



General Assembly

January Session, 2007

**Committee Bill No. 547**

LCO No. 4687

\*04687SB00547GAE\*

Referred to Committee on Government Administration and Elections

Introduced by:  
(GAE)

**AN ACT CONCERNING ACCOUNTABILITY IN CAMPAIGN ADVERTISING.**

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

1 Section 1. Section 9-601 of the general statutes is amended by adding  
2 subdivisions (28) to (30), inclusive, as follows (*Effective October 1, 2007*):

3 (NEW) (28) "Valid citation" means an identifiable reference to  
4 publicly accessible records including, but not limited to, transcripts or  
5 recordings of proceedings, public speeches or statements, news  
6 reports, articles and editorials, or other sources that can be located and  
7 accessed by the general public through the information provided in  
8 such citation.

9 (NEW) (29) "Altered or fabricated representation" means the visual  
10 or auditory representation of a candidate that is (A) altered such that  
11 the effect is to portray an individual other than such candidate or an  
12 image significantly different from that of such candidate, or (B) an  
13 individual, other than the candidate, who is posing as the candidate.

14 (NEW) (30) "Robotic call" means an unsolicited telephone call

15 placed to a resident by an automatic dialing-announcing device that,  
16 working alone or with other equipment, disseminates a recorded or  
17 synthesized voice message to the telephone number called.

18 Sec. 2. Section 9-621 of the general statutes is repealed and the  
19 following is substituted in lieu thereof (*Effective October 1, 2007*):

20 (a) No individual shall make or incur any expenditure with the  
21 cooperation of, at the request or suggestion of, or in consultation with  
22 any candidate, candidate committee or candidate's agent, and no  
23 candidate or committee shall make or incur any expenditure for any  
24 written, typed or other printed communication, or any web-based,  
25 written communication, which (1) promotes the success or defeat of  
26 any candidate's campaign for nomination at a primary or election or  
27 solicits funds to benefit any political party or committee unless such  
28 communication bears upon its face [(1)] (A) the words "paid for by"  
29 and the following: [(A)] (i) In the case of such an individual, the name  
30 and address of such individual; [(B)] (ii) in the case of a committee  
31 other than a party committee, the name of the committee and its  
32 campaign treasurer; (iii) in the case of a candidate committee a  
33 photograph of the candidate that is not less than four square inches; or  
34 [(C)] (iv) in the case of a party committee, the name of the committee,  
35 and [(2)] (B) the words "approved by" and the following: [(A)] (i) In the  
36 case of an individual making or incurring an expenditure with the  
37 cooperation of, at the request or suggestion of, or in consultation with  
38 any candidate, candidate committee or candidate's agent, the name of  
39 such individual; or [(B)] (ii) in the case of a candidate committee, the  
40 name of the candidate; (2) promotes the defeat of any candidate's  
41 campaign for nomination at a primary or election unless such  
42 communication bears a valid citation for each vote, quote or stated  
43 position or opinion ascribed to such; or (3) promotes the defeat of any  
44 candidate's campaign for nomination at a primary and contains an  
45 altered or fabricated representation of such candidate. No candidate or  
46 candidate committee or exploratory committee established by a  
47 candidate shall make or incur any expenditure for a mailing to

48 promote the success of said candidate's campaign for nomination at a  
49 primary or election or the defeat of another candidate's campaign for  
50 nomination at a primary or election, unless the mailing contains a  
51 photograph of the candidate conducting the mailing and said  
52 candidate's name in a font that is not less than the size of the font used  
53 for the narrative of the mailing.

54 (b) In addition to the requirements of subsection (a) of this section:

55 (1) No candidate or candidate committee or exploratory committee  
56 established by a candidate shall make or incur any expenditure for  
57 television advertising or Internet video advertising, which promotes  
58 the success of such candidate's campaign for nomination at a primary  
59 or election or the defeat of another candidate's campaign for  
60 nomination at a primary or election, unless (A) at the end of such  
61 advertising there appears simultaneously, for a period of not less than  
62 four seconds, (i) a clearly identifiable photographic or similar image of  
63 the candidate making such expenditure, (ii) a clearly readable printed  
64 statement identifying such candidate, and indicating that such  
65 candidate has approved the advertising, and (iii) a simultaneous,  
66 personal audio message, in the following form: "I am .... (candidate's  
67 name) and I approved this message", and (B) the candidate's name and  
68 image appear in, and the candidate's voice is contained in, the  
69 narrative of the advertising, before the end of such advertising;

70 (2) No candidate or candidate committee or exploratory committee  
71 established by a candidate shall make or incur any expenditure for  
72 radio advertising or Internet audio [advertising] or Internet video,  
73 which promotes the success of such candidate's campaign for  
74 nomination at a primary or election or the defeat of another  
75 candidate's campaign for nomination at a primary or election, unless  
76 (A) the advertising ends with a personal audio statement by the  
77 candidate making such expenditure (i) identifying such candidate and  
78 the office such candidate is seeking, and (ii) indicating that such  
79 candidate has approved the advertising in the following form: "I am ....

80 (candidate's name) and I approved this message", and (B) the  
81 candidate's name and voice are contained in the narrative of the  
82 advertising, before the end of such advertising; [and]

83 (3) No individual shall make or incur any expenditure with the  
84 cooperation of, at the request or suggestion of, or in consultation with  
85 any candidate, candidate committee, or candidate's agent, and no  
86 candidate, candidate committee or candidate's exploratory committee  
87 shall make or incur any expenditure for television advertising, Internet  
88 video or Internet audio, or radio advertising communication that  
89 promotes the defeat of any candidate's campaign for nomination at a  
90 primary (A) if such communication contains an altered or fabricated  
91 representation intended to promote the defeat of a candidate for public  
92 office, and (B) unless such communication includes a valid citation for  
93 each vote, quote or stated position or opinion ascribed to such  
94 candidate;

95 (4) No business entity, candidate or candidate committee or  
96 individual acting independently or on behalf of a campaign or political  
97 committee or other organization or association shall use, authorize, or  
98 otherwise cause the use of any device to generate a robotic call to  
99 promote the success or defeat of a candidate for public office unless the  
100 recorded or synthesized message contained in such call clearly  
101 identifies, in its first seven seconds, the individual or organization that  
102 authorized or otherwise caused such robotic call to be placed; and

103 ~~[(3)]~~ (5) No candidate or candidate committee or exploratory  
104 committee established by a candidate shall make or incur any  
105 expenditure for [automated telephone] robotic calls which promote the  
106 success of such candidate's campaign for nomination at a primary or  
107 election or the defeat of another candidate's campaign for nomination  
108 at a primary or election, unless the candidate's name and voice are  
109 contained in the narrative of the call, before the end of such call.

110 (c) No business entity, organization, association, committee, or  
111 group of two or more individuals who have joined solely to promote

112 the success or defeat of a referendum question and is required to file a  
113 certification in accordance with subsection (d) of section 9-605, shall  
114 make or incur any expenditure for (1) any written, typed or other  
115 printed communication which promotes the success or defeat of any  
116 referendum question unless such communication bears upon its face  
117 the words "paid for by" and the following: [(1)] (A) In the case of a  
118 business entity, organization or association, the name of the entity,  
119 organization or association and the name of its chief executive officer;  
120 [(2)] (B) in the case of a political committee, the name of the committee  
121 and the name of its campaign treasurer; [(3)] (C) in the case of a party  
122 committee, the name of the committee; or [(4)] (D) in the case of such a  
123 group of two or more individuals, the name of the group as it appears  
124 on the certification filed in accordance with subsection (d) of section 9-  
125 605, and the name and address of its agent, or (2) any television  
126 advertising, Internet video or Internet audio, or any radio advertising  
127 which promotes the success or defeat of any referendum question  
128 unless such communication bears a valid citation for each vote, quote  
129 or stated position or opinion included in such communication.

130 (d) The provisions of subsections (a), (b) and (c) of this section do  
131 not apply to (1) any editorial, news story, or commentary published in  
132 any newspaper, magazine or journal on its own behalf and upon its  
133 own responsibility and for which it does not charge or receive any  
134 compensation whatsoever, (2) any banner, (3) political paraphernalia  
135 including pins, buttons, badges, emblems, hats, bumper stickers or  
136 other similar materials, or (4) signs with a surface area of not more  
137 than thirty-two square feet.

138 (e) The campaign treasurer of a candidate committee which  
139 sponsors any written, typed or other printed communication for the  
140 purpose of raising funds to eliminate a campaign deficit of that  
141 committee shall include in such communication a statement that the  
142 funds are sought to eliminate such a deficit.

143 (f) The campaign treasurer of an exploratory committee or

144 candidate committee established by a candidate for nomination or  
145 election to the office of Treasurer which committee sponsors any  
146 written, typed or other printed communication for the purpose of  
147 raising funds shall include in such communication a statement  
148 concerning the prohibitions set forth in subsection (n) of section 1-84,  
149 subsection (f) of section 9-612 and subsection (f) of section 9-613.

150 (g) In the event a campaign treasurer of a candidate committee is  
151 replaced pursuant to subsection (c) of section 9-602, nothing in this  
152 section shall be construed to prohibit the candidate committee from  
153 distributing any printed communication subject to the provisions of  
154 this section that has already been printed or otherwise produced, even  
155 though such communication does not accurately designate the  
156 successor campaign treasurer of such candidate committee.

157 Sec. 3. (NEW) (*Effective October 1, 2007*) At the time that a candidate  
158 for the office of Governor, Secretary of the State, State Comptroller,  
159 Attorney General, State Treasurer, state senator or state representative  
160 files his or her candidacy pursuant to section 9-400 of the general  
161 statutes and at the time that a candidate for Lieutenant Governor is  
162 nominated, the State Elections Enforcement Commission shall provide  
163 any such candidate with a form that contains a copy of the  
164 "Connecticut Code of Fair and Truthful Campaign Conduct", as  
165 described in this section. Concomitantly, the commission shall inform  
166 such candidate that subscription to the code is voluntary. Such code  
167 printed on the form provided to candidates pursuant to this section,  
168 shall read as follows:

169 "Connecticut Code of Fair and Truthful Campaign Conduct

170 I shall conduct my campaign and, to the extent reasonably possible,  
171 insist that my campaign employees and volunteers conduct themselves  
172 in a manner consistent with the best Connecticut and American  
173 democratic traditions, discussing the issues and presenting my record  
174 and policies with sincerity, accuracy and candor.

175 I shall uphold the right of every qualified voter to free and equal  
176 participation in the election process.

177 I shall not participate in and I shall condemn defamation of and  
178 other attacks on any opposing candidate or party that I do not believe  
179 to be truthful, provable and relevant to my campaign.

180 I shall not use or authorize and I shall condemn material relating to  
181 my campaign that falsifies, misrepresents or distorts the facts,  
182 including, but not limited to, malicious or unfounded accusations  
183 creating or exploiting doubts as to the morality, patriotism or  
184 motivations of any party or candidate.

185 I shall not originate or spread any malicious or unfounded  
186 accusations against any candidate which are aimed at creating or  
187 exploiting doubts on the part of the public or that seek to proliferate  
188 the misrepresentation or distortion of facts to influence public  
189 perception of any party or candidate.

190 I shall not appeal to and I shall condemn appeals to prejudices  
191 based on the race, creed, gender, sexual orientation, age or national  
192 origin of any other candidate.

193 I shall not practice and I shall condemn practices that tend to  
194 corrupt or undermine the system of free election or that hamper or  
195 prevent the free expression of the will of the voters.

196 I shall promptly and publicly repudiate the support of any  
197 individual or group that resorts, on behalf of my candidacy or in  
198 opposition to that of an opponent, to methods in violation of the letter  
199 or spirit of this code.

200 I, the undersigned, candidate for election to public office in the State  
201 of Connecticut, hereby voluntarily endorse, subscribe to and solemnly  
202 pledge to conduct my campaign in accordance with the above  
203 principles and practices."

204 Sec. 4. (NEW) (Effective October 1, 2007) (a) The State Elections  
205 Enforcement Commission shall print, or cause to be printed, copies of  
206 the Connecticut Code of Fair and Truthful Campaign Conduct  
207 established pursuant to section 3 of this act for distribution to  
208 registered candidates or otherwise make such form available to  
209 candidates electronically.

210 (b) The commission shall accept, at all times prior to election day,  
211 completed code forms provided such forms have been (1) notarized,  
212 signed and sworn by the candidate submitting the form, or (2) signed  
213 by a candidate and signed by an authorized staff member of the  
214 commission who has witnessed such candidate's signature.

215 (c) The commission shall: (1) Retain for public inspection all  
216 completed code forms accepted by the commission pursuant to this  
217 section, (2) maintain a list of candidates who have subscribed to the  
218 code, and (3) post such list on the commission's web site and make  
219 such list available to the public in both paper and electronic form,  
220 upon request.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	9-601
Sec. 2	<i>October 1, 2007</i>	9-621
Sec. 3	<i>October 1, 2007</i>	New section
Sec. 4	<i>October 1, 2007</i>	New section

**Statement of Purpose:**

To ensure accountability and candidate identification for campaign ads, campaign mail and automated campaign phone calls.

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

Co-Sponsors: SEN. WILLIAMS, 29th Dist.; SEN. LOONEY, 11th Dist.  
SEN. SLOSSBERG, 14th Dist.; SEN. FINCH, 22nd Dist.

S.B. 547