



General Assembly

February Session, 2012

**Raised Bill No. 5518**

LCO No. 2389

\*02389\_\_\_\_\_GAE\*

Referred to Committee on Government Administration and Elections

Introduced by:  
(GAE)

**AN ACT MAKING TECHNICAL REVISIONS TO THE STATUTE CONCERNING ELECTION DISCLOSURE.**

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

1 Section 1. Section 9-621 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) No individual shall make or incur any expenditure with the  
4 consent of, in coordination with or in consultation with any candidate,  
5 candidate committee or candidate's agent, no group of two or more  
6 individuals acting together that receives funds or makes or incurs  
7 expenditures not exceeding one thousand dollars in the aggregate and  
8 has not formed a political committee shall make or incur any  
9 expenditure, and no candidate or committee shall make or incur any  
10 expenditure including an organization expenditure for a party  
11 candidate listing, as defined in subparagraph (A) of subdivision (25) of  
12 section 9-601, for any written, typed or other printed communication,  
13 or any web-based, written communication, [which] that promotes the  
14 success or defeat of any candidate's campaign for nomination at a  
15 primary or election or promotes or opposes any political party or

16 solicits funds to benefit any political party or committee unless such  
17 communication bears upon its face (1) the words "paid for by" and the  
18 following: (A) In the case of such an individual, the name and address  
19 of such individual; (B) in the case of a committee other than a party  
20 committee, the name of the committee and its campaign treasurer; (C)  
21 in the case of a party committee, the name of the committee; or (D) in  
22 the case of a group of two or more individuals that receives funds or  
23 makes or incurs expenditures not exceeding one thousand dollars in  
24 the aggregate and has not formed a political committee, the name of  
25 the group and the name and address of its agent, and (2) the words  
26 "approved by" and the following: (A) In the case of an individual,  
27 group or committee other than a candidate committee making or  
28 incurring an expenditure with the consent of, in coordination with or  
29 in consultation with any candidate, candidate committee or  
30 candidate's agent, the name of the candidate; or (B) in the case of a  
31 candidate committee, the name of the candidate.

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

33 (1) No candidate or candidate committee or exploratory committee  
34 established by a candidate shall make or incur any expenditure for  
35 television advertising or Internet video advertising, [which] that  
36 promotes the success of such candidate's campaign for nomination at a  
37 primary or election or the defeat of another candidate's campaign for  
38 nomination at a primary or election, unless (A) at the end of such  
39 advertising there appears simultaneously, for a period of not less than  
40 four seconds, (i) a clearly identifiable photographic or similar image of  
41 the candidate making such expenditure, (ii) a clearly readable printed  
42 statement identifying such candidate, and indicating that such  
43 candidate has approved the advertising, and (iii) a simultaneous,  
44 personal audio message, in the following form: "I am .... (candidate's  
45 name) and I approved this message", and (B) the candidate's name and  
46 image appear in, and the candidate's voice is contained in, the  
47 narrative of the advertising, before the end of such advertising;

48 (2) No candidate or candidate committee or exploratory committee  
49 established by a candidate shall make or incur any expenditure for  
50 radio advertising or Internet audio advertising, [which] that promotes  
51 the success of such candidate's campaign for nomination at a primary  
52 or election or the defeat of another candidate's campaign for  
53 nomination at a primary or election, unless (A) the advertising ends  
54 with a personal audio statement by the candidate making such  
55 expenditure (i) identifying such candidate and the office such  
56 candidate is seeking, and (ii) indicating that such candidate has  
57 approved the advertising in the following form: "I am .... (candidate's  
58 name) and I approved this message", and (B) the candidate's name and  
59 voice are contained in the narrative of the advertising, before the end  
60 of such advertising; and

61 (3) No candidate or candidate committee or exploratory committee  
62 established by a candidate shall make or incur any expenditure for  
63 automated telephone calls [which] that promote the success of such  
64 candidate's campaign for nomination at a primary or election or the  
65 defeat of another candidate's campaign for nomination at a primary or  
66 election, unless the candidate's name and voice are contained in the  
67 narrative of the call, before the end of such call.

68 (c) No business entity, organization, association, committee, or  
69 group of two or more individuals who have joined solely to promote  
70 the success or defeat of a referendum question shall make or incur any  
71 expenditure for any written, typed or other printed communication  
72 [which] that promotes the success or defeat of any referendum  
73 question unless such communication bears upon its face the words  
74 "paid for by" and the following: (1) In the case of a business entity,  
75 organization or association, the name of the business entity,  
76 organization or association and the name of its chief executive officer  
77 or equivalent; (2) in the case of a political committee, the name of the  
78 committee and the name of its campaign treasurer; (3) in the case of a  
79 party committee, the name of the committee; or (4) in the case of such a  
80 group of two or more individuals, the name of the group and the name

81 and address of its agent.

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

90 (e) The campaign treasurer of a candidate committee [which] that  
91 sponsors any written, typed or other printed communication for the  
92 purpose of raising funds to eliminate a campaign deficit of that  
93 committee shall include in such communication a statement that the  
94 funds are sought to eliminate such a deficit.

95 (f) The campaign treasurer of an exploratory committee or  
96 candidate committee established by a candidate for nomination or  
97 election to the office of Treasurer which committee sponsors any  
98 written, typed or other printed communication for the purpose of  
99 raising funds shall include in such communication a statement  
100 concerning the prohibitions set forth in subsection (n) of section 1-84,  
101 subsection (f) of section 9-612 and subsection (f) of section 9-613.

102 (g) [In the event] If a campaign treasurer of a candidate committee is  
103 replaced pursuant to subsection (c) of section 9-602, nothing in this  
104 section shall be construed to prohibit the candidate committee from  
105 distributing any printed communication subject to the provisions of  
106 this section that has already been printed or otherwise produced, even  
107 though such communication does not accurately designate the  
108 successor campaign treasurer of such candidate committee.

109 (h) (1) No entity shall make or incur an independent expenditure for  
110 any written, typed or other printed communication, or any web-based,  
111 written communication, that promotes the success or defeat of any

112 candidate for nomination or election or promotes or opposes any  
113 political party or solicits funds to benefit any political party or  
114 committee, unless such communication bears upon its face the words  
115 "Paid for by" and the name of the entity, the name of its chief executive  
116 officer or equivalent, and its principal business address and the words  
117 "This message was made independent of any candidate or political  
118 party.". In the case of an entity making or incurring such an  
119 independent expenditure, which entity is a tax-exempt organization  
120 under Section 501(c) of the Internal Revenue Code of 1986, or any  
121 subsequent corresponding internal revenue code of the United States,  
122 as amended from time to time, or an incorporated tax-exempt political  
123 organization organized under Section 527 of said code, such  
124 communication shall also bear upon its face the words "Top Five  
125 Contributors" followed by a list of the five persons or entities making  
126 the largest contributions to such organization during the twelve-month  
127 period before the date of such communication.

128 (2) In addition to the requirements of subdivision (1) of this  
129 subsection, no entity shall make or incur an independent expenditure  
130 for television advertising or Internet video advertising, that promotes  
131 the success or defeat of any candidate for nomination or election or  
132 promotes or opposes any political party or solicits funds to benefit any  
133 political party or committee, unless at the end of such advertising there  
134 appears simultaneously, for a period of not less than four seconds, (A)  
135 a clearly identifiable video, photographic or similar image of the  
136 entity's chief executive officer or equivalent, and (B) a personal audio  
137 message, in the following form: "I am .... (name of entity's chief  
138 executive officer or equivalent), .... (title) of .... (entity). This message  
139 was made independent of any candidate or political party, and I  
140 approved its content.". In the case of an entity making or incurring  
141 such an independent expenditure, which entity is a tax-exempt  
142 organization under Section 501(c) of the Internal Revenue Code of  
143 1986, or any subsequent corresponding internal revenue code of the  
144 United States, as amended from time to time, or an incorporated tax-  
145 exempt political organization organized under Section 527 of said

146 code, such advertising shall also include a written message in the  
147 following form: "The top five contributors to the organization  
148 responsible for this advertisement are" followed by a list of the five  
149 persons or entities making the largest contributions during the twelve-  
150 month period before the date of such advertisement.

151 (3) In addition to the requirements of subdivision (1) of this  
152 subsection, no entity shall make or incur an independent expenditure  
153 for radio advertising or Internet audio advertising, that promotes the  
154 election or defeat of any candidate for nomination or election or  
155 promotes or opposes any political party or solicits funds to benefit any  
156 political party or committee, unless the advertising ends with a  
157 personal audio statement by the entity's chief executive officer or  
158 equivalent (A) identifying the entity paying for the expenditure, and  
159 (B) indicating that the message was made independent of any  
160 candidate or political party, using the following form: "I am .... (name  
161 of entity's chief executive officer or equivalent), .... (title), of .... (entity).  
162 This message was made independent of any candidate or political  
163 party, and I approved its content.". In the case of an entity making or  
164 incurring such an independent expenditure, which entity is a tax-  
165 exempt organization under Section 501(c) of the Internal Revenue  
166 Code of 1986, or any subsequent corresponding internal revenue code  
167 of the United States, as amended from time to time, or an incorporated  
168 tax-exempt political organization organized under Section 527 of said  
169 code, such advertising shall also include (i) an audio message in the  
170 following form: "The top five contributors to the organization  
171 responsible for this advertisement are" followed by a list of the five  
172 persons or entities making the largest contributions during the twelve-  
173 month period before the date of such advertisement, or (ii) in the case  
174 of such an advertisement that is thirty seconds in duration or shorter,  
175 an audio message providing [a] an Internet web site address that lists  
176 such five persons or entities. In such case, the organization shall  
177 establish and maintain such a web site with such listing for the entire  
178 period during which such organization makes such advertisement.

179 (4) In addition to the requirements of subdivision (1) of this  
180 subsection, no entity shall make or incur an independent expenditure  
181 for automated telephone calls that promote the election or defeat of  
182 any candidate for nomination or election or promotes or opposes any  
183 political party or solicits funds to benefit any political party or  
184 committee, unless the narrative of the telephone call identifies the  
185 entity making the expenditure and its chief executive officer or  
186 equivalent. In the case of an entity making or incurring such an  
187 independent expenditure, which entity is a tax-exempt organization  
188 under Section 501(c) of the Internal Revenue Code of 1986, or any  
189 subsequent corresponding internal revenue code of the United States,  
190 as amended from time to time, or an incorporated tax-exempt political  
191 organization organized under Section 527 of said code, such narrative  
192 shall also include an audio message in the following form: "The top  
193 five contributors to the organization responsible for this telephone call  
194 are" followed by a list of the five persons or entities making the largest  
195 contributions during the twelve-month period before the date of such  
196 telephone call.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-621

**Statement of Purpose:**  
To make technical changes.

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