



Senate

General Assembly

File No. 449

February Session, 2008

Substitute Senate Bill No. 447

Senate, April 4, 2008

The Committee on Government Administration and Elections reported through SEN. SLOSSBERG of the 14th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING ELECTRONIC FILING OF CAMPAIGN REPORTS.

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

1 Section 1. Section 9-675 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2009*):

3 (a) The State Elections Enforcement Commission shall (1) create a
4 [software] web-based program [or programs] for the preparation of
5 financial disclosure statements required by section 9-608 of the 2008
6 supplement to the general statutes, and (2) prescribe the standard
7 reporting format and specifications for [other] software programs
8 created by vendors for such purpose. No software program created by
9 a vendor may be used for the electronic submission of such financial
10 disclosure statements, until the commission determines that the
11 program provides for the standard reporting format, and complies
12 with the specifications, which are prescribed under subdivision (2) of
13 this subsection for vendor software programs. The commission shall

14 provide training in the use of the [software] web-based program [or
15 programs] created by the commission.

16 (b) [The] On and after January 1, 2010, the campaign treasurer of the
17 candidate committee or exploratory committee for each candidate for
18 nomination or election to the office of Governor, Lieutenant Governor,
19 Attorney General, State Comptroller, State Treasurer, [or] Secretary of
20 the State, judge of probate, state senator or state representative who
21 raises or spends [two hundred fifty] five thousand dollars or more
22 during [an] a primary or election campaign and, on and after January
23 1, 2009, the campaign treasurer of each state central committee,
24 legislative caucus and legislative leadership committee and any other
25 party or political committee registered with the commission that has a
26 balance on hand of five thousand dollars or more at any time after
27 December 31, 2008, and any individual or committee who makes or
28 obligates to make an independent expenditure and who is required to
29 file a report of such independent expenditure in accordance with the
30 provisions of subdivision (2) of subsection (e) of section 9-612 shall file
31 in electronic form all financial disclosure statements required by
32 section 9-608 of the 2008 supplement to the general statutes by [either
33 transmitting disks, tapes or other electronic storage media containing
34 the contents of such statements to the State Elections Enforcement
35 Commission or] transmitting the statements on-line to [said] the
36 commission. Each such individual or campaign treasurer shall use
37 either (1) [a software] the web-based program created by the
38 commission under subdivision (1) of subsection (a) of this section, for
39 all such statements, or (2) [another] a software program which
40 provides for the standard reporting format, and complies with the
41 specifications, which are prescribed by the commission under
42 subdivision (2) of subsection (a) of this section, for all such statements.
43 The commission shall accept any statement that uses such web-based
44 program or any such software program. [Once] On and after January 1,
45 2010, for any such candidate or exploratory committee that has raised
46 or spent [two hundred fifty] five thousand dollars or more during an
47 election campaign or primary, all previously filed statements required
48 by said section 9-608, which were not filed in electronic form shall be

49 refiled in such form, using such web-based program or a software
50 program, not later than the date on which the campaign treasurer of
51 the committee is required to file the next regular statement under said
52 section 9-608. The campaign treasurer of any such party or political
53 committee that is obligated to electronically submit such statements
54 under this subsection shall continue to do so, except if the committee's
55 balance on hand is less than five thousand dollars and such treasurer is
56 granted a waiver from such obligation by the commission.

57 (c) (1) The campaign treasurer of the candidate committee for any
58 other candidate, as defined in section 9-601 of the 2008 supplement to
59 the general statutes, who is required to file the financial disclosure
60 statements required by section 9-608 of the 2008 supplement to the
61 general statutes with the commission but who has not reached the
62 requisite five-thousand-dollar threshold of contributions or
63 expenditures, and (2) the campaign treasurer of any political
64 committee or party committee who does not have a balance on hand of
65 five thousand dollars or more at any time after December 31, 2008,
66 may file in electronic form any financial disclosure statements required
67 by said section 9-608. Such filings may be made by either transmitting
68 disks, tapes or other electronic storage media containing the contents
69 of such statements to the proper authority under section 9-603 or
70 transmitting the statements on-line to such proper authority. Each such
71 campaign treasurer shall use either (A) [a software] the web-based
72 program created by the commission under subdivision (1) of
73 subsection (a) of this section, for all such statements filed in electronic
74 form with the commission, or (B) [another] a software program which
75 provides for the standard reporting format, and complies with the
76 specifications, which are prescribed by the commission under
77 subdivision (2) of subsection (a) of this section, for all such statements
78 filed in electronic form with the commission. The proper authority
79 under section 9-603 shall accept any statement that uses any such
80 software program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2009	9-675

Statement of Legislative Commissioners:

Throughout the bill, references to "web-based program" were added for purposes of consistency.

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 chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect
Elect. Enforcement Com.	Citizens' Election Fund - See Below

Municipal Impact: None

Explanation

The bill requires mandatory electronic filing with the State Elections Enforcement Commission (SEEC) for certain committees that maintain a balance exceeding \$5,000 beginning in January 2009. The bill also requires candidates who raise at least \$5,000 to file electronically, effective January 2010. Currently, the SEEC contracts out for the data entry to manually input these reports into the eCRIS, which is the SEEC’s online filing system.

It is estimated that over 400 committees would be affected by this bill, resulting in a cost savings to the Citizens’ Election Fund account. The data entry services, printing and mailing costs, and storage of these filings is estimated at over \$50 per filing. With multiple filings per year, depending on type of committee or PAC, this requirement may save \$100,000 annually.

This savings will be partially offset as the requirements shift towards mandatory electronic filing. The SEEC will need to provide technical and help desk support to handle the influx of the new reporting requirements. An IT analyst (\$48,000)¹ would handle these

¹ The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller. The first year fringe benefit costs for new positions do not include pension costs. The estimated first year

responsibilities, beginning in 2010.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

fringe benefit rate as a percentage of payroll is 25.36%. The state's pension contribution is based upon the prior year's certification by the actuary for the State Employees Retirement System (SERS). The SERS fringe benefit rate is 33.27%, which when combined with the rate for non-pension fringe benefits totals 58.63%.

OLR Bill Analysis**sSB 447*****AN ACT CONCERNING ELECTRONIC FILING OF CAMPAIGN REPORTS.*****SUMMARY:**

By law, candidate committees, political committees (known as PACs), and party committees that raise or spend over \$1,000 during a primary or election campaign, or a calendar year, whichever is applicable, file periodic campaign finance statements with the State Elections Enforcement Commission (SEEC).

Beginning January 1, 2009, this bill subjects (1) party committees and PACs that maintain a balance of \$5,000 and register with the SEEC, and (2) individuals or committees that make or obligate to make independent expenditures exceeding \$1,000 in the aggregate, to the mandatory electronic filing requirement. Beginning January 1, 2010, this bill also lowers, from \$250,000 to \$5,000, the threshold for the mandatory electronic filing of these statements that applies to statewide office candidates and makes it applicable to all candidates who file with SEEC.

Under the bill, as under current law, candidate committees that do not reach the threshold in contributions or expenditures may file online. Similarly, party committees and PACs that do not have a \$5,000 balance may file online.

In light of the new online filing system known as eCRIS, the bill eliminates references to a SEEC-created “software” program replacing them with a “web-based” program. It retains provisions requiring the SEEC to prescribe a standard reporting format for instances when treasurers choose to submit statements online through a program other

than eCRIS. Since the law requires committee treasurers to submit all electronic filings online, the bill eliminates an obsolete provision allowing mandatory electronic filings to be made using alternative media forms (e.g., disks or tapes). However it retains alternative media forms for voluntary electronic filings.

The bill also makes technical changes.

EFFECTIVE DATE: January 1, 2009

CANDIDATES

Beginning January 1, 2010, campaign treasurers for statewide office candidates, legislative candidates, and candidates for judge of probate who raise or spend \$5,000 or more must file their campaign finance statements online using eCRIS or a SEEC-prescribed software program. The requirement applies to exploratory and candidate committees. Current law applies only to the candidate committees of statewide office candidates. Statewide office candidates are those running for governor, lieutenant governor, attorney general, state comptroller, state treasurer, or secretary of the state.

The bill expands the mandated refiling requirement. Beginning January 1, 2010, candidate and exploratory committees that reach the \$5,000 threshold must resubmit, whether through eCRIS or a SEEC-prescribed software program, any previously-filed statements that were not filed electronically. Before that date, only, statewide office candidates must resubmit previous statements when they reach the \$250,000 threshold that were not filed electronically.

PARTY COMMITTEES AND PACS

Beginning January 1, 2009, a state central committee, legislative caucus or legislative leadership committee, or any other party committee or PAC registered with the SEEC that has a balance of \$5,000 or more must file all required campaign finance statements online using eCRIS or a SEEC-prescribed software program.

Under the bill, party committees and PACs must continue to file

electronically unless their balance on hand is less than \$5,000 and they obtain a waiver from the SEEC.

INDIVIDUALS AND COMMITTEES THAT MAKE INDEPENDENT EXPENDITURES

By law, any individual or committee that, during a primary or general election campaign, makes or becomes obligated to make an independent expenditure or expenditures exceeding \$1,000 in the aggregate to promote the success or defeat of a statewide office or legislative candidate must file a report with the SEEC.

Beginning January 1, 2009, the bill requires any such individuals or committees to file the report online using eCRIS or a SEEC-prescribed software program.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 12 Nay 1 (03/17/2008)