act 05-5 of the
12 October 25 special session* shall be inoperative and have no effect, and
13 (2) (A) the amendments made to the provisions of the sections of the

14 general statutes pursuant to public act 05-5 of the October 25 special
15 session** shall be inoperative, (B) the provisions of said sections of the
16 general statutes, revision of 1958, revised to December 30, 2006, shall
17 be effective, and (C) the provisions of subsections (g) to (j), inclusive, of
18 section 9-333n shall not be implemented.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-717

GAE *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:

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
Elect. Enforcement Com.	GF - See Below	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill eliminates the trigger that currently provides that if any court issues a stay for as little as 72 hours of any payment from the Citizens' Election Fund account (CEF), the entire campaign finance reform law (PA 05-5) is rendered void and has no effect. In the event that the act is declared inoperative, the laws in effect prior to the act's passage would become effective.

Under the bill, PA 05-5 would only become inoperable if a court holds any of the program's provisions unconstitutional and permanently bars expenditures from the CEF. Any funds expended by the State Elections Enforcement Commission (SEEC) would be non recoverable if the act became inoperable. The CEF allocates \$2 million in FY 06 and \$1 million annually thereafter to the SEEC for the administration of the program.

The Out Years

The annualized ongoing fiscal impact is identified above.

OLR Bill Analysis**sSB 66*****AN ACT CONCERNING THE SEVERABILITY OF THE PROVISIONS OF THE CAMPAIGN FINANCE REFORM LEGISLATION.*****SUMMARY:**

This bill restricts the circumstances under which PA 05-5, October 25 Special Session, would become unenforceable. The act (1) established the Citizens' Election Program to publicly finance statewide and legislative office election campaigns, and the Citizens' Election Fund (CEF) as the funding source; (2) changed contribution limits; (3) banned contributions from certain contractors and lobbyists; and (4) created a pilot program for publicly financing municipal campaigns, among other things.

Under current law, the entire act becomes inoperative if a court prohibits or limits the expenditure of funds from the CEF for 72 hours or more. The bill eliminates the 72 hour trigger and makes the act inoperative only if a court (1) holds any of the program's provisions unconstitutional and (2) permanently bars expenditures from the fund. If a court declares the act inoperative, existing law and the bill both specify that the laws in effect prior to the act's passage become effective.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 18 Nay 1 (03/22/2006)