



General Assembly

Amendment

January Session, 2009

LCO No. 8528

HB0666208528HDO

Offered by:

REP. GONZALEZ, 3rd Dist.

REP. MIKUTEL, 45th Dist.

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To: Subst. House Bill No. 6662

File No. 575

Cal. No. 400

"AN ACT CONCERNING CERTAIN REVISIONS TO THE CITIZENS' ELECTION PROGRAM."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (e) of section 9-608 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective*
5 *January 1, 2010, and applicable to elections held on and after said date*):

6 (e) (1) Notwithstanding any provisions of this chapter, in the event
7 of a surplus the campaign treasurer of a candidate committee or of a
8 political committee, other than a political committee formed for
9 ongoing political activities or an exploratory committee, shall
10 distribute or expend such surplus not later than ninety days after a
11 primary which results in the defeat of the candidate, an election or
12 referendum not held in November or by January thirty-first following

13 an election or referendum held in November, in the following manner:

14 (A) Such committees may distribute their surplus to a party
15 committee, or a political committee organized for ongoing political
16 activities, return such surplus to all contributors to the committee on a
17 prorated basis of contribution, distribute all or any part of such surplus
18 to the Citizens' Election Fund established in section 9-701 or distribute
19 such surplus to any charitable organization which is a tax-exempt
20 organization under Section 501(c)(3) of the Internal Revenue Code of
21 1986, or any subsequent corresponding internal revenue code of the
22 United States, as from time to time amended, provided (i) no candidate
23 committee may distribute such surplus to a committee which has been
24 established to finance future political campaigns of the candidate, and
25 (ii) a candidate committee which received moneys from the Citizens'
26 Election Fund shall distribute such surplus to such fund; [, and (iii) a
27 candidate committee for a nonparticipating candidate, as described in
28 subsection (b) of section 9-703, may only distribute any such surplus to
29 the Citizens' Election Fund or to a charitable organization;]

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

33 (C) (i) Each political committee formed solely to aid or promote the
34 success or defeat of any referendum question, which does not receive
35 contributions from a business entity or an organization, shall distribute
36 its surplus to a party committee, to a political committee organized for
37 ongoing political activities, to a national committee of a political party,
38 to all contributors to the committee on a prorated basis of contribution,
39 to state or municipal governments or agencies or to any organization
40 which is a tax-exempt organization under Section 501(c)(3) of the
41 Internal Revenue Code of 1986, or any subsequent corresponding
42 internal revenue code of the United States, as from time to time
43 amended. (ii) Each political committee formed solely to aid or promote
44 the success or defeat of any referendum question, which receives
45 contributions from a business entity or an organization, shall distribute

46 its surplus to all contributors to the committee on a prorated basis of
47 contribution, to state or municipal governments or agencies, or to any
48 organization which is tax-exempt under said provisions of the Internal
49 Revenue Code. Notwithstanding the provisions of this subsection, a
50 committee formed for a single referendum shall not be required to
51 expend its surplus not later than ninety days after the referendum and
52 may continue in existence if a substantially similar referendum
53 question on the same issue will be submitted to the electorate within
54 six months after the first referendum. If two or more substantially
55 similar referenda on the same issue are submitted to the electorate,
56 each no more than six months apart, the committee shall expend such
57 surplus within ninety days following the date of the last such
58 referendum;

59 (D) The campaign treasurer of the candidate committee of a
60 candidate who is elected to office may, upon the authorization of such
61 candidate, expend surplus campaign funds to pay for the cost of
62 clerical, secretarial or other office expenses necessarily incurred by
63 such candidate in preparation for taking office; except such surplus
64 shall not be distributed for the personal benefit of any individual or to
65 any organization; and

66 (E) The campaign treasurer of a candidate committee, or of a
67 political committee, other than a political committee formed for
68 ongoing political activities or an exploratory committee, shall, prior to
69 the dissolution of such committee, either (i) distribute any equipment
70 purchased, including, but not limited to, computer equipment, to any
71 recipient as set forth in subparagraph (A) of this subdivision, or (ii) sell
72 any equipment purchased, including but not limited to computer
73 equipment, to any person for fair market value and then distribute the
74 proceeds of such sale to any recipient as set forth in said subparagraph
75 (A).

76 (2) Notwithstanding any provisions of this chapter, the campaign
77 treasurer of the candidate committee of a candidate who has
78 withdrawn from a primary or election may, prior to the primary or

79 election, distribute its surplus to any organization which is tax-exempt
80 under Section 501(c)(3) of the Internal Revenue Code of 1986, or any
81 subsequent corresponding internal revenue code of the United States,
82 as from time to time amended, or return such surplus to all
83 contributors to the committee on a prorated basis of contribution.

84 (3) Not later than seven days after such distribution or not later than
85 seven days after all funds have been expended in accordance with
86 subparagraph (D) of subdivision (1) of this subsection, the campaign
87 treasurer shall file a supplemental statement, sworn under penalty of
88 false statement, with the proper authority, identifying all further
89 contributions received since the previous statement and explaining
90 how any surplus has been distributed or expended in accordance with
91 this section. No surplus may be distributed or expended until after the
92 election, primary or referendum.

93 (4) In the event of a deficit, the campaign treasurer shall file a
94 supplemental statement ninety days after an election, primary or
95 referendum not held in November or on the seventh calendar day in
96 February, or the next business day if such day is a Saturday, Sunday or
97 legal holiday, after an election or referendum held in November, with
98 the proper authority and, thereafter, on the seventh day of each month
99 following if on the last day of the previous month there was an
100 increase or decrease in the deficit in excess of five hundred dollars
101 from that reported on the last statement filed. The campaign treasurer
102 shall file such supplemental statements as required until the deficit is
103 eliminated. If any such committee does not have a surplus or a deficit,
104 the statement required to be filed not later than forty-five days
105 following any election or referendum not held in November or on the
106 seventh calendar day in January, or the next business day if such day is
107 a Saturday, Sunday or legal holiday, following an election or
108 referendum held in November, or not later than thirty days following
109 any primary shall be the last required statement."