



General Assembly

February Session, 2010

Amendment

LCO No. 4281

HB0502104281HDO

Offered by:
REP. SCHOFIELD, 16th Dist.

To: Subst. House Bill No. 5021 File No. 224 Cal. No. 138

"AN ACT CONCERNING THE CITIZENS' ELECTION PROGRAM."

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

3 "Sec. 501. Subsection (c) of section 9-604 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective from*
5 *passage*):

6 (c) (1) The chairman of a political committee formed to support a
7 single candidate for public office shall, not later than seven days after
8 filing a statement of organization with the proper authority under
9 section 9-603, send the candidate a notice, by certified mail, of such
10 filing. If a candidate [(1)] (A) does not, within fourteen days after
11 receiving such notice, disavow such committee, in writing, to the
12 proper authority under section 9-603, or [(2)] (B) disavows such
13 committee within such period, but, at any time before such disavowal,
14 accepts funds from the committee for his campaign, such committee
15 shall be deemed to have been authorized by such candidate and shall

16 constitute a candidate committee for the purposes of this chapter. No
17 candidate shall establish, agree to or assist in establishing, or give his
18 consent or authorization to establishing a committee other than a
19 single candidate committee to promote his candidacy for any public
20 office except that a candidate may establish an exploratory committee.
21 The candidate shall designate on the statement of organization for the
22 exploratory committee the type of office to which the candidate is
23 determining whether to seek nomination or election, as follows: [(A)]
24 (i) The General Assembly, [(B)] (ii) a state office, or [(C)] (iii) any other
25 public office. The candidate may also certify on the statement of
26 organization that the candidate will not be a candidate for the office of
27 state representative. Not later than fifteen days after a public
28 declaration by the candidate of the candidate's intention to seek
29 nomination or election to a particular public office, as described in
30 subdivisions (2) to (4), inclusive, of this subsection, the candidate shall
31 form a single candidate committee, except that in the case of a
32 candidate establishing an exploratory committee for purposes
33 including aiding or promoting the candidate's candidacy for
34 nomination or election to the General Assembly or a state office, the
35 candidate shall form a single candidate committee not later than fifteen
36 days after the date that the campaign treasurer of such exploratory
37 committee is required to file a notice of intent to dissolve the
38 committee under subsection (f) of section 9-608. As used in this
39 subsection, "state office" has the same meaning as provided in
40 subsection (e) of section 9-610.

41 (2) A public declaration by the candidate of the candidate's intention
42 to seek nomination or election to a particular public office shall be in
43 the form of an announcement, made verbally or in writing, by the
44 candidate or an agent of the candidate. In order for the announcement
45 to be such a public declaration, (A) the candidate or agent shall make
46 such announcement to members of the public, and (B) a reasonable
47 person hearing or reading such announcement would determine that
48 the announcement expresses an intention to seek a particular office, as
49 stated in the announcement. If the candidate or agent of the candidate

50 announces the candidate's intention to seek nomination or election to a
51 particular public office to a group comprised only of individuals
52 volunteering their time to the candidate's campaign or committee
53 workers working on behalf of the candidate or immediate family
54 members of the candidate, such announcement shall not be a public
55 declaration by the candidate of the candidate's intention to seek
56 nomination or election to a particular public office.

57 (3) Notwithstanding the provisions of this subsection, in the case of
58 a candidate attempting to acquire signatures to petition for nomination
59 for elective office pursuant to subpart C of part III of chapter 153, such
60 candidate or an agent of such candidate may announce the candidate's
61 desire to seek a particular office and such announcement shall not
62 constitute a public declaration, provided such announcement is made
63 as part of an effort to acquire the number of signatures required under
64 section 9-453d and such announcement, if in a verbal form, is made
65 directly to a potential signator of the petition, or, if in a written form,
66 consists of literature handed by the candidate or agent to such a
67 potential signator.

68 (4) Notwithstanding the provisions of this subsection, a declaration
69 by a candidate to a town committee of the candidate's intention to seek
70 nomination or election to a particular public office shall not constitute
71 a public declaration.

72 Sec. 502. Subsection (f) of section 9-608 of the general statutes is
73 repealed and the following is substituted in lieu thereof (*Effective from*
74 *passage*):

75 (f) If an exploratory committee has been established by a candidate
76 pursuant to subsection (c) of section 9-604, as amended by this act, the
77 campaign treasurer of the committee shall file a notice of intent to
78 dissolve it with the appropriate authority not later than fifteen days
79 after the candidate's declaration of intent to seek nomination or
80 election to a particular public office, except that in the case of an
81 exploratory committee established by a candidate for purposes that

82 include aiding or promoting the candidate's candidacy for nomination
83 or election to the General Assembly or a state office, the campaign
84 treasurer of the committee shall file such notice of intent to dissolve the
85 committee not later than fifteen days after the earlier of: (1) The
86 candidate's public declaration of intent to seek nomination or election
87 to a particular public office, as described in subsection (c) of section 9-
88 604, as amended by this act, (2) the candidate's endorsement at a
89 convention, caucus or town committee meeting, or (3) the candidate's
90 filing of a candidacy for nomination under section 9-400 or 9-405. The
91 campaign treasurer shall also file a statement identifying all
92 contributions received or expenditures made by the exploratory
93 committee since the previous statement and the balance on hand or
94 deficit, as the case may be. In the event of a surplus, the campaign
95 treasurer shall, not later than the filing of the statement, distribute the
96 surplus to the candidate committee established pursuant to said
97 section, except that (A) in the case of a surplus of an exploratory
98 committee established by a candidate who intends to be a participating
99 candidate, as defined in section 9-703, in the Citizens' Election
100 Program, the campaign treasurer may distribute to the candidate
101 committee only that portion of such surplus that is attributable to
102 contributions that meet the criteria for qualifying contributions for the
103 candidate committee under section 9-704 and shall distribute the
104 remainder of such surplus to the Citizens' Election Fund established in
105 section 9-701, and (B) in the case of a surplus of an exploratory
106 committee established for nomination or election to an office other
107 than the General Assembly or a state office (i) the campaign treasurer
108 may only distribute to the candidate committee for nomination or
109 election to the General Assembly or state office of such candidate that
110 portion of such surplus which is in excess of the total contributions
111 which the exploratory committee received from lobbyists or political
112 committees established by lobbyists, during any period in which the
113 prohibitions in subsection (e) of section 9-610 apply, and (ii) any
114 remaining amount shall be returned to all such lobbyists and political
115 committees established by or on behalf of lobbyists, on a prorated basis
116 of contribution, or distributed to any charitable organization which is a

117 tax-exempt organization under Section 501(c)(3) of the Internal
118 Revenue Code of 1986, or any subsequent corresponding internal
119 revenue code of the United States, as from time to time amended. If the
120 candidate decides not to seek nomination or election to any office, the
121 campaign treasurer shall, within fifteen days after such decision,
122 comply with the provisions of this subsection and distribute any
123 surplus in the manner provided by this section for political committees
124 other than those formed for ongoing political activities, except that if
125 the surplus is from an exploratory committee established by the State
126 Treasurer, any portion of the surplus that is received from a principal
127 of an investment services firm or a political committee established by
128 such firm shall be returned to such principal or committee on a
129 prorated basis of contribution. In the event of a deficit, the campaign
130 treasurer shall file a statement thirty days after the decision or
131 declaration with the proper authority and, thereafter, on the seventh
132 day of each month following if on the last day of the previous month
133 there was an increase or decrease in such deficit in excess of five
134 hundred dollars from that reported on the last statement filed. The
135 campaign treasurer shall file supplemental statements until the deficit
136 is eliminated. If the exploratory committee does not have a surplus or
137 deficit, the statement filed after the candidate's declaration or decision
138 shall be the last required statement. If a candidate certifies on the
139 statement of organization for the exploratory committee pursuant to
140 subsection (c) of section 9-604, as amended by this act, that the
141 candidate will not be a candidate for the office of state representative
142 and subsequently establishes a candidate committee for the office of
143 state representative, the campaign treasurer of the candidate
144 committee shall pay to the State Treasurer, for deposit in the General
145 Fund, an amount equal to the portion of any contribution received by
146 said exploratory committee that exceeded two hundred fifty dollars.
147 As used in this subsection, "principal of an investment services firm"
148 has the meaning set forth in subsection (f) of section 9-612 and "state
149 office" has the same meaning set forth in subsection (e) of section 9-
150 610."