



# Senate

General Assembly

**File No. 464**

February Session, 2010

Substitute Senate Bill No. 421

*Senate, April 12, 2010*

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 ELECTIONS.***

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

1 Section 1. Subdivision (25) of section 9-601 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage and applicable to primaries and elections held on and after said date*):

4 (25) "Organization expenditure" means an expenditure by a party  
5 committee, legislative caucus committee or legislative leadership  
6 committee for the benefit of a candidate or candidate committee for the  
7 office of Governor, Lieutenant Governor, Attorney General, State  
8 Comptroller, Secretary of the State, State Treasurer, state senator or  
9 state representative for:

10 (A) The preparation, display or mailing or other distribution of a  
11 party candidate listing. As used in this subparagraph, "party candidate  
12 listing" means any communication that meets the following criteria: (i)  
13 The communication lists the name or names of candidates for election

14 to public office, (ii) the communication is distributed through public  
15 advertising such as broadcast stations, cable television, newspapers or  
16 similar media, or through direct mail, telephone, electronic mail,  
17 publicly accessible sites on the Internet or personal delivery, (iii) the  
18 treatment of all candidates in the communication is substantially  
19 similar, and (iv) the content of the communication is limited to (I) for  
20 each such candidate, identifying information, including photographs,  
21 the office sought, the office currently held by the candidate, if any, the  
22 party enrollment of the candidate, a brief statement concerning the  
23 candidate's positions, philosophy, goals, accomplishments or  
24 biography and the positions, philosophy, goals or accomplishments of  
25 the candidate's party, (II) encouragement to vote for each such  
26 candidate, and (III) information concerning voting, including voting  
27 hours and locations;

28 (B) A document in printed or electronic form, including a party  
29 platform, a copy of an issue paper, information pertaining to the  
30 requirements of this title, a list of registered voters and voter  
31 identification information, which document is created or maintained  
32 by a party committee, legislative caucus committee or legislative  
33 leadership committee for the general purposes of party or caucus  
34 building and is provided (i) to a candidate who is a member of the  
35 party that has established such party committee, or (ii) to a candidate  
36 who is a member of the party of the caucus or leader who has  
37 established such legislative caucus committee or legislative leadership  
38 committee, whichever is applicable;

39 (C) A campaign event at which a candidate or candidates are  
40 present;

41 (D) The retention of the services of an advisor to provide assistance  
42 relating to campaign organization, financing, accounting, strategy, law  
43 or media; or

44 (E) The use of offices, telephones, computers and similar equipment,  
45 [which does not result in additional cost to the party committee,  
46 legislative caucus committee or legislative leadership committee.]

47 Sec. 2. Section 9-601 of the general statutes is amended by adding  
48 subdivisions (28) and (29) as follows (*Effective from passage and*  
49 *applicable to primaries and elections held on and after said date*):

50 (NEW) (28) "Slate committee" means a political committee formed  
51 by two or more candidates for nomination or election to any municipal  
52 office in the same town, city or borough, or in a primary for the office  
53 of justice of the peace or the position of town committee member,  
54 whenever such political committee will serve as the sole funding  
55 vehicle for the candidates' campaigns.

56 (NEW) (29) "Commission" means the State Elections Enforcement  
57 Commission.

58 Sec. 3. Subsection (b) of section 9-601a of the general statutes is  
59 repealed and the following is substituted in lieu thereof (*Effective from*  
60 *passage and applicable to primaries and elections held on and after said date*):

61 (b) As used in this chapter and [sections 9-700 to 9-716, inclusive]  
62 chapter 157, "contribution" does not mean:

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

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

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

72 (4) Uncompensated services provided by individuals volunteering  
73 their time on behalf of a party committee, political committee, slate  
74 committee or candidate committee, including any services provided  
75 for the benefit of participating and nonparticipating candidates under  
76 the Citizens' Election Program and any unreimbursed payment for

77 travel expenses within the state made by an individual who, on the  
78 individual's own behalf, volunteers the individual's personal services  
79 to any single candidate;

80 (5) The use of real or personal property, and the cost of invitations,  
81 food or beverages, voluntarily provided by an individual to a  
82 candidate, including a participating or nonparticipating candidate  
83 under the Citizens' Election Program, or on behalf of [a state central or  
84 town committee] any single party or slate committee, in rendering  
85 voluntary personal services for candidate or party-related activities at  
86 the individual's [residence] residential premises or a community room  
87 in the individual's residential facility, to the extent that the cumulative  
88 value of the invitations, food or beverages provided for any single  
89 event by [the] an individual on behalf of any single candidate does not  
90 exceed [two] four hundred dollars with respect to any single election,  
91 and does not exceed eight hundred dollars for any single event hosted  
92 by two or more individuals who reside at the same residential  
93 premises or on behalf of [all state central and town committees] any  
94 single party or slate committee, provided the cumulative value of the  
95 invitations, food or beverages provided by an individual on behalf of  
96 any single candidate with respect to any single election, and on behalf  
97 of any single party or slate committee, does not exceed [four] eight  
98 hundred dollars in any calendar year or single election, as the case  
99 may be;

100 (6) The sale of food or beverage for use in a candidate's campaign or  
101 for use by a [state central or town] party or slate committee at a  
102 discount, if the charge is not less than the cost to the vendor, to the  
103 extent that the cumulative value of the discount given to or on behalf  
104 of any single candidate does not exceed two hundred dollars with  
105 respect to any single election, and on behalf of [all state central and  
106 town committees] any party or slate committee does not exceed four  
107 hundred dollars in a calendar year or single election, as the case may  
108 be;

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

110 individual who on the individual's own behalf volunteers the  
111 individual's personal services to any single candidate to the extent the  
112 cumulative value does not exceed two hundred dollars with respect to  
113 any single election, and on behalf of all state central or town  
114 committees does not exceed four hundred dollars in a calendar year;]

115 (7) The donation of food or beverage by an individual for  
116 consumption at a slate or party committee meeting or event that is not  
117 a fundraising affair to the extent that the cumulative value of the food  
118 or beverages donated by an individual for a single meeting or event  
119 does not exceed fifty dollars;

120 (8) The payment, by a party committee [, political committee or an  
121 individual,] or slate committee of the costs of preparation, display,  
122 mailing or other distribution incurred by the committee or individual  
123 with respect to any printed slate card, sample ballot or other printed  
124 list containing the names of three or more candidates;

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

130 (10) (A) The purchase of advertising space which clearly identifies  
131 the purchaser, in a program for a fund-raising affair sponsored by the  
132 candidate committee of a candidate for an office of a municipality,  
133 provided the cumulative purchase of such space does not exceed two  
134 hundred fifty dollars from any single such candidate or the candidate's  
135 committee with respect to any single election campaign if the  
136 purchaser is a business entity or fifty dollars for purchases by any  
137 other person;

138 (B) The purchase of advertising space which clearly identifies the  
139 purchaser, in a program for a fund-raising affair or on signs at a fund-  
140 raising affair sponsored by a town committee, provided the  
141 cumulative purchase of such space does not exceed two hundred fifty

142 dollars from any single town committee in any calendar year if the  
143 purchaser is a business entity or fifty dollars for purchases by any  
144 other person. Notwithstanding the provisions of this subparagraph,  
145 the following may not purchase advertising space in a program for a  
146 fund-raising affair or on signs at a fund-raising affair sponsored by a  
147 town committee: (i) A communicator lobbyist, (ii) a member of the  
148 immediate family of a communicator lobbyist, (iii) a state contractor,  
149 (iv) a prospective state contractor, or (v) a principal of a state  
150 contractor or prospective state contractor. As used in this  
151 subparagraph, "state contractor", "prospective state contractor" and  
152 "principal of a state contractor or prospective state contractor" have the  
153 same meanings as provided in subsection (g) of section 9-612;

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

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

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

164 (14) The provision of facilities, equipment, technical and managerial  
165 support, and broadcast time by a community antenna television  
166 company, as defined in section 16-1, for community access  
167 programming pursuant to section 16-331a, unless (A) the major  
168 purpose of providing such facilities, equipment, support and time is to  
169 influence the nomination or election of a candidate, or (B) such  
170 facilities, equipment, support and time are provided on behalf of a  
171 political party;

172 (15) The sale of food or beverage by a town committee to an  
173 individual at a town fair, county fair or similar mass gathering held

174 within the state, to the extent that the cumulative payment made by  
175 any one individual for such items does not exceed fifty dollars; [or]

176 (16) An organization expenditure by a party committee, legislative  
177 caucus committee or legislative leadership committee; or

178 (17) The value associated with the following de minimis campaign  
179 activities on behalf of a party committee, political committee, slate  
180 committee or candidate committee, including for activities undertaken  
181 for the benefit of participating and nonparticipating candidates under  
182 the Citizens' Election Program: (A) The sending of electronic mail or  
183 messages from an individual's personal computer or cellular telephone  
184 when compensation is not remitted to such individual for the sending  
185 of such electronic mail or messages, (B) the posting or display of a  
186 candidate's name or group of candidates' names at a town fair by a  
187 party committee, or (C) the use of personal property or a service that is  
188 customarily attendant to the occupancy of a residential dwelling, or  
189 the donation of an item or items of personal property that are  
190 customarily used for campaign purposes, by an individual, to a  
191 candidate committee, provided the cumulative fair market value of  
192 such item or items of personal property does not exceed fifty dollars in  
193 the aggregate for any single election or calendar year, as the case may  
194 be.

195 Sec. 4. Subsection (a) of section 9-603 of the general statutes is  
196 repealed and the following is substituted in lieu thereof (*Effective from*  
197 *passage*):

198 (a) Statements filed by party committees, political committees  
199 formed to aid or promote the success or defeat of a referendum  
200 question proposing a constitutional convention, constitutional  
201 amendment or revision of the Constitution [, individual lobbyists,] and  
202 those political committees and candidate committees formed to aid or  
203 promote the success or defeat of any candidate for the office of  
204 Governor, Lieutenant Governor, Secretary of the State, State Treasurer,  
205 State Comptroller, Attorney General, judge of probate and members of  
206 the General Assembly, shall be filed with the State Elections

207 Enforcement Commission. [A copy of each statement filed by a town  
208 committee shall be filed at the same time with the town clerk of the  
209 municipality in which the committee is situated.] A political committee  
210 formed for a slate of candidates in a primary for the office of justice of  
211 the peace shall file statements with [both the State Elections  
212 Enforcement Commission and] the town clerk of the municipality in  
213 which the primary is to be held.

214 Sec. 5. Subsection (b) of section 9-606 of the general statutes is  
215 repealed and the following is substituted in lieu thereof (*Effective from*  
216 *passage and applicable to primaries and elections held on and after said date*):

217 (b) A contribution in the form of a check drawn on a joint bank  
218 account shall, for the purpose of allocation, be deemed to be a  
219 contribution made by the individual who signed the check. If a check  
220 is signed by more than one individual, the total amount of the check  
221 shall be divided equally among the cosigners for the purpose of  
222 allocation, except such contribution shall be allocated in accordance  
223 with the provisions of a written statement, if any, from the holders of  
224 such joint bank account that indicates how such contribution should be  
225 differently allocated. If a committee receives an anonymous  
226 contribution, [of more than fifteen dollars] the campaign treasurer  
227 shall immediately remit the contribution to the [State Treasurer] State  
228 Elections Enforcement Commission for deposit in the General Fund.  
229 [The State Treasurer shall deposit the contribution in the General  
230 Fund.]

231 Sec. 6. Section 9-607 of the general statutes is amended by adding  
232 subsection (n) as follows (*Effective from passage and applicable to primaries*  
233 *and elections held on and after said date*):

234 (NEW) (n) Notwithstanding the provisions of sections 9-601, as  
235 amended by this act, 9-601a, as amended by this act, and 9-718, any  
236 paid committee worker may volunteer his or her services to a  
237 candidate committee, including a candidate committee of a  
238 participating or nonparticipating candidate under the Citizens'  
239 Election Program, provided such committee worker executes an

240 affidavit indicating the number of unpaid, volunteer hours that such  
241 committee worker provides to such candidate committee. Nothing in  
242 this section shall be construed to permit a business to make a  
243 contribution. Such committee worker shall give such affidavit to the  
244 campaign treasurer who shall concomitantly file such affidavit with  
245 the State Elections Enforcement Commission when such treasurer files  
246 any requisite report under section 9-608, as amended by this act.

247 Sec. 7. Subsection (a) of section 9-608 of the general statutes is  
248 repealed and the following is substituted in lieu thereof (*Effective from*  
249 *passage and applicable to primaries and elections held on and after said date*):

250 (a) (1) Each campaign treasurer of a committee [, other than a state  
251 central committee,] shall file a statement, sworn under penalty of false  
252 statement with the proper authority in accordance with the provisions  
253 of section 9-603, as amended by this act, (A) on the tenth calendar day  
254 in the months of January, April, July and October, provided, if such  
255 tenth calendar day is a Saturday, Sunday or legal holiday, the  
256 statement shall be filed on the next business day, (B) on the seventh  
257 day preceding each regular state election, except that (i) in the case of a  
258 candidate or exploratory committee established for an office to be  
259 elected at a municipal election, the statement shall be filed on the  
260 seventh day preceding a regular municipal election in lieu of such  
261 date, [and] (ii) in the case of a town committee, the statement shall be  
262 filed on the seventh day preceding each municipal election in addition  
263 to such date, and (iii) in the case of a candidate committee in a state  
264 election that is required to file any supplemental campaign finance  
265 statement pursuant to subdivisions (1) and (2) of subsection (a) of  
266 section 9-712, as amended by this act, such supplemental campaign  
267 finance statement shall satisfy the filing requirements of this  
268 subparagraph, and (C) if the committee has made or received a  
269 contribution or expenditure in connection with any other election, a  
270 primary or a referendum, on the seventh day preceding the election,  
271 primary or referendum, provided in the case of a candidate committee  
272 in a primary that is required to file any supplemental campaign  
273 finance statement pursuant to subdivisions (1) and (2) of subsection (a)

274 of section 9-712, as amended by this act, such supplemental campaign  
275 finance statement shall satisfy the filing requirements of this  
276 subparagraph. The [statement] statements required pursuant to this  
277 subdivision shall be complete as of midnight of the last day of the  
278 month preceding the month in which the statement is required to be  
279 filed, except that for the statement required to be filed on the seventh  
280 day preceding the election, primary or referendum, the statement shall  
281 be complete as of [seven days] midnight of the second day  
282 immediately preceding the required filing day. The statement shall  
283 cover a period to begin with the first day not included in the last filed  
284 statement. In the case of a candidate committee, the statement required  
285 to be filed in January shall be in lieu of the statement formerly required  
286 to be filed within forty-five days following an election.

287 (2) Each campaign treasurer of a candidate committee, within thirty  
288 days following any primary, and each campaign treasurer of a political  
289 committee formed for a single primary, election or referendum, within  
290 forty-five days after any election or referendum not held in November,  
291 shall file statements in the same manner as is required of them under  
292 subdivision (1) of this subsection. If the campaign treasurer of a  
293 candidate committee established by a candidate, who is unsuccessful  
294 in the primary or has terminated his candidacy prior to the primary,  
295 distributes all surplus funds within thirty days following the  
296 scheduled primary and discloses the distribution on the postprimary  
297 statement, such campaign treasurer shall not be required to file any  
298 subsequent statement unless the committee has a deficit, in which case  
299 he shall file any required statements in accordance with the provisions  
300 of subdivision (3) of subsection (e) of this section.

301 [(3) In the case of state central committees, (A) on the tenth calendar  
302 day in the months of January, April and July, provided, if such tenth  
303 calendar day is a Saturday, Sunday or legal holiday, on the next  
304 business day, and (B) on the twelfth day preceding any election, the  
305 campaign treasurer of each such committee shall file with the proper  
306 authority, a statement, sworn under penalty of false statement,  
307 complete as of the last day of the month immediately preceding the

308 month in which such statement is to be filed in the case of statements  
309 required to be filed in January, April and July, and complete as of the  
310 nineteenth day preceding an election, in the case of the statement  
311 required to be filed on the twelfth day preceding an election, and in  
312 each case covering a period to begin with the first day not included in  
313 the last filed statement.]

314 Sec. 8. Subsections (c) to (e), inclusive, of section 9-608 of the general  
315 statutes are repealed and the following is substituted in lieu thereof  
316 (*Effective from passage and applicable to primaries and elections held on and*  
317 *after said date*):

318 (c) (1) Each statement filed under subsection (a), (e) or (f) of this  
319 section shall include, but not be limited to: (A) An itemized accounting  
320 of each contribution, if any, including the full name and complete  
321 address of each contributor and the amount of the contribution; (B) [in  
322 the case of anonymous contributions, the total amount received and  
323 the denomination of the bills; (C)] an itemized accounting of each  
324 expenditure, if any, including the full name and complete address of  
325 each payee, including secondary payees whenever the primary or  
326 principal payee is known to include charges which the primary payee  
327 has already paid or will pay directly to another person, vendor or  
328 entity, the amount and the purpose of the expenditure, the candidate  
329 supported or opposed by the expenditure, whether the expenditure is  
330 made independently of the candidate supported or is an in-kind  
331 contribution to the candidate, and a statement of the balance on hand  
332 or deficit, as the case may be; [(D)] (C) an itemized accounting of each  
333 expense incurred but not paid, provided if the expense is incurred by  
334 use of a credit card, the accounting shall include secondary payees,  
335 and the amount owed to each such payee; [(E)] (D) the name and  
336 address of any person who is the guarantor of a loan to, or the cosigner  
337 of a note with, the candidate on whose behalf the committee was  
338 formed, or the campaign treasurer in the case of a party committee or a  
339 political committee or who has advanced a security deposit to a  
340 telephone company, as defined in section 16-1, for telecommunications  
341 service for a committee; [(F)] (E) for each business entity or person

342 purchasing advertising space in a program for a fund-raising affair or  
343 on signs at a fund-raising affair, the name and address of the business  
344 entity or the name and address of the person, and the amount and  
345 aggregate amounts of such purchases; [(G)] (F) for each individual  
346 who contributes in excess of one hundred dollars but not more than  
347 one thousand dollars, in the aggregate, to the extent known, the  
348 principal occupation of such individual and the name of the  
349 individual's employer, if any; [(H)] (G) for each individual who  
350 contributes in excess of one thousand dollars in the aggregate, the  
351 principal occupation of such individual, the name of the individual's  
352 employer, if any; [(I)] (H) for each itemized contribution made by a  
353 lobbyist, the spouse of a lobbyist or any dependent child of a lobbyist  
354 who resides in the lobbyist's household, a statement to that effect; and  
355 [(J)] (I) for each individual who contributes in excess of four hundred  
356 dollars in the aggregate to or for the benefit of any candidate's  
357 campaign for nomination at a primary or election to the office of chief  
358 executive officer or a slate or town committee financing the  
359 nomination or election or a candidate for chief executive officer of a  
360 town, city or borough, a statement indicating whether the individual  
361 or a business with which he is associated has a contract with said  
362 municipality that is valued at more than five thousand dollars. Each  
363 campaign treasurer shall include in such statement (i) an itemized  
364 accounting of the receipts and expenditures relative to any testimonial  
365 affair held under the provisions of section 9-609 or any other fund-  
366 raising affair, which is referred to in subsection (b) of section 9-601a, as  
367 amended by this act, and (ii) the date, location and a description of the  
368 affair, except that a campaign treasurer shall not be required to include  
369 the name of any individual who has purchased items at a fund-raising  
370 affair, if the cumulative value of items purchased by such individual  
371 does not exceed fifty dollars, or the name of any individual who has  
372 donated food or beverages for a meeting. Any campaign treasurer  
373 shall not be required to report any receipts or expenditures related to  
374 any de minimis donations described in subdivision (17) of subsection  
375 (b) of section 9-601a, as amended by this act.

376 (2) Each contributor described in subparagraph [(G), (H), (I) or (J)]

377 (F), (G), (H) or (I) of subdivision (1) of this subsection shall, at the time  
378 the contributor makes such a contribution, provide the information  
379 which the campaign treasurer is required to include under said  
380 subparagraph in the statement filed under subsection (a), (e) or (f) of  
381 this section. Notwithstanding any provision of subdivision (2) of  
382 section 9-7b, any contributor described in subparagraph [(G)] (F) of  
383 subdivision (1) of this subsection who does not provide such  
384 information at the time the contributor makes such a contribution and  
385 any treasurer shall not be subject to the provisions of subdivision (2) of  
386 section 9-7b. If a campaign treasurer receives a contribution from an  
387 individual which separately, or in the aggregate, is in excess of one  
388 thousand dollars and the contributor has not provided the information  
389 required by said subparagraph [(H)] (G) or if a campaign treasurer  
390 receives a contribution from an individual to or for the benefit of any  
391 candidate's campaign for nomination at a primary or election to the  
392 office of chief executive officer of a town, city or borough, which  
393 separately, or in the aggregate, is in excess of four hundred dollars and  
394 the contributor has not provided the information required by said  
395 subparagraph [(J)] (I), the campaign treasurer: (i) Within three business  
396 days after receiving the contribution, shall send a request for such  
397 information to the contributor by certified mail, return receipt  
398 requested; (ii) shall not deposit the contribution until the campaign  
399 treasurer obtains such information from the contributor,  
400 notwithstanding the provisions of section 9-606, as amended by this  
401 act; and (iii) shall return the contribution to the contributor if the  
402 contributor does not provide the required information within fourteen  
403 days after the treasurer's written request or the end of the reporting  
404 period in which the contribution was received, whichever is later. Any  
405 failure of a contributor to provide the information which the campaign  
406 treasurer is required to include under said subparagraph [(G) or (I)] (F)  
407 or (H), which results in noncompliance by the campaign treasurer with  
408 the provisions of said subparagraph [(G) or (I)] (F) or (H), shall be a  
409 complete defense to any action against the campaign treasurer for  
410 failure to disclose such information.

411 (3) In addition to the requirements of subdivision (2) of this

412 subsection, each contributor who makes a contribution to a candidate  
413 or exploratory committee for Governor, Lieutenant Governor,  
414 Attorney General, State Comptroller, Secretary of the State, State  
415 Treasurer, state senator or state representative, any political committee  
416 established or controlled by such candidates or authorized to make  
417 contributions to such candidates or committees, and any party  
418 committee that separately, or in the aggregate, exceeds fifty dollars  
419 shall provide with the contribution: [a certification that the contributor  
420 is not a principal of a state contractor or prospective state contractor, as  
421 defined in subsection (g) of section 9-612, nor a communicator lobbyist  
422 or a member of the immediate family of a communicator lobbyist and  
423 shall provide the name of the employer of the contributor] (A) The  
424 name of the contributor's employer, (B) whether the contributor is a  
425 "communicator lobbyist", as defined in section 1-91, or an immediate  
426 family member of a communicator lobbyist, (C) whether the  
427 contributor is a "state contractor" or "principal of a state contractor or  
428 prospective state contractor", as such terms are defined in section 9-  
429 612, and (D) a certification that the contributor is not prohibited from  
430 making a contribution to such candidate or committee pursuant to  
431 subsection (g) of section 9-610 and subsection (g) of section 9-612. The  
432 State Elections Enforcement Commission shall prepare a sample form  
433 for such certification by the contributor and shall make it available to  
434 campaign treasurers and contributors. Such sample form shall include  
435 an explanation of the contribution prohibitions and exceptions  
436 contained in subsections (g) and (i) of section 9-610 and subsection (g)  
437 of section 9-612 in addition to an explanation of the terms  
438 "communicator lobbyist", [and] "principal of a state contractor or  
439 principal of a prospective state contractor", "immediate family member  
440 of a communicator lobbyist", "state contractor" and "prospective state  
441 contractor". The information on such sample form shall be included in  
442 any written solicitation conducted by any such committee. If a  
443 campaign treasurer receives such a contribution and the contributor  
444 has not provided such certification, the campaign treasurer shall: [(A)]  
445 (i) Not later than three business days after receiving the contribution,  
446 send a request for the certification to the contributor by certified mail,

447 return receipt requested; [(B)] (ii) not deposit the contribution until the  
448 campaign treasurer obtains the certification from the contributor,  
449 notwithstanding the provisions of section 9-606, as amended by this  
450 act; and [(C)] (iii) return the contribution to the contributor if the  
451 contributor does not provide the certification not later than fourteen  
452 days after the treasurer's written request or at the end of the reporting  
453 period in which the contribution was received, whichever is later. No  
454 treasurer shall be required to obtain and keep more than one  
455 certification from each contributor, unless information certified to by  
456 the contributor, other than the amount contributed, changes. If a  
457 campaign treasurer deposits a contribution based on a certification that  
458 is later determined to be false, the treasurer shall [not be in violation of  
459 this subdivision] have a complete defense to any action against such  
460 campaign treasurer for the receipt of such contribution. Such defense  
461 shall not be available to a campaign treasurer who knew or had reason  
462 to know that the certification was false prior to depositing such  
463 contribution.

464 (4) Contributions from a single individual to a campaign treasurer  
465 in the aggregate totaling fifty dollars or less need not be individually  
466 identified in the statement, but a sum representing the total amount of  
467 all such contributions made by all such individuals during the period  
468 to be covered by such statement shall be a separate entry, identified  
469 only by the words "total contributions from small contributors".

470 (5) Each statement filed by the campaign treasurer of a party  
471 committee, a legislative caucus committee or a legislative leadership  
472 committee shall include an itemized accounting of each organization  
473 expenditure made by the committee. Concomitant with the filing of  
474 any such statement containing an accounting of an organization  
475 expenditure made by the committee for the benefit of [a participating]  
476 any candidate for the office of state senator, [or] state representative,  
477 Governor, Lieutenant Governor, Attorney General, Secretary of the  
478 State, State Comptroller or State Treasurer such campaign treasurer  
479 shall provide notice of [the amount and purpose of] the organization  
480 expenditure to the candidate committee of such candidate.

481 (6) In addition to the other applicable requirements of this section,  
482 the campaign treasurer of a candidate committee of [a participating]  
483 any candidate for the office of state senator, [or] state representative,  
484 Governor, Lieutenant Governor, Attorney General, Secretary of the  
485 State, State Comptroller or State Treasurer who has received the  
486 benefit of any organization expenditure shall, not later than the time of  
487 dissolving such committee, file a statement with the State Elections  
488 Enforcement Commission that lists, if known to such candidate  
489 committee, the committee which made such organization expenditure  
490 for such candidate's behalf, [and the amount and purpose of such  
491 organization expenditure.]

492 (7) Statements filed in accordance with this section shall remain  
493 public records of the state for five years from the date such statements  
494 are filed.

495 (d) At the time of filing statements required under this section, the  
496 campaign treasurer of each candidate committee shall send to the  
497 candidate a duplicate statement and the campaign treasurer of each  
498 party committee and each political committee other than an  
499 exploratory committee shall send to the chairman of the committee a  
500 duplicate statement. Each statement required to be filed with the  
501 commission under this section, [and subsection (g) of section 9-610,]  
502 subsection (e) of section 9-612, section 9-706, as amended by this act, or  
503 section 9-712, as amended by this act, shall be deemed to be filed in a  
504 timely manner if: (1) For a statement filed as a hard copy, including,  
505 but not limited to, a statement delivered by the United States Postal  
506 Service, courier service, parcel service or hand delivery, the statement  
507 is received by the commission by five o'clock p.m. on the day the  
508 statement is required to be filed, (2) for a statement authorized by the  
509 commission to be filed electronically, including, but not limited to, a  
510 statement filed via electronic mail, facsimile machine, a web-based  
511 program created by the commission or other electronic means, the  
512 statement is transmitted to the commission by midnight on the day the  
513 statement is required to be filed, or (3) for a statement required to be  
514 filed pursuant to subsection (e) of section 9-612, section 9-706, as

515 amended by this act, or section 9-712, as amended by this act, by the  
516 deadline specified in each such section. Any other filing required  
517 pursuant to this section shall be deemed to be filed in a timely manner  
518 if it is delivered by hand to the office of the proper authority before  
519 four-thirty o'clock p.m. or postmarked by the United States Postal  
520 Service before midnight on the required filing day. If the day for any  
521 such filing falls on a Saturday, Sunday or legal holiday, the statement  
522 shall be filed on the next business day thereafter.

523 (e) (1) Notwithstanding any provisions of this chapter, in the event  
524 of a surplus the campaign treasurer of a candidate committee or of a  
525 political committee, other than a political committee formed for  
526 ongoing political activities or an exploratory committee, shall  
527 distribute or expend such surplus not later than [ninety] one hundred  
528 twenty days after a primary which results in the defeat of the  
529 candidate, an election or referendum not held in November or by  
530 [January] March thirty-first following an election or referendum held  
531 in November, in the following manner:

532 (A) Such committees may distribute their surplus to a party  
533 committee, or a political committee organized for ongoing political  
534 activities, return such surplus to all contributors to the committee on a  
535 prorated basis of contribution, distribute all or any part of such surplus  
536 to the Citizens' Election Fund established in section 9-701 or distribute  
537 such surplus to any charitable organization which is a tax-exempt  
538 organization under Section 501(c)(3) of the Internal Revenue Code of  
539 1986, or any subsequent corresponding internal revenue code of the  
540 United States, as from time to time amended, provided (i) no candidate  
541 committee may distribute such surplus to a committee which has been  
542 established to finance future political campaigns of the candidate, and  
543 (ii) a candidate committee which received moneys from the Citizens'  
544 Election Fund shall distribute such surplus to such fund; [, and (iii) a  
545 candidate committee for a nonparticipating candidate, as described in  
546 subsection (b) of section 9-703, may only distribute any such surplus to  
547 the Citizens' Election Fund or to a charitable organization;]

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

551 (C) (i) Each political committee formed solely to aid or promote the  
552 success or defeat of any referendum question, which does not receive  
553 contributions from a business entity or an organization, shall distribute  
554 its surplus to a party committee, to a political committee organized for  
555 ongoing political activities, to a national committee of a political party,  
556 to all contributors to the committee on a prorated basis of contribution,  
557 to state or municipal governments or agencies or to any organization  
558 which is a tax-exempt organization under Section 501(c)(3) of the  
559 Internal Revenue Code of 1986, or any subsequent corresponding  
560 internal revenue code of the United States, as from time to time  
561 amended. (ii) Each political committee formed solely to aid or promote  
562 the success or defeat of any referendum question, which receives  
563 contributions from a business entity or an organization, shall distribute  
564 its surplus to all contributors to the committee on a prorated basis of  
565 contribution, to state or municipal governments or agencies, or to any  
566 organization which is tax-exempt under said provisions of the Internal  
567 Revenue Code. Notwithstanding the provisions of this subsection, a  
568 committee formed for a single referendum shall not be required to  
569 expend its surplus not later than ninety days after the referendum and  
570 may continue in existence if a substantially similar referendum  
571 question on the same issue will be submitted to the electorate within  
572 six months after the first referendum. If two or more substantially  
573 similar referenda on the same issue are submitted to the electorate,  
574 each no more than six months apart, the committee shall expend such  
575 surplus within ninety days following the date of the last such  
576 referendum;

577 (D) The campaign treasurer of the candidate committee of a  
578 candidate who is elected to office may, upon the authorization of such  
579 candidate, expend surplus campaign funds to pay for the cost of  
580 clerical, secretarial or other office expenses necessarily incurred by  
581 such candidate in preparation for taking office; except such surplus

582 shall not be distributed for the personal benefit of any individual or to  
583 any organization; [and]

584 (E) The campaign treasurer of a candidate committee, or of a  
585 political committee, other than a political committee formed for  
586 ongoing political activities or an exploratory committee, shall, prior to  
587 the dissolution of such committee, either (i) distribute any equipment  
588 purchased, including, but not limited to, computer equipment, to any  
589 recipient as set forth in subparagraph (A) of this subdivision, or (ii) sell  
590 any equipment purchased, including but not limited to computer  
591 equipment, to any person for fair market value and then distribute the  
592 proceeds of such sale to any recipient as set forth in said subparagraph  
593 (A);

594 (F) The campaign treasurer of a qualified candidate committee may,  
595 following an election or unsuccessful primary, provide a post-primary  
596 thank you meal or a post-election thank you meal for committee  
597 workers, provided such meal (i) occurs not later than fourteen days  
598 after the applicable election or primary day, and (ii) the cost for such  
599 meal does not exceed the limits established by the commission  
600 pursuant to regulation;

601 (G) The campaign treasurer of a qualified candidate committee may,  
602 following an election or unsuccessful primary, make payment to a  
603 campaign treasurer for services rendered to the candidate committee,  
604 provided such payment does not exceed one thousand dollars; and

605 (H) The campaign treasurer of a qualified candidate committee  
606 may, following an election or unsuccessful primary, utilize grant funds  
607 received by such candidate committee from the Citizens' Election Fund  
608 for the purpose of complying with any audit conducted by the State  
609 Elections Enforcement Commission pursuant to subdivision (5) of  
610 subsection (a) of section 9-7b.

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

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

619 (3) Not later than seven days after such distribution or not later than  
620 seven days after all funds have been expended in accordance with  
621 subparagraph (D) of subdivision (1) of this subsection, the campaign  
622 treasurer shall file a supplemental statement, sworn under penalty of  
623 false statement, with the proper authority, identifying all further  
624 contributions received since the previous statement and explaining  
625 how any surplus has been distributed or expended in accordance with  
626 this section. No surplus may be distributed or expended until after the  
627 election, primary or referendum.

628 (4) In the event of a deficit, the campaign treasurer shall file a  
629 supplemental statement ninety days after an election, primary or  
630 referendum not held in November or on the seventh calendar day in  
631 February, or the next business day if such day is a Saturday, Sunday or  
632 legal holiday, after an election or referendum held in November, with  
633 the proper authority and, thereafter, on the seventh day of each month  
634 following if on the last day of the previous month there was an  
635 increase or decrease in the deficit in excess of five hundred dollars  
636 from that reported on the last statement filed. The campaign treasurer  
637 shall file such supplemental statements as required until the deficit is  
638 eliminated. If any such committee does not have a surplus or a deficit,  
639 the statement required to be filed not later than forty-five days  
640 following any election or referendum not held in November or on the  
641 seventh calendar day in January, or the next business day if such day is  
642 a Saturday, Sunday or legal holiday, following an election or  
643 referendum held in November, or not later than thirty days following  
644 any primary shall be the last required statement.

645 Sec. 9. Subsection (a) of section 9-621 of the general statutes is  
646 repealed and the following is substituted in lieu thereof (*Effective from*

647 *passage and applicable to primaries and elections held on and after said date):*

648 (a) No individual shall make or incur any expenditure with the  
649 cooperation of, at the request or suggestion of, or in consultation with  
650 any candidate, candidate committee or candidate's agent, and no  
651 candidate or committee shall make or incur any expenditure including  
652 an organization expenditure for a party candidate listing, as defined in  
653 subparagraph (A) of subdivision (25) of section 9-601, as amended by  
654 this act, for any written, typed or other printed communication, or any  
655 web-based, written communication, which promotes the success or  
656 defeat of any candidate's campaign for nomination at a primary or  
657 election or solicits funds to benefit any political party or committee  
658 unless such communication bears upon its face (1) the words "paid for  
659 by" and the following: (A) In the case of such an individual, the name  
660 and address of such individual; (B) in the case of a committee other  
661 than a party committee, the name of the committee and its campaign  
662 treasurer; or (C) in the case of a party committee, the name of the  
663 committee, and (2) the words "approved by" and the following: (A) In  
664 the case of an individual making or incurring an expenditure with the  
665 cooperation of, at the request or suggestion of, or in consultation with  
666 any candidate, candidate committee or candidate's agent, the name of  
667 such individual; or (B) in the case of a candidate committee or  
668 exploratory committee, the name of the candidate.

669 Sec. 10. Subsections (b) and (c) of section 9-702 of the general  
670 statutes are repealed and the following is substituted in lieu thereof  
671 (*Effective from passage and applicable to primaries and elections held on and*  
672 *after said date*):

673 (b) Any such candidate committee is eligible to receive such grants  
674 for a primary campaign, if applicable, and a general election campaign  
675 if (1) the candidate certifies as a participating candidate under section  
676 9-703, as amended by this act, (2) the candidate's candidate committee  
677 receives the required amount of qualifying contributions under section  
678 9-704, as amended by this act, (3) the candidate's candidate committee  
679 returns all contributions that do not meet the criteria for qualifying

680 contributions under section 9-704, as amended by this act, or transmits  
681 such contributions to the State Elections Enforcement Commission for  
682 deposit in the Citizens' Election Fund, (4) the candidate agrees to limit  
683 the campaign expenditures of the candidate's candidate committee in  
684 accordance with the provisions of subsection (c) of this section, and (5)  
685 the candidate submits an application and the commission approves the  
686 application in accordance with the provisions of section 9-706, as  
687 amended by this act.

688 (c) A candidate participating in the Citizens' Election Program shall  
689 limit the expenditures of the candidate's candidate committee (A)  
690 before a primary campaign and a general election campaign, to the  
691 amount of qualifying contributions permitted in section [9-705] 9-704,  
692 as amended by this act, and any personal funds provided by the  
693 candidate under subsection (c) of section 9-710, (B) for a primary  
694 campaign, to the sum of (i) the amount of such qualifying  
695 contributions and personal funds that have not been spent before the  
696 primary campaign, (ii) the amount of the grant for the primary  
697 campaign authorized under section 9-705, as amended by this act, and  
698 (iii) the amount of any additional moneys for the primary campaign  
699 authorized under section 9-713 or 9-714, and (C) for a general election  
700 campaign, to the sum of (i) the amount of such qualifying  
701 contributions and personal funds that have not been spent before the  
702 general election campaign, (ii) any unexpended funds from any grant  
703 for a primary campaign authorized under section 9-705, as amended  
704 by this act, or from any additional moneys for a primary campaign  
705 authorized under section 9-713 or 9-714, (iii) the amount of the grant  
706 for the general election campaign authorized under section 9-705, as  
707 amended by this act, and (iv) the amount of any additional moneys for  
708 the general election campaign authorized under section 9-713 or 9-714.  
709 The candidate committee of a minor or petitioning party candidate  
710 who has received a general election campaign grant from the fund  
711 pursuant to section 9-705, as amended by this act, shall be permitted to  
712 receive contributions in addition to the qualifying contributions subject  
713 to the limitations and restrictions applicable to participating  
714 candidates for the same office, provided such minor or petitioning

715 party candidate shall limit the expenditures of the candidate  
716 committee for a general election campaign to the sum of the qualifying  
717 contributions and personal funds, the amount of the general election  
718 campaign grant received and the amount raised in additional  
719 contributions that is equivalent to the difference between the amount  
720 of the applicable general election campaign grant for a major party  
721 candidate for such office and the amount of the general election  
722 campaign grant received by such minor or petitioning party candidate.

723 Sec. 11. Subsection (a) of section 9-703 of the general statutes is  
724 repealed and the following is substituted in lieu thereof (*Effective from*  
725 *passage and applicable to primaries and elections held on and after said date*):

726 (a) Each candidate for nomination or election to the office of state  
727 senator or state representative in 2008, or thereafter, or the office of  
728 Governor, Lieutenant Governor, Attorney General, State Comptroller,  
729 Secretary of the State or State Treasurer in 2010, or thereafter, shall file  
730 an affidavit with the State Elections Enforcement Commission. The  
731 affidavit shall include a written certification that the candidate either  
732 intends to abide by the expenditure limits under the Citizens' Election  
733 Program set forth in subsection (c) of section 9-702, as amended by this  
734 act, or does not intend to abide by said limits. If the candidate intends  
735 to abide by said limits, the affidavit shall also include written  
736 certifications (1) that the campaign treasurer of the candidate  
737 committee for said candidate shall expend any moneys received from  
738 the Citizens' Election Fund in accordance with the provisions of  
739 subsection (g) of section 9-607 and regulations adopted by the State  
740 Elections Enforcement Commission under subsection (e) of section 9-  
741 706, as amended by this act, (2) that the candidate shall repay to the  
742 fund any such moneys that are not expended in accordance with  
743 subsection (g) of said section 9-607 and said regulations, (3) that the  
744 candidate and the campaign treasurer shall comply with the  
745 provisions of subdivision (1) of subsection (a) of section 9-711, and (4)  
746 stating the candidate's status as a major party, minor party or  
747 petitioning party candidate and, in the case of a major party or minor  
748 party candidate, the name of such party. The written certification

749 described in subdivision (3) of this subsection shall be made by both  
750 the candidate and the campaign treasurer of the candidate committee  
751 for said candidate. A candidate for nomination or election to any such  
752 office shall file such affidavit not later than four o'clock p.m. on the  
753 twenty-fifth day before the day of a primary, if applicable, or on the  
754 fortieth day before the day of the election for such office, except that in  
755 the case of a special election for the office of state senator or state  
756 representative, the candidate shall file such affidavit not later than four  
757 o'clock p.m. on the twenty-fifth day before the day of such special  
758 election. Notwithstanding the provisions of this subsection, a  
759 candidate who is not required to form a candidate committee pursuant  
760 to subdivision (3) or (4) of subsection (b) of section 9-604, who files a  
761 certification with the State Elections Enforcement Commission  
762 pursuant to subsection (c) of section 9-603 and who does not intend to  
763 participate in the Citizens' Election Program, shall not be required to  
764 file such affidavit of intent not to abide by the expenditure limits. Any  
765 such candidate shall be referred to as a nonparticipating candidate, in  
766 accordance with subsection (b) of this section.

767 Sec. 12. Section 9-704 of the general statutes is repealed and the  
768 following is substituted in lieu thereof (*Effective from passage and*  
769 *applicable to primaries and elections held on and after said date*):

770 (a) The amount of qualifying contributions that the candidate  
771 committee of a candidate shall be required to receive in order to be  
772 eligible for grants from the Citizens' Election Fund shall be:

773 (1) In the case of a candidate for nomination or election to the office  
774 of Governor, contributions from individuals in the aggregate amount  
775 of two hundred fifty thousand dollars, of which two hundred twenty-  
776 five thousand dollars or more is contributed by individuals residing in  
777 the state. The provisions of this subdivision shall be subject to the  
778 following: (A) The candidate committee shall return or transmit to the  
779 State Elections Enforcement Commission for deposit in the Citizens'  
780 Election Fund at the time of submitting the grant application the  
781 portion of any contribution or contributions from any individual,

782 including said candidate, that exceeds one hundred dollars, and such  
783 excess portion shall not be considered in calculating such amounts,  
784 [and] (B) the candidate committee or exploratory committee of a  
785 candidate for such office shall submit to the State Elections  
786 Enforcement Commission documentation demonstrating that any  
787 contribution or contributions meet the criteria for qualifying  
788 contributions on or about the time that such committee files the  
789 financial disclosure statement pursuant to subsection (a) of section 9-  
790 608, as amended by this act, and (C) all contributions received by (i) an  
791 exploratory committee established by said candidate, or (ii) an  
792 exploratory committee or candidate committee of a candidate for the  
793 office of Lieutenant Governor who is deemed to be jointly  
794 campaigning with a candidate for nomination or election to the office  
795 of Governor under subsection (a) of section 9-709, which meet the  
796 criteria for qualifying contributions to candidate committees under this  
797 section shall be considered in calculating such amounts; and

798 (2) In the case of a candidate for nomination or election to the office  
799 of Lieutenant Governor, Attorney General, State Comptroller, State  
800 Treasurer or Secretary of the State, contributions from individuals in  
801 the aggregate amount of seventy-five thousand dollars, of which sixty-  
802 seven thousand five hundred dollars or more is contributed by  
803 individuals residing in the state. The provisions of this subdivision  
804 shall be subject to the following: (A) The candidate committee shall  
805 return or transmit to the State Elections Enforcement Commission for  
806 deposit in the Citizens' Election Fund at the time of submitting the  
807 grant application the portion of any contribution or contributions from  
808 any individual, including said candidate, that exceeds one hundred  
809 dollars, and such excess portion shall not be considered in calculating  
810 such amounts, [and] (B) the candidate committee or exploratory  
811 committee of a candidate for such office shall submit to the State  
812 Elections Enforcement Commission documentation demonstrating that  
813 any contribution or contributions meet the criteria for qualifying  
814 contributions on or about the time that the committee files the financial  
815 disclosure statement pursuant to subsection (a) of section 9-608, as  
816 amended by this act, and (C) all contributions received by an

817 exploratory committee established by said candidate that meet the  
818 criteria for qualifying contributions to candidate committees under this  
819 section shall be considered in calculating such amounts.

820 (3) In the case of a candidate for nomination or election to the office  
821 of state senator for a district, contributions from individuals in the  
822 aggregate amount of fifteen thousand dollars, including contributions  
823 from at least three hundred individuals residing in municipalities  
824 included, in whole or in part, in said district. The provisions of this  
825 subdivision shall be subject to the following: (A) The candidate  
826 committee shall return or transmit to the State Elections Enforcement  
827 Commission for deposit in the Citizens' Election Fund at the time of  
828 submitting the grant application the portion of any contribution or  
829 contributions from any individual, including said candidate, that  
830 exceeds one hundred dollars, and such excess portion shall not be  
831 considered in calculating the aggregate contribution amount under  
832 this subdivision, (B) no contribution shall be counted for the purposes  
833 of the requirement under this subdivision for contributions from at  
834 least three hundred individuals residing in municipalities included, in  
835 whole or in part, in the district unless the contribution is five dollars or  
836 more, and (C) all contributions received by an exploratory committee  
837 established by said candidate that meet the criteria for qualifying  
838 contributions to candidate committees under this section shall be  
839 considered in calculating the aggregate contribution amount under  
840 this subdivision and all such exploratory committee contributions that  
841 also meet the requirement under this subdivision for contributions  
842 from at least three hundred individuals residing in municipalities  
843 included, in whole or in part, in the district shall be counted for the  
844 purposes of said requirement.

845 (4) In the case of a candidate for nomination or election to the office  
846 of state representative for a district, contributions from individuals in  
847 the aggregate amount of five thousand dollars, including contributions  
848 from at least one hundred fifty individuals residing in municipalities  
849 included, in whole or in part, in said district. The provisions of this  
850 subdivision shall be subject to the following: (A) The candidate

851 committee shall return or transmit to the State Elections Enforcement  
852 Commission for deposit in the Citizens' Election Fund at the time of  
853 submitting the grant application the portion of any contribution or  
854 contributions from any individual, including said candidate, that  
855 exceeds one hundred dollars, and such excess portion shall not be  
856 considered in calculating the aggregate contribution amount under  
857 this subdivision, (B) no contribution shall be counted for the purposes  
858 of the requirement under this subdivision for contributions from at  
859 least one hundred fifty individuals residing in municipalities included,  
860 in whole or in part, in the district unless the contribution is five dollars  
861 or more, and (C) all contributions received by an exploratory  
862 committee established by said candidate that meet the criteria for  
863 qualifying contributions to candidate committees under this section  
864 shall be considered in calculating the aggregate contribution amount  
865 under this subdivision and all such exploratory committee  
866 contributions that also meet the requirement under this subdivision for  
867 contributions from at least one hundred fifty individuals residing in  
868 municipalities included, in whole or in part, in the district shall be  
869 counted for the purposes of said requirement.

870 (5) Notwithstanding the provisions of subdivisions (3) and (4) of  
871 this subsection, in the case of a special election for the office of state  
872 senator or state representative for a district, (A) the aggregate amount  
873 of qualifying contributions that the candidate committee of a candidate  
874 for such office shall be required to receive in order to be eligible for a  
875 grant from the Citizens' Election Fund shall be seventy-five per cent or  
876 more of the corresponding amount required under the applicable said  
877 subdivision (3) or (4), and (B) the number of contributions required  
878 from individuals residing in municipalities included, in whole or in  
879 part, in said district shall be seventy-five per cent or more of the  
880 corresponding number required under the applicable said subdivision  
881 (3) or (4).

882 (b) Each individual who makes a contribution of more than fifty  
883 dollars to a candidate committee established to aid or promote the  
884 success of a participating candidate for nomination or election shall

885 include with the contribution a certification that contains the same  
886 information described in subdivision (3) of subsection (c) of section 9-  
887 608, as amended by this act, and shall follow the same procedure  
888 prescribed in said subsection.

889 (c) The following shall not be deemed to be qualifying contributions  
890 under subsection (a) of this section and shall be returned by the  
891 campaign treasurer of the candidate committee to the contributor or  
892 transmitted to the State Elections Enforcement Commission for deposit  
893 in the Citizens' Election Fund:

894 (1) A contribution from a communicator lobbyist or a member of the  
895 immediate family of a communicator lobbyist;

896 (2) A contribution from a principal of a state contractor or  
897 prospective state contractor;

898 (3) A contribution of less than five dollars, and a contribution of five  
899 dollars or more from an individual who does not provide the full name  
900 and complete address of the individual; [and]

901 (4) A contribution under subdivision (1) or (2) of subsection (a) of  
902 this section from an individual who does not reside in the state, in  
903 excess of the applicable limit on contributions from out-of-state  
904 individuals in subsection (a) of this section; and

905 (5) A contribution made by an individual who is less than twelve  
906 years of age.

907 (d) After a candidate committee receives the applicable aggregate  
908 amount of qualifying contributions under subsection (a) of this section,  
909 the candidate committee shall transmit any additional contributions  
910 that it receives to the State Treasurer for deposit in the Citizens'  
911 Election Fund.

912 (e) As used in this section, (1) "communicator lobbyist" has the same  
913 meaning as provided in section 1-91, (2) "immediate family" means the  
914 spouse or a dependent child of an individual, [and] (3) "principal of a

915 state contractor or prospective state contractor" has the same meaning  
916 as provided in subsection (g) of section 9-612, and (4) "individual" shall  
917 include a sole proprietorship.

918 Sec. 13. Subsection (j) of section 9-705 of the general statutes is  
919 repealed and the following is substituted in lieu thereof (*Effective from*  
920 *passage and applicable to primaries and elections held on or after said date*):

921 (j) Notwithstanding the provisions of subsections (a) to (i), inclusive,  
922 of this section:

923 (1) The initial grant that a qualified candidate committee for a  
924 candidate is eligible to receive under subsections (a) to (i), inclusive, of  
925 this section shall be reduced by the amount of any personal funds that  
926 the candidate provides for the candidate's campaign for nomination or  
927 election pursuant to subsection (c) of section 9-710;

928 (2) If a participating candidate is nominated at a primary and does  
929 not expend the entire grant for the primary campaign authorized  
930 under subsection (a), (b), (e) or (f) of this section or all moneys that  
931 may be received for the primary campaign under section 9-713 or 9-  
932 714, the amount of the grant for the general election campaign shall be  
933 reduced by the total amount of any such unexpended primary  
934 campaign grant and moneys;

935 (3) If a participating candidate who is nominated for election does  
936 not have any opponent in the general election campaign, the amount  
937 of the general election campaign grant for which the qualified  
938 candidate committee for said candidate shall be eligible shall be thirty  
939 per cent of the applicable amount set forth in subsections (a) to (i),  
940 inclusive, [; and] of this section;

941 (4) If the only opponent or opponents of a participating candidate  
942 who is nominated for election to an office are eligible minor party  
943 candidates or eligible petitioning party candidates and no such eligible  
944 minor party candidate's or eligible petitioning party candidate's  
945 candidate committee has received a total amount of contributions of

946 any type that is equal to or greater than the amount of the qualifying  
947 contributions that a candidate for such office is required to receive  
948 under section 9-704, as amended by this act, to be eligible for grants  
949 from the Citizens' Election Fund, the amount of the general election  
950 campaign grant for such participating candidate shall be sixty per cent  
951 of the applicable amount set forth in this section; and

952 (5) The amount of the primary grant or general election campaign  
953 grant for a qualified candidate committee shall be reduced, pursuant to  
954 the provisions of this subdivision, if such candidate committee has  
955 control and custody over lawn signs from any prior election or  
956 primary in the following applicable amount: (A) Five hundred or more  
957 lawn signs for the qualified candidate committee of a candidate for the  
958 office of Governor, Lieutenant Governor, Attorney General, State  
959 Comptroller, Secretary of the State or State Treasurer, (B) one hundred  
960 or more lawn signs for the qualified candidate committee of a  
961 candidate for the office of state senator, or (C) fifty or more lawn signs  
962 for the qualified candidate committee of a candidate for the office of  
963 state representative. If such qualified candidate committee has custody  
964 and control over lawn signs in the applicable amount, as described in  
965 this subdivision, the grant from the fund for the primary campaign or  
966 general election campaign, as applicable, for such qualified candidate  
967 committee shall be reduced as follows: (i) Two thousand five hundred  
968 dollars for the qualified candidate committee of a candidate for the  
969 office of Governor, Lieutenant Governor, Attorney General, State  
970 Comptroller, Secretary of the State or State Treasurer, (ii) five hundred  
971 dollars for the qualified candidate committee of a candidate for the  
972 office of state senator, or (iii) two hundred fifty dollars for the qualified  
973 candidate committee of a candidate for the office of state  
974 representative. In no event shall such a reduction be made both to a  
975 qualified candidate committee's primary campaign grant and to such  
976 candidate committee's general election grant. No reduction in either  
977 the primary campaign or general election campaign for a qualified  
978 candidate committee's grant shall be taken for any lawn sign that is not  
979 in the custody or control of the qualified candidate committee.  
980 Nothing in this subdivision shall be construed to apply to any item

981 other than lawn signs.

982 Sec. 14. Subsections (b) to (g), inclusive, of section 9-706 of the  
983 general statutes are repealed and the following is substituted in lieu  
984 thereof (*Effective from passage and applicable to primaries and elections held*  
985 *on and after said date*):

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

987 (1) The candidate committee has received the required amount of  
988 qualifying contributions;

989 (2) The candidate committee has repaid all moneys borrowed on  
990 behalf of the campaign, as required by subsection (b) of section 9-710;

991 (3) The candidate committee has returned any contribution of five  
992 dollars or more from an individual who does not include the  
993 individual's name and address with the contribution;

994 (4) The candidate committee has returned or transmitted to the State  
995 Elections Enforcement Commission for deposit in the Citizens' Election  
996 Fund all contributions or portions of contributions that do not meet the  
997 criteria for qualifying contributions under section 9-704, as amended  
998 by this act, and transmitted all excess qualifying contributions to the  
999 Citizens' Election Fund;

1000 (5) The campaign treasurer of the candidate committee will: (A)  
1001 Comply with the provisions of chapters 155 and 157, and (B) maintain  
1002 and furnish all records required pursuant to chapters 155 and 157 and  
1003 any regulation adopted pursuant to such chapters;

1004 (6) All moneys received from the Citizens' Election Fund will be  
1005 deposited upon receipt into the depository account of the candidate  
1006 committee;

1007 (7) The campaign treasurer of the candidate committee will expend  
1008 all moneys received from the fund in accordance with the provisions of  
1009 subsection (g) of section 9-607 and regulations adopted by the State

1010 Elections Enforcement Commission under subsection (e) of this  
1011 section; [and]

1012 (8) If the candidate withdraws from the campaign, becomes  
1013 ineligible or dies during the campaign, the candidate committee of the  
1014 candidate will return to the commission, for deposit in the fund, all  
1015 moneys received from the fund pursuant to sections 9-700 to 9-716,  
1016 inclusive, which said candidate committee has not spent as of the date  
1017 of such occurrence; and

1018 (9) Indicates whether or not the candidate committee has custody  
1019 and control over the applicable number of lawn signs from a prior  
1020 election or primary that would result in a reduction of such candidate  
1021 committee's grant from the fund for the primary campaign or general  
1022 election campaign, as provided in section 9-705, as amended by this  
1023 act.

1024 (c) The application shall be accompanied by a cumulative itemized  
1025 accounting of all funds received, expenditures made and expenses  
1026 incurred but not yet paid by the candidate committee as of three days  
1027 [before the applicable application deadline contained in subsection (g)  
1028 of this section] preceding the day the application is filed. Such  
1029 accounting shall be sworn to under penalty of false statement by the  
1030 campaign treasurer of the candidate committee. The commission shall  
1031 prescribe the form of the application and the cumulative itemized  
1032 accounting. The form for such accounting shall conform to the  
1033 requirements of section 9-608, as amended by this act. Both the  
1034 candidate and the campaign treasurer of the candidate committee shall  
1035 sign the application.

1036 (d) In accordance with the provisions of subsection (g) of this  
1037 section, the commission shall review the application, determine  
1038 whether (1) the candidate committee for the applicant has received the  
1039 required qualifying contributions, (2) in the case of an application for a  
1040 grant from the fund for a primary campaign, the applicant has met the  
1041 applicable condition under subsection (a) of this section for applying  
1042 for such grant and complied with the provisions of subsections (b) and

1043 (c) of this section, (3) in the case of an application for a grant from the  
1044 fund for a general election campaign, the applicant has met the  
1045 applicable condition under subsection (a) of this section for applying  
1046 for such moneys and complied with the provisions of subsections (b)  
1047 and (c) of this section, and (4) in the case of an application by a minor  
1048 party or petitioning party candidate for a grant from the fund for a  
1049 general election campaign, the applicant qualifies as an eligible minor  
1050 party candidate or an eligible petitioning party candidate, whichever is  
1051 applicable. If the commission approves an application, the commission  
1052 shall determine the amount of the grant payable to the candidate  
1053 committee for the applicant pursuant to section 9-705, as amended by  
1054 this act, from the fund, and notify the State Comptroller and the  
1055 candidate of such candidate committee, of such amount. If the timing  
1056 of the commission's approval of the grant in relation to the Secretary of  
1057 the State's determination of ballot status is such that the commission  
1058 cannot determine whether the qualified candidate committee is  
1059 entitled to the applicable full initial grant for the primary or election or  
1060 the applicable partial grant for the primary or election, as the case may  
1061 be, the commission shall approve the lesser applicable partial initial  
1062 grant. The commission shall then authorize the payment of the  
1063 remaining portion of the applicable grant after the commission has  
1064 knowledge of the circumstances regarding the ballot status of the  
1065 opposing candidates in such primary or election. Not later than two  
1066 business days following notification by the commission, the State  
1067 Comptroller shall draw an order on the State Treasurer for payment of  
1068 any such approved amount to the qualified candidate committee from  
1069 the fund. If the commission rejects an application for other than an  
1070 applicant's substantial noncompliance with the applicable  
1071 requirements and conditions for applying for either a grant from the  
1072 fund for a primary campaign or a grant from the fund for a general  
1073 election campaign, such applicant may, in accordance with the  
1074 schedule described in subsection (g) of this section, submit a reformed  
1075 application that corrects each defect of the rejected application, as  
1076 identified by the commission. The commission shall review any such  
1077 reformed application in the same manner as an application filed with

1078 the commission for the first time.

1079 (e) The State Elections Enforcement Commission shall adopt  
1080 regulations, in accordance with the provisions of chapter 54, on  
1081 permissible expenditures under subsection (g) of section 9-607 for  
1082 qualified candidate committees receiving grants from the fund under  
1083 sections 9-700 to 9-716, inclusive.

1084 (f) If a nominated participating candidate dies, withdraws the  
1085 candidate's candidacy or becomes disqualified to hold the office for  
1086 which the candidate has been nominated after the commission  
1087 approves the candidate's application for a grant under this section, the  
1088 candidate committee of the candidate who is nominated to replace said  
1089 candidate pursuant to section 9-460 shall be eligible to receive grants  
1090 from the fund without complying with the provisions of section 9-704,  
1091 as amended by this act, if said replacement candidate files an affidavit  
1092 under section 9-703, as amended by this act, certifying the candidate's  
1093 intent to abide by the expenditure limits set forth in subsection (c) of  
1094 section 9-702, as amended by this act, and notifies the commission on a  
1095 form prescribed by the commission.

1096 (g) (1) Any application submitted pursuant to this section for a  
1097 primary or general election shall be submitted in accordance with the  
1098 following schedule: (A) By five o'clock p.m. on the third Thursday in  
1099 May of the year that the primary or election will be held at which such  
1100 participating candidate will seek nomination or election, or (B) by five  
1101 o'clock p.m. on any subsequent Thursday of such year, provided no  
1102 application shall be accepted by the commission after five o'clock p.m.  
1103 on or after the fourth to last Friday prior to the primary or election at  
1104 which such participating candidate will seek nomination or election.  
1105 Not later than four business days following any such Thursday or  
1106 Friday, as applicable, for participating candidates seeking nomination  
1107 or election to the office of state senator or state representative, or, ten  
1108 business days following any such Thursday or Friday, as applicable,  
1109 for participating candidates seeking nomination or election to the  
1110 office of Governor, Lieutenant Governor, Attorney General, State

1111 Comptroller, State Treasurer or Secretary of the State or, in the event of  
1112 a national, regional or local emergency or local natural disaster, as  
1113 soon thereafter as is practicable, the commission shall review any  
1114 application received by such Thursday or Friday, in accordance with  
1115 the provisions of subsection (d) of this section, and determine whether  
1116 such application shall be approved or disapproved, except if an  
1117 application for a general election grant is received during the seven  
1118 calendar days preceding the last primary application deadline, as set  
1119 forth in this subsection, such application shall be reviewed not later  
1120 than ten business days or four business days, as applicable, after the  
1121 first application deadline following the last primary application  
1122 deadline. The commission may continue the review of any application  
1123 without prejudice and shall, in any event, determine whether such  
1124 application shall be approved or disapproved at the next meeting of  
1125 the commission, provided the applicant shall submit any missing or  
1126 incomplete information in support of such application by not later  
1127 than five o'clock p.m. on the second business day preceding such next  
1128 meeting of the commission. For any such application that is approved,  
1129 any disbursement of funds shall be made not later than twelve  
1130 business days prior to any such primary or general election. From the  
1131 third week of June in even-numbered years until the third week in  
1132 July, the commission shall meet twice weekly to determine whether or  
1133 not to approve applications for grants if there are pending grant  
1134 applications.

1135 (2) Notwithstanding the provisions of subdivision (1) of this  
1136 subsection, no application for a special election shall be accepted by  
1137 the commission after five o'clock p.m. on or after ten business days  
1138 prior to the special election at which such participating candidate will  
1139 seek election. Not later than three business days following such  
1140 deadline, or, in the event of a national, regional or local emergency or  
1141 local natural disaster, as soon thereafter as practicable, the commission  
1142 shall review any such application received by such deadline, in  
1143 accordance with the provisions of subsection (d) of this section, and  
1144 determine whether such application shall be approved or disapproved.  
1145 For any such application that is approved, any disbursement of funds

1146 shall be made not later than seven business days prior to any such  
1147 special election.

1148 (3) The commission shall publish such application review schedules  
1149 and meeting schedules on the commission's web site and with the  
1150 Secretary of the State.

1151 Sec. 15. Section 9-712 of the general statutes is repealed and the  
1152 following is substituted in lieu thereof (*Effective from passage and*  
1153 *applicable to primaries and elections held on and after said date*):

1154 [(a) (1) If a candidate committee in a primary campaign or a general  
1155 election campaign in which there is at least one participating candidate  
1156 initially receives contributions, loans or other funds or makes or incurs  
1157 an obligation to make, an expenditure that, in the aggregate, exceeds  
1158 ninety per cent of the applicable expenditure limit for the applicable  
1159 primary or general election period, the campaign treasurer of the  
1160 candidate committee receiving such contributions, loans or other funds  
1161 or making or incurring the obligation to make the excess expenditure  
1162 shall file a supplemental campaign finance statement with the State  
1163 Elections Enforcement Commission in accordance with the provisions  
1164 of subdivision (2) of this subsection.

1165 (2) If a candidate committee receives contributions, loans or other  
1166 funds, or makes or incurs an obligation to make an expenditure that, in  
1167 the aggregate, exceeds ninety per cent of the applicable expenditure  
1168 limit for the applicable primary or general election campaign period  
1169 more than twenty days before the day of such primary or election, the  
1170 campaign treasurer of said candidate shall file an initial supplemental  
1171 campaign finance disclosure statement with the commission not later  
1172 than forty-eight hours after receiving such contributions, loans or other  
1173 funds, or making or incurring such expenditure. If said candidate  
1174 committee receives contributions, loans or other funds, or makes or  
1175 incurs an obligation to make expenditures, that, in the aggregate,  
1176 exceed ninety per cent of the applicable expenditure limit for the  
1177 applicable primary or general election campaign period twenty days or  
1178 less before the day of such primary or election, the campaign treasurer

1179 of such candidate shall file such statement with the commission not  
1180 later than twenty-four hours after receiving such contributions, loans  
1181 or funds, or making or incurring such expenditure.

1182 (3) After the initial filing of a statement under subdivisions (1) and  
1183 (2) of this subsection, the campaign treasurer of the candidate filing the  
1184 statement and the campaign treasurer of all of the opposing candidates  
1185 shall file periodic supplemental campaign finance statements with the  
1186 commission on the following schedule: (A) If the date of the applicable  
1187 primary or general election is more than five weeks after the date the  
1188 initial supplemental campaign finance disclosure statement is due to  
1189 be filed in accordance with subdivisions (1) and (2) of this subsection,  
1190 periodic supplemental campaign finance statements shall be filed bi-  
1191 weekly on every other Thursday, beginning the second Thursday after  
1192 the initial statement is filed; and (B) if the date of the applicable  
1193 primary election or general election is five weeks or less away, periodic  
1194 supplemental campaign finance statements shall be filed: (i) In the case  
1195 of a primary campaign, on the first Thursday following the date in July  
1196 on which candidates are required to file campaign finance statements  
1197 pursuant to subsection (a) of section 9-608, or the first Thursday  
1198 following the supplemental campaign finance statement filed under  
1199 subdivisions (1) and (2) of this subsection, whichever is later, and each  
1200 Thursday thereafter until the Thursday before the day of the primary,  
1201 inclusive, and (ii) in the case of a general election campaign, on the  
1202 first Thursday following the date in October on which candidates are  
1203 required to file campaign finance statements pursuant to subsection (a)  
1204 of section 9-608, or the first Thursday following the supplemental  
1205 campaign finance statement filed under subdivision (1) of this  
1206 subsection, whichever is later, and each Thursday thereafter until the  
1207 Thursday after the day of the election, inclusive.]

1208 (a) (1) The campaign treasurer of each candidate committee in a  
1209 primary campaign or a general election campaign in which there is at  
1210 least one participating candidate shall file weekly supplemental  
1211 campaign finance statements with the State Elections Enforcement  
1212 Commission in accordance with the provisions of subdivision (2) of

1213 this subsection. Such weekly statements shall be in lieu of the  
1214 campaign finance statements due pursuant to subparagraphs (B) and  
1215 (C) of subdivision (1) of subsection (a) of section 9-608, as amended by  
1216 this act.

1217 (2) Each such campaign treasurer shall file weekly supplemental  
1218 campaign finance statements with the commission pursuant to the  
1219 following schedule: (A) In the case of a primary campaign, on the next  
1220 Thursday following the date in July on which treasurers are required  
1221 to file campaign finance statements pursuant to subsection (a) of  
1222 section 9-608, as amended by this act, and each Thursday thereafter up  
1223 to and including the Thursday before the day of the primary, and (B)  
1224 in the case of a general election campaign, on the next Thursday  
1225 following the date in October on which candidates are required to file  
1226 campaign finance statements pursuant to subsection (a) of section 9-  
1227 608, as amended by this act, and each Thursday thereafter up to and  
1228 including the Thursday before the day of the election. Each statement  
1229 shall be complete as of midnight of the second day preceding the  
1230 required filing day. The statement shall cover the period beginning  
1231 with the first day not included in the last filed statement.

1232 (3) Notwithstanding the provisions of subdivisions (1) and (2) of  
1233 this subsection, if a participating candidate committee in a primary  
1234 campaign or a general election campaign in which there is at least one  
1235 participating candidate makes expenditures or incurs an obligation to  
1236 make expenditures that, in the aggregate, exceed one hundred per cent  
1237 of the applicable expenditure limit for the applicable primary or  
1238 general election campaign period, the campaign treasurer of the  
1239 candidate committee making or incurring the obligation to make such  
1240 excess expenditure or expenditures shall file a declaration of excess  
1241 expenditures statement with the commission, pursuant to the  
1242 following schedule: (A) If a candidate committee makes expenditures  
1243 or incurs an obligation to make such expenditures more than twenty  
1244 days before the day of such primary or election, the campaign  
1245 treasurer of such candidate shall file such statement with the  
1246 commission not later than forty-eight hours after making such

1247 expenditures or incurring an obligation to make such expenditures,  
1248 and (B) if a candidate committee makes such expenditures or incurs an  
1249 obligation to make such expenditures twenty days or less before the  
1250 day of such primary or election, the campaign treasurer of such  
1251 candidate shall file such statement with the commission not later than  
1252 twenty-four hours after making such expenditures or incurring an  
1253 obligation to make such expenditures. The statement shall be complete  
1254 as of midnight of the first day immediately preceding the required  
1255 filing day. The statement shall cover a period beginning with the first  
1256 day not included in the last filed statement.

1257 (4) Notwithstanding the provisions of subdivisions (1) [, (2) and (3)]  
1258 and (2) of this subsection, if a nonparticipating candidate committee in  
1259 a primary campaign or a general election campaign in which there is at  
1260 least one participating candidate receives contributions, loans or other  
1261 funds, or makes or incurs an obligation to make expenditures that, in  
1262 the aggregate, exceed one hundred per cent, one hundred twenty-five  
1263 per cent, one hundred fifty per cent, or one hundred seventy-five per  
1264 cent of the applicable expenditure limit for the applicable primary or  
1265 general election campaign period, the campaign treasurer of the  
1266 candidate committee receiving the contributions, incurring the loans or  
1267 raising the funds, or making or incurring the obligation to make the  
1268 excess expenditure or expenditures shall file a declaration of excess  
1269 receipts or expenditures statement with the commission [, within the  
1270 deadlines set forth in subdivision (2) of this subsection] pursuant to the  
1271 following schedule: (A) If a candidate committee receives such  
1272 contributions, loans or other funds, or makes expenditures or incurs an  
1273 obligation to make such expenditures more than twenty days before  
1274 the day of such primary or election, the campaign treasurer of such  
1275 candidate shall file such statement with the commission not later than  
1276 forty-eight hours after receiving such contributions, loans or other  
1277 funds, or making such expenditures or incurring an obligation to make  
1278 such expenditures, and (B) if a candidate committee receives such  
1279 contributions, loans or other funds, or makes such expenditures or  
1280 incurs an obligation to make such expenditures twenty days or less  
1281 before the day of such primary or election, the campaign treasurer of

1282 such candidate shall file such statement with the commission not later  
1283 than twenty-four hours after receiving such contributions, loans or  
1284 funds, or making such expenditures or incurring an obligation to make  
1285 such expenditures. The statement shall be complete as of midnight of  
1286 the first day immediately preceding the required filing day. The  
1287 statement shall cover a period beginning with the first day not  
1288 included in the last filed statement.

1289 (5) Each [supplemental] statement required under subdivision (1),  
1290 (2), (3) or (4) of this subsection for a candidate shall disclose the name  
1291 of the candidate, the name of the candidate's campaign committee and  
1292 the total amount of campaign contributions, loans or other funds  
1293 received, or expenditures made or obligated to be made by such  
1294 candidate committee during the primary campaign or the general  
1295 election campaign, whichever is applicable, [as of the day before the  
1296 date on which such statement is required to be filed] and the  
1297 information required under subsection (c) of section 9-608, as amended  
1298 by this act. The commission shall adopt regulations, in accordance  
1299 with the provisions of chapter 54, specifying permissible media for the  
1300 transmission of such statements to the commission, which shall  
1301 include electronic mail.

1302 (6) Notwithstanding the provisions of this subsection, the  
1303 statements required to be filed pursuant to subdivisions (1) and (2) of  
1304 this subsection shall not be required to be filed by (A) a candidate  
1305 committee of a nonparticipating candidate that has filed an exemption  
1306 from filing campaign finance statements pursuant to subsection (b) of  
1307 section 9-608, unless or until such candidate committee receives or  
1308 expends an amount in excess of one thousand dollars for purposes of  
1309 the primary or election for which such committee was formed, or (B) a  
1310 candidate committee of a participating candidate that is unopposed,  
1311 except that such candidate committee shall file a supplemental  
1312 statement on the last Thursday before the applicable primary or  
1313 general election. Such statement shall be complete as of midnight of  
1314 the second day preceding the required filing day and shall cover a  
1315 period beginning with the first day not included in the last filed

1316 statement.

1317 (b) (1) As used in this section and section 9-713, "excess expenditure"  
1318 means an expenditure made, or obligated to be made, by a  
1319 nonparticipating or a participating candidate who is opposed by one  
1320 or more other participating candidates in a primary campaign or a  
1321 general election campaign, which is in excess of the amount of the  
1322 applicable limit on expenditures for said participating candidates for  
1323 said campaign and which is the sum of (A) the applicable qualifying  
1324 contributions that the participating candidate is required to receive  
1325 under section 9-704, as amended by this act, to be eligible for grants  
1326 from the Citizens' Election Fund, and (B) one hundred per cent of the  
1327 applicable full grant amount for a major party candidate authorized  
1328 under section 9-705, as amended by this act, for the applicable  
1329 campaign period.

1330 (2) The commission shall confirm whether an expenditure described  
1331 in a declaration filed under this subsection is an excess expenditure.

1332 (c) If a campaign treasurer fails to file any statement or declaration  
1333 required by this section within the time required, said campaign  
1334 treasurer shall be subject to a civil penalty, imposed by the  
1335 commission, of not more than one thousand dollars for the first failure  
1336 to file the statement within the time required and not more than five  
1337 thousand dollars for any subsequent such failure.

1338 Sec. 16. Subsection (a) of section 9-169g of the 2010 supplement to  
1339 the general statutes is repealed and the following is substituted in lieu  
1340 thereof (*Effective October 1, 2010*):

1341 (a) The [town clerk] registrars of voters of any municipality (1)  
1342 which is divided between two or more assembly districts, two or more  
1343 senatorial districts or two or more congressional districts, or (2) which  
1344 is not divided between any such districts but is divided into two or  
1345 more voting districts for General Assembly or congressional elections,  
1346 shall submit to the Secretary of the State a street map of the  
1347 municipality which indicates the boundary lines of the voting districts

1348 established by the municipality in accordance with sections 9-169, 9-  
1349 169a and 9-169d. The [town clerk] registrars of voters shall submit such  
1350 map to the secretary in a printed or electronic format prescribed by the  
1351 secretary (A) not later than thirty days after any such division first  
1352 takes effect, and (B) not later than thirty days after any change in any  
1353 such division takes effect. The Secretary of the State may impose a late  
1354 filing fee of fifty dollars on each registrar of voters who fails to comply  
1355 with the provisions of this subsection.

1356 Sec. 17. Section 9-675 of the general statutes is repealed and the  
1357 following is substituted in lieu thereof (*Effective from passage*):

1358 (a) The State Elections Enforcement Commission shall (1) create a  
1359 [software] web-based program or programs for the preparation and and  
1360 electronic submission of financial disclosure statements required by  
1361 section 9-608, and (2) prescribe the standard reporting format and  
1362 specifications for other [software] programs created by vendors for  
1363 such purpose. No [software] such program created by a vendor may  
1364 be used for the electronic submission of such financial disclosure  
1365 statements, until the commission determines that the program  
1366 provides for the standard reporting format, and complies with the  
1367 specifications, which are prescribed under subdivision (2) of this  
1368 subsection for vendor [software] programs. The commission shall  
1369 provide training in the use of [the software program or programs] any  
1370 such program created by the commission.

1371 (b) [The] On and after April 1, 2010, (1) the campaign treasurer of  
1372 the candidate committee or exploratory committee for each candidate  
1373 for nomination or election to the office of Governor, Lieutenant  
1374 Governor, Attorney General, State Comptroller, State Treasurer, [or]  
1375 Secretary of the State, state senator, state representative or judge of  
1376 probate who raises or spends [two hundred fifty] five thousand dollars  
1377 or more, [during an election campaign] (2) the campaign treasurer of  
1378 any state central committee, legislative caucus committee or legislative  
1379 leadership committee, (3) the campaign treasurer of any town  
1380 committee or any political committee registered with the commission

1381 that (A) raises or spends five thousand dollars or more during the  
1382 current calendar year, or (B) raised or spent five thousand dollars or  
1383 more in the preceding regular election, and (4) any individual, or the  
1384 campaign treasurer of any committee, that makes or obligates to make  
1385 an independent expenditure or expenditures and that is required to  
1386 file a report of such independent expenditure or expenditures in  
1387 accordance with the provisions of subdivision (2) of subsection (e) of  
1388 section 9-612 shall file [in electronic form] all financial disclosure  
1389 statements required by section 9-608 by [either transmitting disks,  
1390 tapes or other electronic storage media containing the contents of such  
1391 statements to the State Elections Enforcement Commission or  
1392 transmitting the statements on-line to said commission. Each such  
1393 campaign treasurer shall use either (1) a software program created by  
1394 the commission under subdivision (1) of subsection (a) of this section,  
1395 for all such statements, or (2) another software program which  
1396 provides for the standard reporting format, and complies with the  
1397 specifications, which are prescribed by the commission under  
1398 subdivision (2) of subsection (a) of this section, for all such statements.  
1399 The commission shall accept any statement that uses any such  
1400 software program. Once any such candidate committee has raised or  
1401 spent two hundred fifty thousand dollars or more during an election  
1402 campaign, all previously filed statements required by said section 9-  
1403 608, which were not filed in electronic form shall be refiled in such  
1404 form, using such a software program, not later than the date on which  
1405 the campaign treasurer of the committee is required to file the next  
1406 regular statement under said section 9-608] electronic submission  
1407 pursuant to subsection (a) of this section.

1408 (c) (1) The campaign treasurer of the candidate committee for any  
1409 [other] candidate, as defined in section 9-601, who is required to file  
1410 the financial disclosure statements required by section 9-608 with the  
1411 commission but who has not reached the threshold set forth in  
1412 subdivision (1) of subsection (b) of this section for required electronic  
1413 submission, and (2) the campaign treasurer of any political committee  
1414 or party committee, may file [in electronic form] any financial  
1415 disclosure statements required by said section 9-608 by electronic

1416 submission pursuant to subsection (a) of this section. [Such filings may  
 1417 be made by either transmitting disks, tapes or other electronic storage  
 1418 media containing the contents of such statements to the proper  
 1419 authority under section 9-603 or transmitting the statements on-line to  
 1420 such proper authority. Each such campaign treasurer shall use either  
 1421 (A) a software program created by the commission under subdivision  
 1422 (1) of subsection (a) of this section, for all such statements filed in  
 1423 electronic form, or (B) another software program which provides for  
 1424 the standard reporting format, and complies with the specifications,  
 1425 which are prescribed by the commission under subdivision (2) of  
 1426 subsection (a) of this section, for all such statements filed in electronic  
 1427 form. The proper authority under section 9-603 shall accept any  
 1428 statement that uses any such software program.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage and applicable to primaries and elections held on and after said date</i>	9-601(25)
Sec. 2	<i>from passage and applicable to primaries and elections held on and after said date</i>	9-601
Sec. 3	<i>from passage and applicable to primaries and elections held on and after said date</i>	9-601a(b)
Sec. 4	<i>from passage</i>	9-603(a)
Sec. 5	<i>from passage and applicable to primaries and elections held on and after said date</i>	9-606(b)
Sec. 6	<i>from passage and applicable to primaries and elections held on and after said date</i>	9-607

Sec. 7	<i>from passage and applicable to primaries and elections held on and after said date</i>	9-608(a)
Sec. 8	<i>from passage and applicable to primaries and elections held on and after said date</i>	9-608(c) to (e)
Sec. 9	<i>from passage and applicable to primaries and elections held on and after said date</i>	9-621(a)
Sec. 10	<i>from passage and applicable to primaries and elections held on and after said date</i>	9-702(b) and (c)
Sec. 11	<i>from passage and applicable to primaries and elections held on and after said date</i>	9-703(a)
Sec. 12	<i>from passage and applicable to primaries and elections held on and after said date</i>	9-704
Sec. 13	<i>from passage and applicable to primaries and elections held on or after said date</i>	9-705(j)
Sec. 14	<i>from passage and applicable to primaries and elections held on and after said date</i>	9-706(b) to (g)
Sec. 15	<i>from passage and applicable to primaries and elections held on and after said date</i>	9-712
Sec. 16	October 1, 2010	9-169g(a)
Sec. 17	<i>from passage</i>	9-675

**Statement of Legislative Commissioners:**

Clarified language in sections 3, 5 and 8(c)(3).

**GAE**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Elect. Enforcement Com.	GF - Revenue Gain	Potential Minimal	Potential Minimal
Secretary of the State	GF - Revenue Gain	Potential Minimal	Potential Minimal

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill makes changes that would result in a minimal potential revenue gain to the General Fund. It changes the procedure for handling anonymous donations. Instead of allowing campaigns to retain all anonymous donations under \$15, it requires all anonymous donations to be remitted to the State Elections Enforcement Commission for deposit into the General Fund.

The bill also allows the Secretary of the State to impose a \$50 fine on any town that does not submit the required voting district map on time or in the correct format. This will result in a minimal revenue impact to the General Fund.

The bill makes additional various changes to requirements under the Citizens' Election Program that does not result in a fiscal impact.

**The Out Years**

The annualized ongoing fiscal impact identified above would remain constant into the future since fine amounts are set by statute.

**OLR Bill Analysis****sSB 421*****AN ACT CONCERNING ELECTIONS.*****SUMMARY:**

This bill modifies state election laws on campaign finance and the Citizens' Election Program (CEP). Concerning campaign finance, the bill:

1. expands organization expenditure reporting requirements;
2. codifies the term "slate committee" for purposes of campaign finance and the CEP;
3. expands the list of items and services that are not considered contributions;
4. allows people who make donations from a joint checking account to indicate how a contribution should be allocated between them; and
5. authorizes certain post-election payments, including those for (a) "thank you parties" and (b) complying with a State Elections Enforcement Commission (SEEC) audit.

The bill makes changes affecting periodic campaign finance statements and supplemental campaign finance reports. Principally, it eliminates the requirement that candidates file both, allowing supplemental reports to satisfy the requirement for certain periodic campaign finance reports. It also revises the procedure for submitting supplemental statements and reporting excess expenditures.

With respect to the CEP, the bill authorizes candidates who

participate in the program (participating candidates) to submit corrected grant applications if the SEEC rejects them for other than “substantial noncompliance” with application requirements and conditions. It expands reporting requirements for statewide office candidates with respect to qualifying contributions (QCs). It also reduces the grant candidates receive if they possess a minimum number of lawn signs from any previous primary or general election campaign.

The bill lowers, from \$250,000 to \$5,000, the threshold at which statewide office candidates must file campaign finance statements electronically and makes it applicable to other candidates and committees filing with the SEEC.

It transfers, from town clerks to registrars of voters, the responsibility for submitting voting district maps.

Finally, the bill makes several conforming and technical changes.

EFFECTIVE DATE: Upon passage and applicable to primaries and elections held on or after that date; except the provision concerning voting district maps, which is effective October 1, 2010; and the provisions on duplicate reporting, filing of periodic statements by lobbyists, and electronic filing, are effective upon passage.

## **CAMPAIGN FINANCE**

### **§§ 1 & 8 — Organization Expenditures**

By law, organization expenditures are made by legislative caucus, legislative leadership, or party committees for the benefit of candidates or their committees. They are not considered campaign contributions and thus are not restricted to lawful committee purposes.

The bill removes the restriction on claiming, as organization expenditures, the use of offices, telephones, computers, or similar equipment that result in a cost to the legislative caucus, legislative leadership, or party committee.

The bill requires each statewide office or legislative candidate, not only a participating legislative candidate, to file a statement with the SEEC listing any committee that makes an organization expenditure on the candidate's behalf. It likewise requires treasurers for party committees and legislative caucus and leadership committees to include with each campaign finance statement an itemized accounting of organization expenditures made to benefit any statewide office or legislative candidate, not only a participating legislative candidate. The bill eliminates the requirement that these statements include the expenditure's amount and purpose.

### **§ 2 — Slate Committees**

This bill codifies the term "slate committee" for purposes of campaign finance and the CEP as a political committee formed by at least two candidates that will serve as the sole campaign funding vehicle (1) for nomination or election to any municipal office, (2) in a primary for the office of justice of the peace, or (3) for the position of town committee member. Although the term "slate committee" is not currently used in statute, the law does govern the activities of political committees formed solely to aid or promote the success or defeat of a candidate or referendum question (commonly referred to as "slate committees.") (For example, CGS § 9-603 dictates where campaign finance statements are filed, § 9-604 addresses the formation of candidate committees, and § 9-608 prescribes the distribution of surplus campaign funds.)

### **§§ 3, 5, & 6 — Campaign Contributions**

The bill expands the list of items and services that are not considered contributions and generally makes those for party committees applicable to slate committees. It does this by exempting from contributions, among other things, (1) the cost of donated food and drink, up to a total of \$50, to be consumed at a single slate or party committee meeting, other than a fundraiser and (2) up to \$400 in discounted food and drinks sold to a slate committee during a single election.

**De Minimis Activities.** The bill exempts from the definition of contribution certain “de minimis” campaign activities made to benefit PACs and party, slate, and candidate committees, including those for participating and nonparticipating candidates. Under the bill, de minimis activities are:

1. sending e-mails or messages, without compensation, from an individual’s personal computer or cell phone;
2. posting or displaying the name or names of one or more candidates at a town fair by a party committee; and
3. using up to \$50 per election or calendar year, as applicable, by an individual to benefit a candidate committee in (a) personal items or services that are customarily associated with occupying a residence or (b) donated personal property customarily used for campaign purposes.

**Advertising Space.** The bill establishes the same contribution exemption for advertising space on a sign at a town committee fundraiser as the law establishes for ad books at such a fundraiser. The bill’s exemption for signs, like the law’s exemption for ad books, is limited to purchases of up to \$250 by a business entity and up to \$50 by an individual.

The law generally prohibits communicator lobbyists and their families and state and prospective state contractors and their principals from contributing to or soliciting on behalf of candidates. The bill makes a conforming change by prohibiting these individuals from purchasing advertising space on a sign at a town committee.

**Travel Costs.** The bill exempts as a contribution in-state travel expenses incurred by a volunteer. Currently, travel expenses over \$200 per election for volunteers to a single candidate and over \$400 per calendar year for volunteers to a state central or town committee are contributions.

**Slate Cards.** The bill changes the exemption for costs associated

with preparing, displaying, or distributing slate cards, sample ballots, or other printed materials that list the names of three or more candidates. Specifically, it eliminates the exemption for PACs and individuals, but extends it to slate committees. It retains the exemption for party committees.

**“House Parties.”** The bill (1) raises the exemption for costs associated with hosting a house party (i.e., cost of invitations, food, drinks, and using real and personal property), including those for participating and nonparticipating candidates; (2) extends the house party exemption to a community room in a person’s residential facility; and (3) creates house party exemptions for two or more people living in the same household.

Under the bill, the expenditure thresholds for candidate parties apply to a single event with respect to a single election. Under current law, they apply to a single election. Those for party or slate committees apply per calendar year or for a single election, whichever is applicable. Table 1 shows the exemptions.

**Table 1: Maximum Exemptions For House Parties**

<i>Recipient</i>	<i>Individual Candidate</i>		<i>Party Committee</i>		<i>Slate Committee</i>	
	<i>Current Law</i>	<i>Bill</i>	<i>Current Law</i>	<i>Bill</i>	<i>Current Law</i>	<i>Bill</i>
Donor ↓						
Individual	\$200*	\$400*	\$400**	\$800**	N/A	\$800
2 or More People Sharing the Same Household	N/A	\$800	N/A	\$800	N/A	\$800

\*Under current law, the exemption applies to a single election; under the bill, it applies to a single event with respect to a single election.

\*\*Current law limits individuals to a total of \$400 for all party committees in a calendar year; the bill applies the \$800 exemption to each such committee in a calendar year or single election, whichever is applicable.

**Volunteer Services.** By law, volunteer services provided by individuals are not considered campaign contributions. The bill makes a technical change, specifying that the exemption applies when individuals provide volunteer services to party committees, PACs,

slate committees, and candidate committees, including those for participating and nonparticipating candidates.

The bill authorizes paid committee workers to also volunteer their time to a candidate committee, including one for a participating or nonparticipating candidate. Under the bill, they must sign an affidavit indicating the number of unpaid volunteer hours they serve and provide it to the campaign treasurer of the committee with which they volunteer. The treasurer must file the affidavit with the SEEC when he or she files any required periodic campaign finance statement. The bill specifies that it may not be construed to permit a business to make a contribution.

**Joint Checking Accounts.** By law, campaign treasurers must equally divide campaign contributions made by joint checking account holders who co-sign the check. The bill creates an exception to the law by allowing the account holders to indicate how they want the contribution attributed. Presumably, they submit the statement with the check.

**Anonymous Contributions.** The bill changes the procedure for handling anonymous contributions by requiring campaign treasurers to remit those of any amount to the SEEC for deposit into the General Fund. Under current law, treasurers must only remit anonymous contributions of more than \$15 to the state treasurer, who then deposits them into the General Fund.

#### **§§ 4 & 7-8 — Campaign Finance Statements**

By law, the following committees and individuals must file periodic campaign finance statements with the SEEC: (1) candidate committees for statewide, legislative, and probate judge candidates; (2) party committees; (3) individual lobbyists; and (4) PACs, other than those formed to aid or promote the success or defeat of a municipal referendum or municipal office candidates.

**Required Information.** The bill eliminates a requirement for candidate committees, PACs, and party committees to include in their

periodic campaign finance statements:

1. the total amount and denomination of money received from anonymous contributors;
2. the names of people who purchase items at a fundraiser that total \$50 or less;
3. the names of people who donate up to \$50 in food or drink for a slate or party committee meeting; or
4. costs associated with permissible de minimis activities.

It requires these committees to indicate in their statements whether a person contributing over \$400 in the aggregate to a slate committee financing a candidate for chief executive officer of a town, city, or borough has, or is associated with a business that has, a contract valued at over \$5,000 with the town, city, or borough. It also requires them to provide the (1) name and address of any person or business that purchased ad space on a sign at a fundraiser and (2) the aggregate amount of the purchase.

**Duplicate Reporting.** The bill eliminates duplicate filing requirements for campaign finance statements. Specifically, it eliminates the requirement that (1) town committees file copies of reports with the applicable town clerks since they also file with the SEEC and (2) slate committees for the office of justice of the peace file a duplicate report with the SEEC since they also file with the applicable town clerk. It eliminates a requirement that individual lobbyists file with the SEEC. By law, lobbyists must file periodic financial reports with the Office of State Ethics.

**Exemption from Filing Periodic Campaign Finance Reports.** Under current law, candidates in a primary or general election must file periodic campaign finance reports, unless they are exempt from doing so. Certain candidates must additionally file supplemental campaign finance statements.

The bill eliminates this dual filing requirement by allowing a supplemental statement to satisfy the requirement for the periodic campaign finance statement that is due to the SEEC on the seventh day before a regular election (see Excess Spending and Reporting).

**Period Covered.** The bill expands slightly, the period that periodic campaign finance statements must cover. It maintains existing filing deadlines for submitting them. Under the bill, monthly statements must include information through midnight on the last day, rather than simply on the last day, of the month before the filing deadline. Statements required to be filed seven days before an election, primary, or referendum must include information through midnight on the second, rather the seventh, day preceding the filing deadline.

**Timely Submission.** Under the bill, periodic campaign finance statements must be received by the SEEC by a specified time on the filing deadline to be considered timely, not just postmarked by the filing deadline. To be deemed timely, the SEEC must receive hard copies by 5:00 p.m. and electronic submissions by midnight on the filing deadline. Under the bill, “authorized electronic” means e-mail, fax, and SEEC-created web-based programs.

The bill specifies that grant applications, supplemental campaign finance statements, and independent expenditure reports are considered timely when they are filed according to the procedures under existing law.

**State Central Committees.** The bill aligns the filing schedule for state central committees with the schedule for most other party committees, candidate committees, and PACs. Generally, they must file on the 10<sup>th</sup> day of January, April, July, and October, but not on a weekend or holiday. They must also file on the seventh day before a regular state election and on the seventh day before any other election, primary, or referendum for which the committee has received or made a contribution or expenditure.

Under current law, state central committees submit reports three

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times per year and also files on the 12<sup>th</sup> day preceding any election.

**Organization Expenditures.** The law requires each campaign finance statement that a legislative caucus, legislative leadership, or party committee treasurer files to include an itemized accounting of organization expenditures made to benefit participating legislative candidates. The bill expands this requirement to also include organization expenditures made to benefit nonparticipating legislative candidates.

### **§ 8 — Certifying Contributions Over \$50**

The law prohibits communicator lobbyists, principals of state and prospective state contractors, and their immediate family members from making contributions to (1) candidate and exploratory committees for statewide and legislative candidates, (2) PACs authorized to contribute to these candidates, and (3) party committees. Under current law, individuals who make contributions to these candidates or committees that separately or in the aggregate exceed \$50 must certify that they are not a communicator lobbyist or a principal of a state or prospective state contractor. The bill requires individuals to also make this certification when they make contributions to PACs these candidates establish or control.

Under the bill, these contributors must certify that they are not prohibited from making a contribution under either the contractor or lobbyist contribution ban. The bill requires treasurers to keep only one certification per contributor unless non-financial information changes.

The bill requires the SEEC to amend the sample form upon which certifications are made to include an explanation of the contribution bans and their exceptions, and an explanation of the terms “immediate family member of a communicator lobbyist,” “state contractor,” and “prospective state contractor.” The form already includes definitions of “communicator lobbyist” and “principal of a state contractor or principal of a prospective state contractor.” The bill provides treasurers who deposit a contribution based on a certification a

complete defense to any action taken against them concerning the contribution, unless prior to the deposit they knew or had reason to know that the certification was false.

In addition to the certification, the bill requires individuals who make contributions to any of the covered committees that separately or in the aggregate exceed \$50 to state whether they are (1) a communicator lobbyist, or the immediate family member of one, or (2) a state contractor, or a principal of a state or prospective state contractor, which includes immediate family members. Under the bill, as under existing law, they must also provide the name of their employer.

### **§ 8 — Surplus Distributions and Post-Election Payments**

By law, candidate committees and political committees, other than ongoing PACs or exploratory committees, must spend or distribute surplus funds after (1) a primary if the candidate loses, (2) an election, or (3) a referendum. The bill extends the deadline for distributing surplus donations from (1) within 90, to within 120, days after a primary and (2) January 31 to March 31 following an election or referendum held in November.

The bill eliminates the provision requiring nonparticipating candidates to distribute surplus distributions to charitable organizations or the CEF only. It thus allows these candidates to return surpluses to contributors on a prorated basis or distribute them to a party committee, the CEF, a charitable organization, or an ongoing PAC, other than a candidate committee. The law, unchanged by the bill, requires participating candidates who receive grants to distribute any surplus to the CEF.

**“Thank You” Parties.** The bill authorizes participating candidates to host a meal after an unsuccessful primary or election to acknowledge committee workers’ efforts. The meal must be provided no later than 14 days after the primary or election, whichever is applicable (see BACKGROUND). The cost for meals cannot exceed up

to \$15, \$20, or \$30 per person per occasion for breakfast, lunch, or dinner, respectively (including tax and gratuity for each meal).

***Post-Election Payments by Participating Candidates Only.*** The bill authorizes participating candidates to use any remaining funds after an election or unsuccessful primary to make a payment of up to \$1,000 to their campaign treasurer for services rendered. By law, candidates may compensate without limitation (1) campaign and committee staff and (2) attorneys, accountants, consultants, or other professionals for services during a campaign. However, the SEEC has advised that participating candidates may not use campaign funds for bonus payments for campaign staff or volunteers on or after an election (pursuant to the SEEC's "Post Election Fact Sheet – November 2008").

By law, the commission may inspect or audit the accounts or records of candidates who participate in the Citizens' Election Program. The bill allows participating candidates to use remaining grant funds after an election to comply with any audit the SEEC conducts. Presumably, this applies only to an audit of a candidate's own committee.

### **§ 9 — Attribution Requirement**

By law, political communications paid for by people or committees cooperating with, in consultation with, or acting at the request of a candidate or his or her agent or committee to promote or defeat a candidate must include an attribution.

The bill extends the attribution law to communications made by candidates' exploratory committees, not only their candidate committees. This means printed communications and web-based, written communications made by exploratory committees promoting the success or defeat of a candidate's primary or general election campaign or soliciting funds must include the words "approved by" and the name of the candidate.

## **CITIZENS' ELECTION PROGRAM**

The Citizens' Election Program is a public campaign financing system under which statewide and legislative candidates who receive QCs, agree to abide by certain spending limits, and comply with other requirements, are eligible to receive state grants to fund their campaigns.

**§ 11 — Exemption from Affidavit of Intent & Excess Expenditure Report**

By law, candidates who finance their campaigns entirely from personal funds or do not receive or spend over \$1,000 from other sources are not required to form a candidate committee and must attest to their eligibility for this exemption in a sworn statement.

If these candidates do not intend to participate in the Citizens' Election Program, the bill exempts them from the requirement to file an affidavit certifying their intent to abide or not abide by the program's spending limits. Like other candidates who do not intend to participate, they are called "nonparticipating candidates."

The bill further exempts these candidates from the excess expenditure reporting requirement, provided they do not receive or spend over \$1,000.

**§ 12 — QCs**

The bill expands reporting requirements for statewide office candidates with respect to QCs. By law, all participating candidates, whether running for statewide or legislative office, must submit documentation with their grant application demonstrating that their contributions meet the QC criteria. The bill requires statewide office candidates and their exploratory committees to also file documentation on or about the same time they submit periodic campaign finance reports demonstrating the same.

In addition, the bill prohibits contributions made by minors under age 12 from counting as QCs. By law, minors under age 18 can contribute a maximum of \$30 to (1) exploratory and candidate committees and (2) PACs and party committees in a calendar year.

**§§ 13 — 14 Grants**

**Lawn Sign Reductions.** The bill reduces the grant participating candidates receive if they possess a specified minimum number of lawn signs from any previous primary or general election campaign. Under the bill, all participating candidates must certify in their grant application to the SEEC whether they have custody and control over a number of signs applicable to the office for which they are running. If they do, their primary or general election grant, whichever is applicable, is reduced by a certain amount. The bill specifically prohibits a reduction based on lawn signs that are not in the candidate committee's custody or control. It does not apply to any item other than lawn signs (see BACKGROUND). For each office, Table 1 provides the applicable number of lawn signs and resulting grant reduction.

**Table 1: General Election Grant Reductions Based on Lawn Signs**

<i>Office</i>	<i>Applicable Minimum Number of Lawn Signs</i>	<i>General Election Grant Reduction</i>
Statewide office (governor, lieutenant governor, attorney general, state comptroller, secretary of the state, state treasurer)	500	\$2,500
State senator	100	500
State representative	50	250

**Grant Applications.** By law, each candidate and campaign treasurer must sign the CEF grant application. The application must include certain written certifications and a cumulative itemized accounting of all funds received, expenditures made, and expenses incurred but not yet paid. The bill requires the itemized accounting to cover campaign finances as of three days preceding the date when the application is actually filed, rather than three days before its filing deadline.

The bill also (1) extends, from four to 10 days, the time the SEEC has to review most applications from statewide office candidates and (2) specifies that the SEEC will not review general election grant applications it receives during the seven days before the last primary application deadline until after the next deadline, a week later. Existing law, unchanged by the bill, requires the SEEC to review legislative candidate applications within four business days.

The bill allows candidates to submit reformed (i.e., corrected) primary or general election grant applications if the SEEC rejects them for other than “substantial noncompliance” with application requirements or conditions. The bill does not define this term. Candidates must submit corrected applications in accordance with the application schedule specified by law. The SEEC must review any such corrected application in the same manner as it reviews original applications.

The bill also authorizes the SEEC to continue an application review without prejudice for up to one week. It appears that one reason for continuing a review is missing documentation, but the bill does not specify any others. If a review is continued without prejudice until the commission’s next meeting, the applicant may submit missing or incomplete information by 5:00 p.m. the day before the commission next meets to consider applications. The bill does not specify how the SEEC must treat a candidate who fails to provide the required additional information by the deadline.

### **§§ 7 & 15 — Excess Spending and Reporting**

By law, participating candidates are entitled to additional money from the CEF if their opponents exceed certain spending limits, that is, if they make excess expenditures. The bill (1) revises the procedure for submitting supplemental campaign finance statements and for reporting excess expenditures and (2) deems candidates who submit supplemental campaign finance statements to have satisfied the campaign finance report filing requirement for seven days preceding a primary or election.

**Supplemental Campaign Finance Statements.** Under current law, if a candidate in a primary or general election campaign with at least one participating candidate receives contributions, loans, or other funds, or makes or obligates to make an expenditure that in the aggregate exceeds 90% of the applicable spending limit for the primary or general election period, his or her campaign treasurer must file a supplemental campaign finance statement with the SEEC. Thereafter, the campaign treasurer filing the initial supplemental statement and the campaign treasurers for all opposing candidates must file periodic supplemental campaign finance statements according to a specified schedule.

The bill eliminates the 90% threshold and requires the campaign treasurer of each candidate in a primary or general election campaign with at least one participating candidate to file weekly supplemental campaign finance statements according to the following schedule:

1. for a primary campaign, on the Thursday following the July filing date set by law, and every subsequent Thursday, including the one before the primary and
2. for a general election campaign, on the Thursday following the October filing date, and every subsequent Thursday, including the one before the election.

Supplemental statements must cover the following period: the first day not included in the last statement through midnight on the second day preceding the filing deadline.

**Excess Expenditures.** Under current law, each campaign treasurer of a candidate in a primary or general election campaign with at least one participating candidate must file a declaration of excess receipts or expenditures when the candidate committee receives contributions, loans, or other funds, or makes or obligates to make an expenditure that in the aggregate exceeds 100% of the applicable spending limit. The treasurer must do the same if the candidate has receipts or expenditures that in the aggregate exceed 125%, 150%, or 175% of the

applicable spending limit for the primary or general election. These requirements apply to treasurers for participating and nonparticipating candidates.

For participating candidates, the bill (1) bases reporting on their expenditures only and (2) eliminates the requirement that they file declarations at the 125%, 150%, and 175% thresholds.

The bill does not change the expenditure thresholds for nonparticipating candidates, nor does it change the reporting schedule for either type of candidate. Thus, a candidate who exceeds the applicable threshold must file the declaration of excess expenditures with the commission within 48 hours. A candidate who exceeds the applicable threshold 20 or fewer days before the primary or election, must file the declaration within 24 hours.

The bill specifies that declarations of excess expenditures must cover the following period: the first day not included in the last statement through midnight on the first day preceding the filing deadline.

#### **§ 17 — ELECTRONIC FILING**

By law, candidate committees, PACs, and party committees that raise or spend over \$1,000 during a primary or election campaign, or in a calendar year, whichever is applicable, must file periodic campaign finance statements with the SEEC.

Beginning April 1, 2010 (prior to the bill's effective date), the bill lowers, from \$250,000 to \$5,000, the threshold at which all statewide office candidates must file these statements electronically. It applies the same threshold for electronic filing to legislative candidates and candidates for judge of probate who raise or spend \$5,000 or more during a primary or general election campaign.

The bill also subjects the following individuals and committees to the mandatory electronic filing requirement:

1. state central, legislative caucus, and legislative leadership committees;
2. town committees and PACs that register with the SEEC and raise or spend \$5,000 or more in the current calendar year or raised or spent \$5,000 or more in the last election; and
3. individuals or committees that make or are obligated to make independent expenditures exceeding \$1,000 in the aggregate.

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 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).

***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 April 1, 2010 (prior to the bill’s effective date), the bill requires these individuals and committees to file the report online using eCRIS or a SEEC-prescribed software program.

## **§ 16 — VOTING DISTRICT MAPS**

The bill transfers, from town clerks to registrars of voters, the

responsibility sending to the secretary of the state voting district maps. The law, unchanged by the bill, requires the new maps to be sent to the secretary in printed or electronic format within 30 days of when (1) a new voting district becomes effective or (2) changes to a voting district take effect. The bill authorizes the secretary to impose a \$50 fine on a registrar who does not send maps in the correct format or on time.

By law, the secretary of the state must provide the maps to the General Assembly for its use in reapportionment of the General Assembly and congressional districts pursuant to the state constitution and federal law.

## **BACKGROUND**

### ***“Thank You” Parties***

For the 2008 election, the SEEC prepared a fact sheet stipulating that post-election parties held by participating candidates must occur on Election Day. In accordance with regulation, the sheet provided that campaigns could not exceed the “per person per occasion” meal limit set by regulation (SEEC’s “Election Day Parties – November 2008”).

### ***Lawn Sign Grant Reductions: Related Advisory Opinion***

In September 2008, the SEEC adopted Advisory Opinion 2008-02 stating that (1) a candidate’s prior assets, including lawn signs, must be reported pursuant to campaign finance disclosure requirements and (2) the value of these assets is an amount equal to the original purchase price. In its opinion, the SEEC noted that some assets depreciate in value over time and that some formula for depreciation may be reasonably established in the future (i.e., after the 2008 election cycle).

### ***Related Bill***

sHB 5428, reported favorably by the Government Administration and Elections Committee, makes similar changes affecting CEP grant application procedures.

## **COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13 Nay 1 (03/24/2010)