



# Senate

General Assembly

**File No. 595**

January Session, 2013

Substitute Senate Bill No. 5

*Senate, April 24, 2013*

The Committee on Government Administration and Elections reported through SEN. MUSTO of the 22nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING CHANGES TO CAMPAIGN FINANCE LAWS  
AND OTHER ELECTION LAWS.***

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

1 Section 1. Section 9-601 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective January 1, 2014*):

3 As used in this chapter and chapter 157 and sections 10 and 11 of  
4 this act:

5 (1) "Committee" means a party committee, political committee or a  
6 candidate committee organized, as the case may be, for a single  
7 primary, election or referendum, or for ongoing political activities, to  
8 aid or promote the success or defeat of any political party, any one or  
9 more candidates for public office or the position of town committee  
10 member or any referendum question.

11 (2) "Party committee" means a state central committee or a town  
12 committee. "Party committee" does not mean a party-affiliated or

13 district, ward or borough committee which receives all of its funds  
14 from the state central committee of its party or from a single town  
15 committee with the same party affiliation. Any such committee so  
16 funded shall be construed to be a part of its state central or town  
17 committee for purposes of this chapter and chapter 157.

18 (3) "Political committee" means (A) a committee organized by a  
19 business entity or organization, (B) persons other than individuals, or  
20 two or more individuals organized or acting jointly conducting their  
21 activities in or outside the state, (C) an exploratory committee, (D) a  
22 committee established by or on behalf of a slate of candidates in a  
23 primary for the office of justice of the peace, but does not mean a  
24 candidate committee or a party committee, (E) a legislative caucus  
25 committee, or (F) a legislative leadership committee.

26 (4) "Candidate committee" means any committee designated by a  
27 single candidate, or established with the consent, authorization or  
28 cooperation of a candidate, for the purpose of a single primary or  
29 election and to aid or promote such candidate's candidacy alone for a  
30 particular public office or the position of town committee member, but  
31 does not mean a political committee or a party committee. For  
32 purposes of this chapter, "candidate committee" includes candidate  
33 committees for participating and nonparticipating candidates, unless  
34 the context of a provision clearly indicates otherwise.

35 (5) "Exploratory committee" means a committee established by a  
36 candidate for a single primary or election (A) to determine whether to  
37 seek nomination or election to (i) the General Assembly, (ii) a state  
38 office, as defined in subsection (e) of section 9-610, or (iii) any other  
39 public office, and (B) if applicable, to aid or promote such candidate's  
40 candidacy for nomination to the General Assembly or any such state  
41 office.

42 (6) "National committee" means the organization which according to  
43 the bylaws of a political party is responsible for the day-to-day  
44 operation of the party at the national level.

45 (7) "Organization" means all labor organizations, (A) as defined in  
46 the Labor-Management Reporting and Disclosure Act of 1959, as from  
47 time to time amended, or (B) as defined in subdivision (9) of section  
48 31-101, employee organizations as defined in subsection (d) of section  
49 5-270 and subdivision (6) of section 7-467, bargaining representative  
50 organizations for teachers, any local, state or national organization, to  
51 which a labor organization pays membership or per capita fees, based  
52 upon its affiliation or membership, and trade or professional  
53 associations which receive their funds exclusively from membership  
54 dues, whether organized in or outside of this state, but does not mean  
55 a candidate committee, party committee or a political committee.

56 (8) "Business entity" means the following, whether organized in or  
57 outside of this state: Stock corporations, banks, insurance companies,  
58 business associations, bankers associations, insurance associations,  
59 trade or professional associations which receive funds from  
60 membership dues and other sources, partnerships, joint ventures,  
61 private foundations, as defined in Section 509 of the Internal Revenue  
62 Code of 1986, or any subsequent corresponding internal revenue code  
63 of the United States, as from time to time amended; trusts or estates;  
64 corporations organized under sections 38a-175 to 38a-192, inclusive,  
65 38a-199 to 38a-209, inclusive, and 38a-214 to 38a-225, inclusive, and  
66 chapters 594 to 597, inclusive; cooperatives, and any other association,  
67 organization or entity which is engaged in the operation of a business  
68 or profit-making activity; but does not include professional service  
69 corporations organized under chapter 594a and owned by a single  
70 individual, nonstock corporations which are not engaged in business  
71 or profit-making activity, organizations, as defined in subdivision (7)  
72 of this section, candidate committees, party committees and political  
73 committees as defined in this section. For purposes of this chapter,  
74 corporations which are component members of a controlled group of  
75 corporations, as those terms are defined in Section 1563 of the Internal  
76 Revenue Code of 1986, or any subsequent corresponding internal  
77 revenue code of the United States, as from time to time amended, shall  
78 be deemed to be one corporation.

79 (9) "Individual" means a human being, a sole proprietorship, or a  
80 professional service corporation organized under chapter 594a and  
81 owned by a single human being.

82 (10) "Person" means an individual, committee, firm, partnership,  
83 organization, association, syndicate, company trust, corporation,  
84 limited liability company or any other legal entity of any kind but does  
85 not mean the state or any political or administrative subdivision of the  
86 state.

87 (11) "Candidate" means an individual who seeks nomination for  
88 election or election to public office whether or not such individual is  
89 elected, and for the purposes of this chapter and chapter 157, an  
90 individual shall be deemed to seek nomination for election or election  
91 if such individual has (A) been endorsed by a party or become eligible  
92 for a position on the ballot at an election or primary, or (B) solicited or  
93 received contributions, made expenditures or given such individual's  
94 consent to any other person to solicit or receive contributions or make  
95 expenditures with the intent to bring about such individual's  
96 nomination for election or election to any such office. "Candidate" also  
97 means a slate of candidates which is to appear on the ballot in a  
98 primary for the office of justice of the peace. For the purposes of  
99 sections 9-600 to 9-610, inclusive, as amended by this act, and section 9-  
100 621, as amended by this act, "candidate" also means an individual who  
101 is a candidate in a primary for town committee members.

102 (12) ["Campaign treasurer"] "Treasurer" means the individual  
103 appointed by a candidate or by the chairperson of a party committee  
104 or a political committee to receive and disburse funds on behalf of the  
105 candidate or committee.

106 (13) "Deputy [campaign] treasurer" means the individual appointed  
107 by the candidate or by the chairperson of a committee to serve in the  
108 capacity of the [campaign] treasurer if the [campaign] treasurer is  
109 unable to perform the [campaign] treasurer's duties.

110 (14) "Solicitor" means an individual appointed by a [campaign]

111 treasurer of a committee to receive, but not to disburse, funds on  
112 behalf of the committee.

113 (15) "Referendum question" means a question to be voted upon at  
114 any election or referendum, including a proposed constitutional  
115 amendment.

116 (16) "Lobbyist" means a lobbyist, as defined in section 1-91, and  
117 "communicator lobbyist" means a communicator lobbyist, as defined  
118 in section 1-91, and "client lobbyist" means a client lobbyist, as defined  
119 in section 1-91.

120 (17) "Business with which he is associated" means any business in  
121 which the contributor is a director, officer, owner, limited or general  
122 partner or holder of stock constituting five per cent or more of the total  
123 outstanding stock of any class. Officer refers only to the president,  
124 executive or senior vice-president or treasurer of such business.

125 (18) "Agent" means a person authorized to act for or in place of  
126 another.

127 (19) "Entity" means the following, whether organized in this or any  
128 other state: An organization, corporation, whether for-profit or not-for-  
129 profit, cooperative association, limited partnership, professional  
130 association, limited liability company [,] and limited liability  
131 partnership. "Entity" includes any tax-exempt organization under  
132 Section 501(c) of the Internal Revenue Code of 1986, or any subsequent  
133 corresponding internal revenue code of the United States, as amended  
134 from time to time, and any incorporated tax-exempt political  
135 organization organized under Section 527 of said code.

136 (20) "Federal account" means a depository account that is subject to  
137 the disclosure and contribution limits provided under the Federal  
138 Election Campaign Act of 1971, as amended from time to time.

139 (21) "Public funds" means funds belonging to, or under the control  
140 of, the state or a political subdivision of the state.

141 (22) "Legislative caucus committee" means a committee established  
142 under subdivision (2) of subsection (e) of section 9-605 by the majority  
143 of the members of a political party who are also state representatives  
144 or state senators.

145 (23) "Legislative leadership committee" means a committee  
146 established under subdivision (3) of subsection (e) of section 9-605 by a  
147 leader of the General Assembly.

148 (24) "Immediate family" means the spouse or a dependent child of  
149 an individual.

150 (25) "Organization expenditure" means an expenditure by a party  
151 committee, legislative caucus committee or legislative leadership  
152 committee for the benefit of a candidate or candidate committee for:

153 (A) The preparation, display or mailing or other distribution of a  
154 party candidate listing. As used in this subparagraph, "party candidate  
155 listing" means any communication that meets the following criteria: (i)  
156 The communication lists the name or names of candidates for election  
157 to public office, (ii) the communication is distributed through public  
158 advertising such as broadcast stations, cable television, newspapers or  
159 similar media, or through direct mail, telephone, electronic mail,  
160 publicly accessible sites on the Internet or personal delivery, [(iii) the  
161 treatment of all candidates in the communication is substantially  
162 similar, and (iv)] and (iii) the content of the communication is limited  
163 to (I) for each such candidate, identifying information, including  
164 photographs, the office sought, the office currently held by the  
165 candidate, if any, the party enrollment of the candidate, a brief  
166 statement concerning the candidate's positions, philosophy, goals,  
167 accomplishments or biography and the positions, philosophy, goals or  
168 accomplishments of the candidate's party, (II) information concerning  
169 how each such candidate contrasts with such candidate's opponent, if  
170 any, (III) encouragement to vote for each such candidate, [and (III)] or  
171 (IV) information concerning voting, including voting hours and  
172 locations;

173 (B) A document in printed or electronic form, including a party  
174 platform, a copy of an issue paper, information pertaining to the  
175 requirements of this title, a list of registered voters and voter  
176 identification information, which document is created or maintained  
177 by a party committee, legislative caucus committee or legislative  
178 leadership committee for the general purposes of party or caucus  
179 building and is provided (i) to a candidate who is a member of the  
180 party that has established such party committee, or (ii) to a candidate  
181 who is a member of the party of the caucus or leader who has  
182 established such legislative caucus committee or legislative leadership  
183 committee, whichever is applicable;

184 (C) A campaign event at which a candidate or candidates are  
185 present; or

186 (D) The retention of the services of an advisor to provide assistance  
187 relating to campaign organization, financing, accounting, strategy, law  
188 or media. [; or]

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

193 (26) "Solicit" means (A) requesting that a contribution be made, (B)  
194 participating in any fund-raising activities for a candidate committee,  
195 exploratory committee, political committee or party committee,  
196 including, but not limited to, forwarding tickets to potential  
197 contributors, receiving contributions for transmission to any such  
198 committee or bundling contributions, (C) serving as chairperson,  
199 treasurer or deputy treasurer of any such committee, or (D)  
200 establishing a political committee for the sole purpose of soliciting or  
201 receiving contributions for any committee. "Solicit" does not include (i)  
202 making a contribution that is otherwise permitted under this chapter,  
203 (ii) informing any person of a position taken by a candidate for public  
204 office or a public official, (iii) notifying the person of any activities of,  
205 or contact information for, any candidate for public office, or (iv)

206 serving as a member in any party committee or as an officer of such  
207 committee that is not otherwise prohibited in this subdivision.

208 (27) "Bundle" means the forwarding of five or more contributions to  
209 a single committee by a communicator lobbyist, an agent of such  
210 lobbyist, or a member of the immediate family of such lobbyist, or  
211 raising contributions for a committee at a fund-raising affair held by,  
212 sponsored by, or hosted by a communicator lobbyist or an agent of  
213 such lobbyist, or a member of the immediate family of such lobbyist.

214 (28) "Slate committee" means a political committee formed by two or  
215 more candidates for nomination or election to any municipal office in  
216 the same town, city or borough, or in a primary for the office of justice  
217 of the peace or the position of town committee member, whenever  
218 such political committee will serve as the sole funding vehicle for the  
219 candidates' campaigns.

220 (29) "Campaign-related disbursement" means (A) an independent  
221 expenditure, as defined in section 9-601c, as amended by this act, or (B)  
222 a covered transfer.

223 (30) (A) "Covered transfer" means any transfer or payment of funds  
224 in an aggregate amount of one thousand dollars or more in the two  
225 years that follow the initial transfer or payment by an entity covered  
226 by the disclosure provisions under this chapter to a recipient who uses  
227 such funds to make a campaign-related disbursement or  
228 disbursements.

229 (B) "Covered transfer" does not include dues, fees or assessments  
230 that are transferred between affiliated entities and paid by individuals  
231 on a regular, periodic basis in accordance with a per-individual  
232 calculation that is made on a regular basis. For purposes of this  
233 subdivision, "affiliated" means (i) the governing instrument of the  
234 entity requires it to be bound by decisions of the other entity; (ii) the  
235 governing board of the entity includes persons who are specifically  
236 designated representatives of the other entity or who are members of  
237 the governing board, officers, or paid executive staff members of the



238 other entity, or whose service on the governing board is contingent  
239 upon the approval of the other entity; or (iii) the entity is chartered by  
240 the other entity. "Affiliated" includes entities that are an affiliate of the  
241 other entity or where both of the entities are an affiliate of the same  
242 entity.

243 (31) "Party building activities" includes, but is not limited to,  
244 political meetings, conferences, events and conventions, and any  
245 associated expenses.

246 (32) "Social media" means an electronic medium where users may  
247 create and view user-generated content, such as uploaded or  
248 downloaded videos or still photographs, blogs, video blogs, podcasts  
249 or instant messages.

250 Sec. 2. Section 9-601a of the general statutes is repealed and the  
251 following is substituted in lieu thereof (*Effective January 1, 2014*):

252 (a) As used in this chapter and chapter 157, "contribution" means:

253 (1) Any gift, subscription, loan, advance, payment or deposit of  
254 money or anything of value, made for the purpose of influencing the  
255 nomination for election, or election, of any person or for the purpose of  
256 aiding or promoting the success or defeat of any referendum question  
257 or [on behalf] the success or defeat of any political party;

258 (2) A written contract, promise or agreement to make a contribution  
259 for any such purpose;

260 (3) The payment by any person, other than a candidate or  
261 [campaign] treasurer, of compensation for the personal services of any  
262 other person which are rendered without charge to a committee or  
263 candidate for any such purpose;

264 (4) An expenditure that is not an independent expenditure; or

265 (5) Funds received by a committee which are transferred from  
266 another committee or other source for any such purpose.

267 (b) As used in this chapter and chapter 157, "contribution" does not  
268 mean:

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

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

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

278 (4) Uncompensated services provided by individuals volunteering  
279 their time on behalf of a party committee, political committee, slate  
280 committee or candidate committee, including any services provided  
281 for the benefit of nonparticipating and participating candidates under  
282 the Citizens' Election Program and any unreimbursed travel expenses  
283 made by an individual who volunteers the individual's personal  
284 services to any such committee. For purposes of this subdivision, an  
285 individual is a volunteer if such individual is not receiving  
286 compensation for such services regardless of whether such individual  
287 received compensation in the past or may receive compensation [in the  
288 future for such services] for similar services that may be performed in  
289 the future;

290 (5) The use of real or personal property, and the cost of invitations,  
291 food or beverages, voluntarily provided by an individual to a  
292 candidate, including a nonparticipating or participating candidate  
293 under the Citizens' Election Program, party, political or slate  
294 committee, in rendering voluntary personal services at the individual's  
295 residential premises or a community room in the individual's  
296 residence facility, to the extent that the cumulative value of the  
297 invitations, food or beverages provided [for any single event] by an  
298 individual on behalf of any candidate or committee does not exceed

299 four hundred dollars with respect to any [calendar year or primary or  
300 general election, as the case may be, and] single event or does not  
301 exceed eight hundred dollars for any such event hosted by two or  
302 more individuals, provided at least one such individual owns or  
303 resides at the residential premises, and further provided the  
304 cumulative value of the invitations, food or beverages provided by an  
305 individual on behalf of any such candidate or committee does not  
306 exceed eight hundred dollars [in any] with respect to a calendar year  
307 or single election, as the case may be;

308 (6) The sale of food or beverage for use by a party, political, slate or  
309 candidate committee, including those for a participating or  
310 nonparticipating candidate, at a discount, if the charge is not less than  
311 the cost to the vendor, to the extent that the cumulative value of the  
312 discount given to or on behalf of any single candidate committee does  
313 not exceed four hundred dollars with respect to any single primary or  
314 election, or to or on behalf of any party, political or slate committee,  
315 does not exceed six hundred dollars in a calendar year;

316 (7) The display of a lawn sign by a human being or on real property;

317 (8) The payment, by a party committee or slate committee of the  
318 costs of preparation, display, mailing or other distribution incurred by  
319 the committee or individual with respect to any printed slate card,  
320 sample ballot or other printed list containing the names of three or  
321 more candidates;

322 (9) The donation of any item of personal property by an individual  
323 to a committee for a fund-raising affair, including a tag sale or auction,  
324 or the purchase by an individual of any such item at such an affair, to  
325 the extent that the cumulative value donated or purchased does not  
326 exceed one hundred dollars;

327 (10) (A) The purchase of advertising space which clearly identifies  
328 the purchaser, in a program for a fund-raising affair sponsored by the  
329 candidate committee of a candidate for an office of a municipality,  
330 provided the cumulative purchase of such space does not exceed two

331 hundred fifty dollars from any single such candidate or the candidate's  
332 committee with respect to any single election campaign if the  
333 purchaser is a business entity or fifty dollars for purchases by any  
334 other person;

335 (B) The purchase of advertising space which clearly identifies the  
336 purchaser, in a program for a fund-raising affair or on signs at a fund-  
337 raising affair sponsored by a town committee, provided the  
338 cumulative purchase of such space does not exceed two hundred fifty  
339 dollars from any single town committee in any calendar year if the  
340 purchaser is a business entity or fifty dollars for purchases by any  
341 other person. Notwithstanding the provisions of this subparagraph,  
342 the following may not purchase advertising space in a program for a  
343 fund-raising affair or on signs at a fund-raising affair sponsored by a  
344 town committee: (i) A communicator lobbyist, (ii) a member of the  
345 immediate family of a communicator lobbyist, (iii) a state contractor,  
346 (iv) a prospective state contractor, or (v) a principal of a state  
347 contractor or prospective state contractor. As used in this  
348 subparagraph, "state contractor", "prospective state contractor" and  
349 "principal of a state contractor or prospective state contractor" have the  
350 same meanings as provided in subsection (g) of section 9-612;

351 (11) The payment of money by a candidate to the candidate's  
352 candidate committee, provided the committee is for a nonparticipating  
353 candidate;

354 (12) The donation of goods or services by a business entity to a  
355 committee for a fund-raising affair, including a tag sale or auction, to  
356 the extent that the cumulative value donated does not exceed two  
357 hundred dollars;

358 (13) The advance of a security deposit by an individual to a  
359 telephone company, as defined in section 16-1, for telecommunications  
360 service for a committee or to another utility company, such as an  
361 electric company, provided the security deposit is refunded to the  
362 individual;

363 (14) The provision of facilities, equipment, technical and managerial  
364 support, and broadcast time by a community antenna television  
365 company, as defined in section 16-1, for community access  
366 programming pursuant to section 16-331a, unless (A) the major  
367 purpose of providing such facilities, equipment, support and time is to  
368 influence the nomination or election of a candidate, or (B) such  
369 facilities, equipment, support and time are provided on behalf of a  
370 political party;

371 (15) The sale of food or beverage by a town committee to an  
372 individual at a town fair, county fair, local festival or similar mass  
373 gathering held within the state, to the extent that the cumulative  
374 payment made by any one individual for such items does not exceed  
375 fifty dollars;

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

378 (17) The donation of food or beverage by an individual for  
379 consumption at a slate, candidate, political committee or party  
380 committee meeting, event or activity that is not a fund-raising affair to  
381 the extent that the cumulative value of the food or beverages donated  
382 by an individual for a single meeting or event does not exceed fifty  
383 dollars; [or]

384 (18) The value associated with the de minimis activity on behalf of a  
385 party committee, political committee, slate committee or candidate  
386 committee, including for activities including, but not limited to, (A) the  
387 creation of electronic or written communications created on a  
388 voluntary basis without compensation, including, but not limited to,  
389 the creation and ongoing content development and delivery of social  
390 media on the Internet or telephone, including, but not limited to, the  
391 sending or receiving of electronic mail or messages, (B) the posting or  
392 display of a candidate's name or group of candidates' names at a town  
393 fair, county fair, local festival or similar mass gathering by a party  
394 committee, or (C) the use of personal property or a service that is  
395 customarily attendant to the occupancy of a residential dwelling, or

396 the donation of an item or items of personal property that are  
397 customarily used for campaign purposes, by an individual, to a  
398 candidate committee, provided the cumulative fair market value of  
399 such use of personal property or service or items of personal property  
400 does not exceed one hundred dollars in the aggregate for any single  
401 election or calendar year, as the case may be; [. For purposes of this  
402 subdivision, "social media" means an electronic medium where users  
403 may create and view user-generated content, such as uploaded or  
404 downloaded videos or still photographs, blogs, video blogs, podcasts  
405 or instant messages.] or

406 (19) The use of offices, telephones, computers and similar  
407 equipment provided by a party committee, legislative caucus  
408 committee or legislative leadership committee that serve as  
409 headquarters for or are used by such party committee, legislative  
410 caucus committee or legislative leadership committee.

411 Sec. 3. Section 9-601b of the general statutes is repealed and the  
412 following is substituted in lieu thereof (*Effective January 1, 2014*):

413 (a) As used in this chapter and chapter 157, the term "expenditure"  
414 means:

415 (1) Any purchase, payment, distribution, loan, advance, deposit or  
416 gift of money or anything of value, when made for the purpose of  
417 influencing the nomination for election, or election, of any person or  
418 for the purpose of aiding or promoting the success or defeat of any  
419 referendum question or [on behalf] the success or defeat of any  
420 political party;

421 (2) Any [advertisement] communication that (A) refers to one or  
422 more clearly identified candidates, (B) is broadcast by radio, [or]  
423 television, [other than on a public access channel] satellite  
424 communication or via the Internet, or as a paid-for telephone  
425 communication, or appears in a newspaper, magazine or on a  
426 billboard, or is sent by mail, and (C) is broadcast or appears [during  
427 the ninety-day period preceding the date of a primary or an election,

428 other than a commercial advertisement that refers to an owner,  
429 director or officer of a business entity who is also a candidate and that  
430 had previously been broadcast or appeared when the owner, director  
431 or officer was not a candidate] on or after January first of the year  
432 during which there will be an election for the office that the candidate  
433 or candidates are seeking, but such communication does not include  
434 speech or expression made prior to the ninety-day period preceding  
435 the date of a primary or an election at which such clearly identified  
436 candidate or candidates are seeking nomination or election to public  
437 office or position, that is made for the purpose of influencing any  
438 legislative or administrative action, as defined in section 1-91, by state  
439 government or a political subdivision of the state; or

440 (3) The transfer of funds by a committee to another committee.

441 (b) The term "expenditure" does not mean:

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

444 (2) A communication made by any corporation, organization or  
445 association solely to its members, owners, stockholders, executive or  
446 administrative personnel, or their families;

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

451 (4) Uncompensated services provided by individuals volunteering  
452 their time on behalf of a party committee, political committee, slate  
453 committee or candidate committee, including any services provided  
454 for the benefit of nonparticipating and participating candidates under  
455 the Citizens' Election Program and any unreimbursed travel expenses  
456 made by an individual who volunteers the individual's personal  
457 services to any such committee. For purposes of this subdivision, an  
458 individual is a volunteer if such individual is not receiving

459 compensation for such services regardless of whether such individual  
460 received compensation in the past or may receive compensation for  
461 similar services that may be performed in the future;

462 (5) Any news story, commentary or editorial distributed through  
463 the facilities of any broadcasting station, newspaper, magazine or  
464 other periodical, unless such facilities are owned or controlled by any  
465 political party, committee or candidate;

466 (6) The use of real or personal property, and the cost of invitations,  
467 food or beverages, voluntarily provided by an individual to a  
468 candidate, [or on behalf of a state central or town] including a  
469 nonparticipating or participating candidate under the Citizens'  
470 Election Program, party, political or slate committee, in rendering  
471 voluntary personal services [for candidate or party-related activities] at  
472 the individual's [residence] residential premises or a community room  
473 in the individual's residence facility, to the extent that the cumulative  
474 value of the invitations, food or beverages provided by [the] an  
475 individual on behalf of any [single candidate for nomination or  
476 election] candidate or committee does not exceed [two] four hundred  
477 dollars with respect to any single [election, and on behalf of all state  
478 central and town committees does not exceed four] event or does not  
479 exceed eight hundred dollars for any such event hosted by two or  
480 more individuals, provided at least one such individual owns or  
481 resides at the residential premises, and further provided the  
482 cumulative value of the invitations, food or beverages provided by an  
483 individual on behalf of any such candidate or committee does not  
484 exceed eight hundred dollars [in] with respect to a calendar year or  
485 single election, as the case may be;

486 [(7) Any unreimbursed payment for travel expenses made by an  
487 individual who, on his own behalf, volunteers his personal services to  
488 any single candidate to the extent that the cumulative value does not  
489 exceed two hundred dollars with respect to any single election, and on  
490 behalf of all state or town committees does not exceed four hundred  
491 dollars in a calendar year; or]



492 [(8)] (7) An organization expenditure by a party committee,  
493 legislative caucus committee or legislative leadership committee; [.] or

494 (8) A commercial advertisement that refers to an owner, director or  
495 officer of a business entity who is also a candidate and that had  
496 previously been broadcast or appeared when the owner, director or  
497 officer was not a candidate.

498 (c) "Expense incurred but not paid" means any receipt of goods or  
499 services for which payment is required but not made or a written  
500 contract, promise or agreement to make an expenditure.

501 Sec. 4. Section 9-601c of the general statutes is repealed and the  
502 following is substituted in lieu thereof (*Effective January 1, 2014*):

503 (a) As used in this chapter and chapter 157, the term "independent  
504 expenditure" means an expenditure, as defined in section 9-601b, as  
505 amended by this act, that is made without the consent, coordination, or  
506 consultation of, a candidate or agent of the candidate, candidate  
507 committee, political committee or party committee, but shall not  
508 include an expenditure or expenditures by a human being acting alone  
509 in an amount that is two hundred fifty dollars or less, in the aggregate,  
510 that benefits a candidate for a single election.

511 (b) When the State Elections Enforcement Commission evaluates an  
512 expenditure to determine whether such expenditure is an independent  
513 expenditure, there shall be a rebuttable presumption that the following  
514 expenditures are not independent expenditures:

515 (1) An expenditure made by a person in cooperation, consultation or  
516 in concert with, at the request, suggestion or direction of, or pursuant  
517 to a general or particular understanding with (A) a candidate,  
518 candidate committee, political committee or party committee, or (B) a  
519 consultant or other agent acting on behalf of a candidate, candidate  
520 committee, political committee or party committee;

521 (2) An expenditure made by a person for the production,  
522 dissemination, distribution or publication, in whole or in substantial

523 part, of any broadcast or any written, graphic or other form of political  
524 advertising or campaign communication prepared by (A) a candidate,  
525 candidate committee, political committee or party committee, or (B) a  
526 consultant or other agent acting on behalf of a candidate, candidate  
527 committee, political committee or party committee;

528 (3) An expenditure made by a person based on information about a  
529 candidate's, political committee's, or party committee's plans, projects  
530 or needs, provided by (A) a candidate, candidate committee, political  
531 committee or party committee, or (B) a consultant or other agent acting  
532 on behalf of a candidate, candidate committee, political committee or  
533 party committee, with the intent that such expenditure be made;

534 (4) An expenditure made by an individual who, in the same election  
535 cycle, is serving or has served as the campaign chairperson,  
536 [campaign] treasurer or deputy treasurer of a candidate committee,  
537 political committee or party committee benefiting from such  
538 expenditure, or in any other executive or policymaking position,  
539 including as a member, employee, fundraiser, consultant or other  
540 agent, of a candidate, candidate committee, political committee or  
541 party committee;

542 (5) An expenditure made by a person whose officer, director,  
543 member, employee, fundraiser, consultant or other agent who serves  
544 the person in an executive or policymaking position also serves as or  
545 has served in the same election cycle as the candidate or the campaign  
546 chairperson, [campaign] treasurer or deputy treasurer of a candidate  
547 committee, political committee or party committee benefiting from  
548 such expenditure, or in any other executive or policymaking position  
549 of the candidate committee, political committee or party committee;

550 (6) An expenditure made by a person for fundraising activities (A)  
551 with or for a candidate, candidate committee, political committee or  
552 party committee, or a consultant or other agent acting on behalf of a  
553 candidate, candidate committee, political committee or party  
554 committee, or (B) for the solicitation or receipt of contributions on  
555 behalf of a candidate, candidate committee, political committee or

556 party committee, or a consultant or other agent acting on behalf of a  
557 candidate, candidate committee, political committee or party  
558 committee;

559 (7) An expenditure made by a person based on information about a  
560 candidate's campaign plans, projects or needs, that is directly or  
561 indirectly provided by a candidate, the candidate's candidate  
562 committee, a political committee or a party committee, or a consultant  
563 or other agent acting on behalf of such candidate, candidate  
564 committee, political committee or party committee, to the person  
565 making the expenditure or such person's agent, with an express or tacit  
566 understanding that such person is considering making the  
567 expenditure;

568 (8) An expenditure made by a person for a communication that  
569 clearly identifies a candidate during an election campaign, if the  
570 person making the expenditure, or such person's agent, has informed  
571 the candidate who benefits from the expenditure, that candidate's  
572 candidate committee, a political committee or a party committee, or a  
573 consultant or other agent acting on behalf of the benefiting candidate  
574 or candidate committee, political committee, or party committee,  
575 concerning the communication's contents, or of the intended audience,  
576 timing, location or mode or frequency of dissemination. As used in this  
577 subdivision, a communication clearly identifies a candidate when that  
578 communication contains the name, nickname, initials, photograph or  
579 drawing of the candidate or an unambiguous reference to that  
580 candidate, which includes, but is not limited to, a reference that can  
581 only mean that candidate; [and]

582 (9) An expenditure made by a person or an entity for consultant or  
583 creative services, including, but not limited to, services related to  
584 communications strategy or design or campaign strategy, to be used to  
585 promote or oppose a candidate's election to office if the provider of  
586 such services is also providing consultant or creative services to such  
587 candidate, such candidate's candidate committee, or to any opposing  
588 candidate in the same primary or election, or to such opposing

589 candidate's candidate committee. For purposes of this subdivision,  
590 communications strategy or design does not include the costs of  
591 printing or costs for the use of a medium for the purpose of  
592 communications; [.]

593 (10) An expenditure made by a person or an entity on or after  
594 January first in the year of an election in which a candidate is seeking  
595 office that benefits such candidate when such person or entity has  
596 hired an individual as an employee or consultant and such individual  
597 was an employee of or consultant to such candidate during any part of  
598 the eighteen-month period preceding such expenditure; and

599 (11) An expenditure made by a person or an entity on or after  
600 January first in the year of an election in which a candidate is seeking  
601 office that benefits such candidate when such person or entity making  
602 the expenditure has hired a campaign-related vendor that has been  
603 hired by such candidate during the same election cycle. For purposes  
604 of this subdivision, campaign-related vendor includes, but is not  
605 limited to, a vendor that provides the following services: Polling, mail  
606 design, mail strategy, political strategy, general campaign advice or  
607 telephone banking.

608 Sec. 5. Subsection (a) of section 9-606 of the general statutes is  
609 repealed and the following is substituted in lieu thereof (*Effective*  
610 *January 1, 2014*):

611 (a) The [campaign] treasurer of each committee shall be responsible  
612 for (1) depositing, receiving and reporting all contributions and other  
613 funds in the manner specified in section 9-608, as amended by this act,  
614 (2) making and reporting expenditures, (3) reporting expenses  
615 incurred but not yet paid, (4) filing the statements required under  
616 section 9-608, as amended by this act, and (5) keeping internal records  
617 of each entry made on such statements. The [campaign] treasurer of  
618 each committee shall deposit contributions in the committee's  
619 designated depository [within fourteen] not later than twenty days  
620 after receiving them. The [campaign] treasurer of each political  
621 committee or party committee which makes a contribution of goods to

622 another committee shall send written notice to the [campaign]  
623 treasurer of the recipient committee before the close of the reporting  
624 period during which the contribution was made. The notice shall be  
625 signed by the [campaign] treasurer of the committee making the  
626 contribution and shall include the full name of such committee, the  
627 date on which the contribution was made, a complete description of  
628 the contribution and the value of the contribution. Any dispute  
629 concerning the information contained in such notice shall be resolved  
630 by the [campaign] treasurer of the recipient committee. Such resolution  
631 shall not impair in any way the authority of the State Elections  
632 Enforcement Commission under section 9-7b. The [campaign]  
633 treasurer of the recipient committee shall preserve each such notice  
634 received for the period prescribed by subsection (f) of section 9-607.

635 Sec. 6. Subdivision (1) of subsection (g) of section 9-607 of the  
636 general statutes is repealed and the following is substituted in lieu  
637 thereof (*Effective January 1, 2014*):

638 (g) (1) As used in this subsection, (A) "the lawful purposes of his  
639 committee" means: (i) For a candidate committee or exploratory  
640 committee, the promoting of the nomination or election of the  
641 candidate who established the committee, except that after a political  
642 party nominates candidates for election to the offices of Governor and  
643 Lieutenant Governor, whose names shall be so placed on the ballot in  
644 the election that an elector will cast a single vote for both candidates,  
645 as prescribed in section 9-181, a candidate committee established by  
646 either such candidate may also promote the election of the other such  
647 candidate; (ii) for a political committee, the promoting of a political  
648 party, including party-building activities, the success or defeat of  
649 candidates for nomination and election to public office or position  
650 subject to the requirements of this chapter, or the success or defeat of  
651 referendum questions, provided a political committee formed for a  
652 single referendum question shall not promote the success or defeat of  
653 any candidate, and provided further a legislative leadership committee  
654 or a legislative caucus committee may expend funds to defray costs of  
655 its members for conducting legislative or constituency-related business

656 which are not reimbursed or paid by the state; and (iii) for a party  
657 committee, the promoting of the party, the candidates of the party and  
658 continuing operating costs of the party, and (B) "immediate family"  
659 means a spouse or dependent child of a candidate who resides in the  
660 candidate's household.

661 Sec. 7. Subsection (a) of section 9-612 of the general statutes is  
662 repealed and the following is substituted in lieu thereof (*Effective*  
663 *January 1, 2014*):

664 (a) No individual shall make a contribution or contributions in any  
665 one calendar year in excess of [five] ten thousand dollars to the state  
666 central committee of any party, or for the benefit of such committee  
667 pursuant to its authorization or request; or [one] two thousand dollars  
668 to a town committee of any political party, or for the benefit of such  
669 committee pursuant to its authorization or request; or [one] two  
670 thousand dollars to a legislative caucus committee or legislative  
671 leadership committee, or [seven hundred fifty] one thousand dollars to  
672 any other political committee other than (1) a political committee  
673 formed solely to aid or promote the success or defeat of a referendum  
674 question, (2) an exploratory committee, (3) a political committee  
675 established by an organization, or for the benefit of such committee  
676 pursuant to its authorization or request, or (4) a political committee  
677 formed by a slate of candidates in a primary for the office of justice of  
678 the peace of the same town.

679 Sec. 8. Subsection (e) of section 9-612 of the general statutes is  
680 repealed and the following is substituted in lieu thereof (*Effective*  
681 *January 1, 2014*):

682 (e) (1) Any (A) individual, [entity or] (B) committee, or (C) entity  
683 that is otherwise legally permitted to make independent expenditures,  
684 acting alone, may make unlimited independent expenditures. Except  
685 as provided in subdivision (2) of this subsection, any such individual,  
686 entity or committee that makes or obligates to make an independent  
687 expenditure or expenditures in excess of one thousand dollars, in the  
688 aggregate, shall file statements according to the same schedule and in

689 the same manner as is required of a [campaign] treasurer of a  
690 candidate committee under section 9-608, as amended by this act.

691 (2) Any individual, entity or committee that makes or obligates to  
692 make an independent expenditure or expenditures to promote the  
693 success or defeat of a candidate for the office of Governor, Lieutenant  
694 Governor, Secretary of the State, State Treasurer, State Comptroller,  
695 Attorney General, state senator or state representative, which [exceeds]  
696 exceed one thousand dollars, in the aggregate, during a primary  
697 campaign or a general election campaign, as defined in section 9-700,  
698 on or after January 1, 2008, shall file a report of such independent  
699 expenditure to the State Elections Enforcement Commission. The  
700 report shall be in the same form as statements filed under section 9-  
701 608, as amended by this act, except that such report shall be filed  
702 electronically. If the individual, entity or committee makes or obligates  
703 to make such independent expenditure or expenditures more than  
704 ninety days before the day of a primary or election, the individual,  
705 entity or committee shall file such report not later than [forty-eight]  
706 twenty-four hours after such payment or obligation. If the individual,  
707 entity or committee makes or obligates to make such independent  
708 expenditure or expenditures ninety days or less before the day of a  
709 primary or election, the person shall file such report not later than  
710 [twenty-four] twelve hours after such payment or obligation. The  
711 report shall be filed under penalty of false statement.

712 (3) The independent expenditure report shall (A) identify the  
713 candidate for whom the independent expenditure or expenditures is  
714 intended to promote the success or defeat, (B) affirm under penalty of  
715 false statement that the expenditure is an independent expenditure,  
716 and (C) provide any information that the State Elections Enforcement  
717 Commission requires to facilitate compliance with the provisions of  
718 this chapter or chapter 157.

719 (4) Any person may file a complaint with the commission upon the  
720 belief that (A) any such independent expenditure report or statement  
721 is false, or (B) any individual, entity or committee that is required to

722 file an independent expenditure report under this subsection has failed  
723 to do so. The commission shall make a prompt determination on such  
724 a complaint.

725 (5) (A) If an individual, entity or committee fails to file a report  
726 required under subdivision (2) of this subsection for an independent  
727 expenditure or expenditures made or obligated to be made more than  
728 ninety days before the day of a primary or election, the person shall be  
729 subject to a civil penalty, imposed by the State Elections Enforcement  
730 Commission, of not more than five thousand dollars. If an individual,  
731 entity or committee fails to file a report required under subdivision (2)  
732 of this subsection for an independent expenditure or expenditures  
733 made or obligated to be made ninety days or less before the day of a  
734 primary or election, such individual, entity or committee shall be  
735 subject to a civil penalty, imposed by the State Elections Enforcement  
736 Commission, of not more than ten thousand dollars. (B) If any such  
737 failure is knowing and wilful, the person responsible for the failure  
738 shall also be fined not more than five thousand dollars or imprisoned  
739 not more than five years, or both.

740 (6) (A) As part of any statement filed pursuant to this subsection, if  
741 an entity that engages in an independent expenditure makes such  
742 campaign-related disbursement out of a segregated bank account  
743 consisting only of funds donated directly to the account and not  
744 transferred to the account by the entity, the entity shall disclose those  
745 donors who gave an aggregate of one thousand dollars or more to the  
746 account on or after January first of the year during which there will be  
747 an election for the office that the candidate who was the subject of such  
748 expenditure is seeking, the amount of each donation and the aggregate  
749 amount given by each donor, except as provided in subparagraph (C)  
750 of this subdivision.

751 (B) As part of any statement filed pursuant to this subsection by an  
752 entity, if any such entity (i) is able to accept donations into its general  
753 treasury, (ii) engages in an independent expenditure on or after  
754 January first of the year during which there will be an election for the



755 office that a candidate who was the subject of such expenditure is  
756 seeking, and (iii) makes such campaign-related disbursement out of its  
757 general treasury, such entity shall disclose the source and the amount  
758 of all donations to the general treasury, including dues payments, if  
759 any, of one thousand dollars or more, in the aggregate amount given  
760 by each donor, except as provided in subparagraph (C) of this  
761 subdivision, and excluding any funds received in a commercial  
762 transaction or in the form of an investment.

763 (C) If a donor restricts his or her donation to a not-for-profit entity  
764 from being used for a campaign-related disbursement, and the entity  
765 consents to the restriction and segregates the money into any account  
766 not used to make a campaign-related disbursement, the identity of the  
767 donor does not have to be disclosed.

768 Sec. 9. Section 9-621 of the general statutes is repealed and the  
769 following is substituted in lieu thereof (*Effective January 1, 2014*):

770 (a) No individual shall make or incur any expenditure with the  
771 consent of, in coordination with or in consultation with any candidate,  
772 candidate committee or candidate's agent, no group of two or more  
773 individuals acting together that receives funds or makes or incurs  
774 expenditures not exceeding one thousand dollars in the aggregate and  
775 has not formed a political committee shall make or incur any  
776 expenditure, and no candidate or committee shall make or incur any  
777 expenditure including an organization expenditure for a party  
778 candidate listing, as defined in subparagraph (A) of subdivision (25) of  
779 section 9-601, as amended by this act, for any written, typed or other  
780 printed communication, or any web-based, written communication,  
781 which promotes the success or defeat of any candidate's campaign for  
782 nomination at a primary or election or promotes or opposes any  
783 political party or solicits funds to benefit any political party or  
784 committee unless such communication bears upon its face as a  
785 disclaimer (1) the words "paid for by" and the following: (A) In the  
786 case of such an individual, the name and address of such individual;  
787 (B) in the case of a committee other than a party committee, the name

788 of the committee and its [campaign] treasurer; (C) in the case of a party  
789 committee, the name of the committee; or (D) in the case of a group of  
790 two or more individuals that receives funds or makes or incurs  
791 expenditures not exceeding one thousand dollars in the aggregate and  
792 has not formed a political committee, the name of the group and the  
793 name and address of its agent, and (2) the words "approved by" and  
794 the following: (A) In the case of an individual, group or committee  
795 other than a candidate committee making or incurring an expenditure  
796 with the consent of, in coordination with or in consultation with any  
797 candidate, candidate committee or candidate's agent, the name of the  
798 candidate; or (B) in the case of a candidate committee, the name of the  
799 candidate.

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

801 (1) No candidate or candidate committee or exploratory committee  
802 established by a candidate shall make or incur any expenditure for  
803 television advertising or Internet video advertising, which promotes  
804 the success of such candidate's campaign for nomination at a primary  
805 or election or the defeat of another candidate's campaign for  
806 nomination at a primary or election, unless, as a disclaimer, (A) at the  
807 end of such advertising there appears simultaneously, for a period of  
808 not less than four seconds, (i) a clearly identifiable photographic or  
809 similar image of the candidate making such expenditure, (ii) a clearly  
810 readable printed statement identifying such candidate, and indicating  
811 that such candidate has approved the advertising, and (iii) a  
812 simultaneous, personal audio message, in the following form: "I am ...  
813 (candidate's name) and I approved this message", and (B) the  
814 candidate's name and image appear in, and the candidate's voice is  
815 contained in, the narrative of the advertising, before the end of such  
816 advertising;

817 (2) No candidate or candidate committee or exploratory committee  
818 established by a candidate shall make or incur any expenditure for  
819 radio advertising or Internet audio advertising, which promotes the  
820 success of such candidate's campaign for nomination at a primary or

821 election or the defeat of another candidate's campaign for nomination  
822 at a primary or election, unless, as a disclaimer, (A) the advertising  
823 ends with a personal audio statement by the candidate making such  
824 expenditure (i) identifying such candidate and the office such  
825 candidate is seeking, and (ii) indicating that such candidate has  
826 approved the advertising in the following form: "I am ... (candidate's  
827 name) and I approved this message", and (B) the candidate's name and  
828 voice are contained in the narrative of the advertising, before the end  
829 of such advertising; and

830 (3) No candidate or candidate committee or exploratory committee  
831 established by a candidate shall make or incur any expenditure for  
832 automated telephone calls which promote the success of such  
833 candidate's campaign for nomination at a primary or election or the  
834 defeat of another candidate's campaign for nomination at a primary or  
835 election, unless the candidate's name and voice are contained in the  
836 narrative of the call, before the end of such call.

837 (c) No business entity, organization, association, committee, or  
838 group of two or more individuals who have joined solely to promote  
839 the success or defeat of a referendum question shall make or incur any  
840 expenditure for any written, typed or other printed communication  
841 which promotes the success or defeat of any referendum question  
842 unless such communication bears upon its face, as a disclaimer, the  
843 words "paid for by" and the following: (1) In the case of a business  
844 entity, organization or association, the name of the business entity,  
845 organization or association and the name of its chief executive officer  
846 or equivalent and a list of at least five of the donors whose donations,  
847 in the aggregate, are in the top five largest amounts to the entity  
848 during the two years preceding the expenditure and whose donations  
849 are not excluded from disclosure under subparagraph (C) of  
850 subdivision (6) of subsection (e) of section 9-612, as amended by this  
851 act, and an address to an Internet web site that lists all donors subject  
852 to disclosure under said section 9-612 and such donors' addresses; (2)  
853 in the case of a political committee, the name of the committee and the  
854 name of its [campaign] treasurer; (3) in the case of a party committee,

855 the name of the committee; or (4) in the case of such a group of two or  
856 more individuals, the name of the group and the name and address of  
857 its agent.

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

866 (e) The [campaign] treasurer of a candidate committee which  
867 sponsors any written, typed or other printed communication for the  
868 purpose of raising funds to eliminate a campaign deficit of that  
869 committee shall include in such communication a statement that the  
870 funds are sought to eliminate such a deficit.

871 (f) The [campaign] treasurer of an exploratory committee or  
872 candidate committee established by a candidate for nomination or  
873 election to the office of Treasurer which committee sponsors any  
874 written, typed or other printed communication for the purpose of  
875 raising funds shall include in such communication a statement  
876 concerning the prohibitions set forth in subsection (n) of section 1-84,  
877 subsection (f) of section 9-612 and subsection (f) of section 9-613.

878 (g) In the event a [campaign] treasurer of a candidate committee is  
879 replaced pursuant to subsection (c) of section 9-602, nothing in this  
880 section shall be construed to prohibit the candidate committee from  
881 distributing any printed communication subject to the provisions of  
882 this section that has already been printed or otherwise produced, even  
883 though such communication does not accurately designate the  
884 successor [campaign] treasurer of such candidate committee.

885 (h) (1) No individual or entity shall make or incur an independent  
886 expenditure for any written, typed or other printed communication,

887 including on a billboard, or any web-based, written communication,  
888 [that promotes the success or defeat of any candidate for nomination  
889 or election or promotes or opposes any political party or solicits funds  
890 to benefit any political party or committee,] unless such  
891 communication bears upon its face, as a disclaimer, the words "Paid  
892 for by" and, in the case of an individual, the name and address of such  
893 individual, or, in the case of an entity, the name of the entity, the name  
894 of its chief executive officer or equivalent, and its principal business  
895 address. [and] The communication shall also bear upon its face the  
896 words "This message was made independent of any candidate or  
897 political party.". In the case of an entity making or incurring such an  
898 independent expenditure, [which entity is a tax-exempt organization  
899 under Section 501(c) of the Internal Revenue Code of 1986, or any  
900 subsequent corresponding internal revenue code of the United States,  
901 as amended from time to time, or an incorporated tax-exempt political  
902 organization organized under Section 527 of said code, such  
903 communication shall also bear upon its face the words "Top Five  
904 Contributors" followed by a list of the five persons or entities making  
905 the largest contributions to such organization during the twelve-month  
906 period before the date of such communication] such communication  
907 shall also bear upon its face at least five of the donors to the entity  
908 making such communication whose donations, in the aggregate, are in  
909 the top five largest amounts to the entity during the two years  
910 preceding the expenditure and whose donations are not excluded from  
911 disclosure under subparagraph (C) of subdivision (6) of subsection (e)  
912 of section 9-612, as amended by this act, and an address to an Internet  
913 web site that lists all donors subject to disclosure under said section 9-  
914 612 and such donors' addresses.

915 (2) In addition to the requirements of subdivision (1) of this  
916 subsection, no individual or entity shall make or incur an independent  
917 expenditure for [television advertising or Internet video advertising,  
918 that promotes the success or defeat of any candidate for nomination or  
919 election or promotes or opposes any political party or solicits funds to  
920 benefit any political party or committee] a video broadcast by  
921 television, satellite or Internet, unless at the end of such advertising

922 there appears simultaneously, for a period of not less than four  
923 seconds as a disclaimer, (A) a clearly identifiable video, photographic  
924 or similar image of the individual or the entity's chief executive officer  
925 or equivalent, and (B) a personal audio message, in the following form:  
926 "I am .... (name of the individual or entity's chief executive officer or  
927 equivalent), .... (title) of .... (entity). This message was made  
928 independent of any candidate or political party, and I approved its  
929 content.". In the case of an entity making or incurring such an  
930 independent expenditure, [which entity is a tax-exempt organization  
931 under Section 501(c) of the Internal Revenue Code of 1986, or any  
932 subsequent corresponding internal revenue code of the United States,  
933 as amended from time to time, or an incorporated tax-exempt political  
934 organization organized under Section 527 of said code, such  
935 advertising shall also include a written message in the following form:  
936 "The top five contributors to the organization responsible for this  
937 advertisement are" followed by a list of the five persons or entities  
938 making the largest contributions during the twelve-month period  
939 before the date of such advertisement] such communication shall also  
940 include a written message listing at least five of the donors to the entity  
941 whose donations, in the aggregate, are in the top five largest amounts  
942 to the entity during the two years preceding the expenditure and  
943 whose donations are not excluded from disclosure under  
944 subparagraph (C) of subdivision (6) of subsection (e) of section 9-612,  
945 as amended by this act, and an address to an Internet web site that lists  
946 all donors subject to disclosure under said section 9-612 and such  
947 donors' addresses.

948 (3) In addition to the requirements of subdivision (1) of this  
949 subsection, no individual or entity shall make or incur an independent  
950 expenditure for [radio advertising or Internet audio advertising, that  
951 promotes the election or defeat of any candidate for nomination or  
952 election or promotes or opposes any political party or solicits funds to  
953 benefit any political party or committee] an audio communication  
954 broadcast by radio, satellite or Internet, unless the advertising ends  
955 with a disclaimer that is a personal audio statement by the individual  
956 or entity's chief executive officer or equivalent (A) identifying the

957 individual or entity paying for the expenditure, and (B) indicating that  
958 the message was made independent of any candidate or political party,  
959 using the following form: "I am .... (name of individual or entity's chief  
960 executive officer or equivalent), .... (title), of .... (entity). This message  
961 was made independent of any candidate or political party, and I  
962 approved its content.". In the case of an entity making or incurring  
963 such an independent expenditure, [which entity is a tax-exempt  
964 organization under Section 501(c) of the Internal Revenue Code of  
965 1986, or any subsequent corresponding internal revenue code of the  
966 United States, as amended from time to time, or an incorporated tax-  
967 exempt political organization organized under Section 527 of said  
968 code, such advertising shall also include (i) an audio message in the  
969 following form: "The top five contributors to the organization  
970 responsible for this advertisement are" followed by a list of the five  
971 persons or entities making the largest contributions during the twelve-  
972 month period before the date of such advertisement, or (ii) in the case  
973 of such an advertisement that is thirty seconds in duration or shorter,  
974 an audio message providing a web site address that lists such five  
975 persons or entities. In such case, the organization shall establish and  
976 maintain such a web site with such listing for the entire period during  
977 which such organization makes such advertisement] such  
978 communication shall end with a list of at least five of the donors to the  
979 entity making such communication whose donations, in the aggregate,  
980 are in the top five largest amounts to the entity during the two years  
981 preceding the expenditure and whose donations are not excluded from  
982 disclosure under subparagraph (C) of subdivision (6) of subsection (e)  
983 of section 9-612, as amended by this act, and an address to an Internet  
984 web site that lists all donors subject to disclosure under said section 9-  
985 612 and such donors' addresses.

986 (4) In addition to the requirements of subdivision (1) of this  
987 subsection, no individual or entity shall make or incur an independent  
988 expenditure for [automated] telephone calls, [that promote the election  
989 or defeat of any candidate for nomination or election or promotes or  
990 opposes any political party or solicits funds to benefit any political  
991 party or committee] including those which are automated, unless the

992 narrative of the telephone call identifies the individual or entity  
993 making the expenditure and its chief executive officer or equivalent [.   
994 In the case of an entity making or incurring such an independent  
995 expenditure, which entity is a tax-exempt organization under Section  
996 501(c) of the Internal Revenue Code of 1986, or any subsequent  
997 corresponding internal revenue code of the United States, as amended  
998 from time to time, or an incorporated tax-exempt political organization  
999 organized under Section 527 of said code, such narrative shall also  
1000 include an audio message in the following form: "The top five  
1001 contributors to the organization responsible for this telephone call are"  
1002 followed by a list of the five persons or entities making the largest  
1003 contributions during the twelve-month period before the date of such  
1004 telephone call.] and such narrative ends with a list of at least five of the  
1005 donors to the entity making such telephone call whose donations, in  
1006 the aggregate, are in the top five largest amounts to the entity during  
1007 the two years preceding the expenditure and whose donations are not  
1008 excluded from disclosure under subparagraph (C) of subdivision (6) of  
1009 subsection (e) of section 9-612, as amended by this act, and an address  
1010 to an Internet web site that lists all donors subject to disclosure under  
1011 said section 9-612 and such donors' addresses.

1012 (i) In any print, television or social media promotion of a slate of  
1013 candidates by a party committee, the party committee shall use  
1014 applicable disclaimers pursuant to the provisions of this section for  
1015 such promotion, and no individual candidate disclaimers shall be  
1016 required.

1017 (j) Notwithstanding the provisions of this section, any entity that is  
1018 required under the provisions of this section to list or identify donors  
1019 in any disclaimer made in the case of an independent expenditure shall  
1020 list such donors as individuals. In any case where a donor is another  
1021 entity that made a covered transfer to such entity, the individual  
1022 donors to the entity making the covered transfer shall also be listed in  
1023 any required Internet web site listing, and, if any such individual  
1024 donor is a donor to the entity making the independent expenditure  
1025 whose donations, in the aggregate, are in the top five largest amounts



1026 to the entity during the two years preceding the expenditure and  
1027 whose donations are not excluded from disclosure under  
1028 subparagraph (C) of subdivision (6) of subsection (e) of section 9-612,  
1029 as amended by this act, then at least five of such individual donors  
1030 shall be listed pursuant to the provisions of this section.

1031 (k) Any disclaimer required to be on the face of a written, typed or  
1032 other printed communication pursuant to the provisions of this section  
1033 shall be printed in no smaller than eight-point type of uniform font  
1034 when such disclaimer is on a communication contained in a flyer or  
1035 leaflet, newspaper, magazine or similar literature, or that is delivered  
1036 by mail.

1037 (l) Notwithstanding the provisions of this section, any requirement  
1038 to list donors as part of a disclaimer or on an Internet web site shall  
1039 only apply to donors whose donations in the aggregate, are in an  
1040 amount of one thousand dollars or greater to the entity.

1041 Sec. 10. (NEW) (*Effective January 1, 2014*) (a) Any entity incorporated,  
1042 organized or operating in this state, shall disclose any campaign-  
1043 related disbursement to the public on the entity's Internet web site not  
1044 later than forty-eight hours after making or obligating to make such  
1045 disbursement and file a report of such disbursement electronically  
1046 with the State Elections Enforcement Commission under the  
1047 provisions of section 9-612 of the general statutes, as amended by this  
1048 act.

1049 (b) Any such entity required to file a statement under section 9-612  
1050 of the general statutes, as amended by this act, after making or  
1051 obligating to make an independent expenditure shall do at least one of  
1052 the following: (1) If the entity submits regular, periodic reports to its  
1053 shareholders, members or donors, on the entity's finances or activities,  
1054 include in each such report (A) the identity of the individual making  
1055 any campaign-related disbursement and the business address of such  
1056 individual, (B) the amount and date of each such disbursement and the  
1057 identity of the individual to whom such disbursement was made, (C)  
1058 the candidate or candidates or ballot issue to which such

1059 disbursements are related, and (D) the identity of any individual who  
1060 made a donation in excess of one thousand dollars to the entity, for  
1061 any campaign-related disbursements made by the entity during the  
1062 period such report covers, or (2) provide on the entity's Internet web  
1063 site a link to the entity's filed disclosure reports under said section 9-  
1064 612.

1065 Sec. 11. (NEW) (*Effective January 1, 2014*) If the State Elections  
1066 Enforcement Commission finds that an expenditure, as defined in  
1067 section 9-601b of the general statutes, as amended by this act, is  
1068 coordinated with a candidate committee or candidate or an agent of  
1069 the candidate, in a manner not permissible under the provisions of  
1070 chapter 155 of the general statutes, the candidate, agent of the  
1071 candidate, if applicable, and treasurer of such committee shall be  
1072 jointly and severally liable for paying any penalty levied by the  
1073 commission under section 9-7b of the general statutes. If such  
1074 candidate is a participating candidate, as described in section 9-703 of  
1075 the general statutes, the candidate shall return grant money awarded  
1076 under chapter 157 of the general statutes to the Citizens' Election Fund,  
1077 established in section 9-701 of the general statutes, in an amount  
1078 determined by the commission.

1079 Sec. 12. (NEW) (*Effective January 1, 2014*) (a) (1) Wherever the term  
1080 "campaign treasurer" is used in the following sections of the general  
1081 statutes, the term "treasurer" shall be substituted in lieu thereof; and (2)  
1082 wherever the term "deputy campaign treasurer" is used in the  
1083 following sections of the general statutes, the term "deputy treasurer"  
1084 shall be substituted in lieu thereof: 9-7b, 9-602, 9-604, 9-605, 9-606, 9-  
1085 607, 9-608, 9-609, 9-610, 9-612, 9-614, 9-622, 9-623, 9-624, 9-675, 9-700, 9-  
1086 703, 9-704, 9-706, 9-707, 9-709, 9-711 and 9-712, as amended by this act.

1087 (b) The Legislative Commissioners' Office shall, in codifying the  
1088 provisions of this section, make such technical, grammatical and  
1089 punctuation changes as are necessary to carry out the purposes of this  
1090 section.

1091 Sec. 13. Subsection (c) of section 9-605 of the general statutes is

1092 repealed and the following is substituted in lieu thereof (*Effective*  
1093 *January 1, 2014*):

1094 (c) The [chairman] treasurer of each political committee shall report  
1095 any addition to or change in information previously submitted in a  
1096 statement of organization to the proper authority not later than ten  
1097 days after the addition or change, provided if an officer of the  
1098 committee has changed, such amended statement shall be filed by the  
1099 chairperson of the committee.

1100 Sec. 14. Subsection (a) of section 9-608 of the general statutes is  
1101 repealed and the following is substituted in lieu thereof (*Effective*  
1102 *January 1, 2014*):

1103 (a) (1) Each treasurer of a committee, other than a state central  
1104 committee, shall file a statement, sworn under penalty of false  
1105 statement with the proper authority in accordance with the provisions  
1106 of section 9-603, (A) on the tenth calendar day in the months of  
1107 January, April, July and October, provided, if such tenth calendar day  
1108 is a Saturday, Sunday or legal holiday, the statement shall be filed on  
1109 the next business day, except that in the case of a candidate or  
1110 exploratory committee established for an office to be elected at a  
1111 special election, statements pursuant to this subparagraph shall not be  
1112 required, (B) on the seventh day preceding each regular state election,  
1113 except that (i) in the case of a candidate or exploratory committee  
1114 established for an office to be elected at a municipal election, the  
1115 statement shall be filed on the seventh day preceding a regular  
1116 municipal election in lieu of such date, except if the candidate's name  
1117 is not eligible to appear on the ballot, in which case such statement  
1118 shall not be required, (ii) in the case of a town committee, the  
1119 statement shall be filed on the seventh day preceding each municipal  
1120 election in addition to such date, [and] (iii) in the case of a candidate  
1121 committee in a state election that is required to file any supplemental  
1122 campaign finance statements pursuant to subdivisions (1) and (2) of  
1123 subsection (a) of section 9-712, as amended by this act, such  
1124 supplemental campaign finance statements shall satisfy the filing

1125 requirement under this subdivision, and (iv) in the case of a candidate  
1126 committee established by a candidate whose name is not eligible to  
1127 appear on the ballot, such statement shall not be required, and (C) if  
1128 the committee has made or received a contribution or expenditure in  
1129 connection with any other election, a primary or a referendum, on the  
1130 seventh day preceding the election, primary or referendum, except that  
1131 in the case of a candidate committee in a primary that is required to  
1132 file statements pursuant to subdivisions (1) and (2) of subsection (a) of  
1133 section 9-712, as amended by this act, such statements shall satisfy the  
1134 filing requirement under this subdivision. The statement shall be  
1135 complete as of eleven fifty-nine o'clock p.m. of the last day of the  
1136 month preceding the month in which the statement is required to be  
1137 filed, except that for the statement required to be filed on the seventh  
1138 day preceding the election, primary or referendum, the statement shall  
1139 be complete as of eleven fifty-nine o'clock p.m. of the second day  
1140 immediately preceding the required filing day. The statement shall  
1141 cover a period to begin with the first day not included in the last filed  
1142 statement. In the case of a candidate committee, the statement required  
1143 to be filed in January shall be in lieu of the statement formerly required  
1144 to be filed within forty-five days following an election.

1145 (2) Each [campaign] treasurer of a candidate committee [, within]  
1146 established by a candidate in a primary, not later than thirty days  
1147 following [any] such primary, and each [campaign] treasurer of a  
1148 political committee formed for a single primary, election or  
1149 referendum, [within] not later than forty-five days after any election or  
1150 referendum not held in November, shall file statements in the same  
1151 manner as is required of them under subdivision (1) of this subsection.  
1152 A candidate committee established by a candidate who is unsuccessful  
1153 in the primary shall not be required to file any statements required  
1154 under subdivision (1) of this subsection following the primary unless  
1155 the candidate is eligible to appear on the general election ballot. If the  
1156 [campaign] treasurer of a candidate committee established by a  
1157 candidate, who is unsuccessful in the primary or has terminated his  
1158 candidacy prior to the primary, distributes all surplus funds within  
1159 thirty days following the scheduled primary and discloses the

1160 distribution on the postprimary statement, such [campaign] treasurer  
1161 shall not be required to file any subsequent statement unless the  
1162 committee has a deficit, in which case he shall file any required  
1163 statements in accordance with the provisions of subdivision (3) of  
1164 subsection (e) of this section.

1165 (3) In the case of state central committees, (A) on the tenth calendar  
1166 day in the months of January, April and July, provided, if such tenth  
1167 calendar day is a Saturday, Sunday or legal holiday, on the next  
1168 business day, [and] (B) on the twelfth day preceding any regular  
1169 election, and (C) if the committee has made or received a contribution  
1170 or expenditure in connection with any other election, or any primary  
1171 or referendum, on the twelfth day preceding the election, primary or  
1172 referendum, the [campaign] treasurer of each such committee shall file  
1173 with the proper authority, a statement, sworn under penalty of false  
1174 statement, complete as of the last day of the month immediately  
1175 preceding the month in which such statement is to be filed in the case  
1176 of statements required to be filed in January, April and July, and  
1177 complete as of the nineteenth day preceding an election, primary or  
1178 referendum in the case of the statement required to be filed on the  
1179 twelfth day preceding an election, primary or referendum, and in each  
1180 case covering a period to begin with the first day not included in the  
1181 last filed statement.

1182 Sec. 15. Subdivision (1) of subsection (e) of section 9-608 of the  
1183 general statutes is repealed and the following is substituted in lieu  
1184 thereof (*Effective January 1, 2014*):

1185 (e) (1) Notwithstanding any provisions of this chapter, in the event  
1186 of a surplus the [campaign] treasurer of a candidate committee or of a  
1187 political committee, other than a political committee formed for  
1188 ongoing political activities or an exploratory committee, shall  
1189 distribute or expend such surplus not later than ninety days, or for the  
1190 purposes of subparagraph (H) of this subdivision, one hundred twenty  
1191 days after a primary which results in the defeat of the candidate, an  
1192 election or referendum not held in November or by March thirty-first

1193 following an election or referendum held in November, or for the  
1194 purposes of subparagraph (H) of this subdivision, June thirtieth  
1195 following an election or referendum held in November, in the  
1196 following manner:

1197 (A) Such committees may distribute their surplus to a party  
1198 committee, or a political committee organized for ongoing political  
1199 activities, return such surplus to all contributors to the committee on a  
1200 prorated basis of contribution, distribute all or any part of such surplus  
1201 to the Citizens' Election Fund established in section 9-701, ~~[or]~~  
1202 distribute such surplus to any charitable organization which is a tax-  
1203 exempt organization under Section 501(c)(3) of the Internal Revenue  
1204 Code of 1986, or any subsequent corresponding internal revenue code  
1205 of the United States, as from time to time amended, or, in the case of a  
1206 candidate committee for any candidate, other than a participating  
1207 candidate, distribute such surplus to an organization under Section  
1208 501(c)(19) of said code, as from time to time amended, provided (i) no  
1209 candidate committee may distribute such surplus to a committee  
1210 which has been established to finance future political campaigns of the  
1211 candidate, (ii) a candidate committee which received moneys from the  
1212 Citizens' Election Fund shall distribute such surplus to such fund, and  
1213 (iii) a candidate committee for a nonparticipating candidate, as  
1214 described in subsection (b) of section 9-703, may only distribute any  
1215 such surplus to the Citizens' Election Fund or to a charitable  
1216 organization;

1217 (B) Each such political committee established by an organization  
1218 which received its funds from the organization's treasury shall return  
1219 its surplus to its sponsoring organization;

1220 (C) (i) Each political committee formed solely to aid or promote the  
1221 success or defeat of any referendum question, which does not receive  
1222 contributions from a business entity or an organization, shall distribute  
1223 its surplus to a party committee, to a political committee organized for  
1224 ongoing political activities, to a national committee of a political party,  
1225 to all contributors to the committee on a prorated basis of contribution,

1226 to state or municipal governments or agencies or to any organization  
1227 which is a tax-exempt organization under Section 501(c)(3) of the  
1228 Internal Revenue Code of 1986, or any subsequent corresponding  
1229 internal revenue code of the United States, as from time to time  
1230 amended. (ii) Each political committee formed solely to aid or promote  
1231 the success or defeat of any referendum question, which receives  
1232 contributions from a business entity or an organization, shall distribute  
1233 its surplus to all contributors to the committee on a prorated basis of  
1234 contribution, to state or municipal governments or agencies, or to any  
1235 organization which is tax-exempt under said provisions of the Internal  
1236 Revenue Code. Notwithstanding the provisions of this subsection, a  
1237 committee formed for a single referendum shall not be required to  
1238 expend its surplus not later than ninety days after the referendum and  
1239 may continue in existence if a substantially similar referendum  
1240 question on the same issue will be submitted to the electorate within  
1241 six months after the first referendum. If two or more substantially  
1242 similar referenda on the same issue are submitted to the electorate,  
1243 each no more than six months apart, the committee shall expend such  
1244 surplus within ninety days following the date of the last such  
1245 referendum;

1246 (D) The [campaign] treasurer of the candidate committee of a  
1247 candidate who is elected to office may, upon the authorization of such  
1248 candidate, expend surplus campaign funds to pay for the cost of  
1249 clerical, secretarial or other office expenses necessarily incurred by  
1250 such candidate in preparation for taking office; except such surplus  
1251 shall not be distributed for the personal benefit of any individual or to  
1252 any organization;

1253 (E) The [campaign] treasurer of a candidate committee, or of a  
1254 political committee, other than a political committee formed for  
1255 ongoing political activities or an exploratory committee, shall, prior to  
1256 the dissolution of such committee, either (i) distribute any equipment  
1257 purchased, including, but not limited to, computer equipment, to any  
1258 recipient as set forth in subparagraph (A) of this subdivision, or (ii) sell  
1259 any equipment purchased, including but not limited to computer

1260 equipment, to any person for fair market value and then distribute the  
1261 proceeds of such sale to any recipient as set forth in said subparagraph  
1262 (A);

1263 (F) The [campaign] treasurer of a qualified candidate committee  
1264 may, following an election or unsuccessful primary, provide a post-  
1265 primary thank you meal or a post-election thank you meal for  
1266 committee workers, provided such meal (i) occurs not later than  
1267 fourteen days after the applicable election or primary day, and (ii) the  
1268 cost for such meal does not exceed thirty dollars per worker;

1269 (G) The [campaign] treasurer of a qualified candidate committee  
1270 may, following an election or unsuccessful primary, exclusive of any  
1271 payments that have been rendered pursuant to a written service  
1272 agreement, make payment to a [campaign] treasurer for services  
1273 rendered to the candidate committee, provided such payment does not  
1274 exceed one thousand dollars; and

1275 (H) The [campaign] treasurer of a candidate committee may,  
1276 following an election or unsuccessful primary, utilize funds for the  
1277 purpose of complying with any audit conducted by the State Elections  
1278 Enforcement Commission pursuant to subdivision (5) of subsection (a)  
1279 of section 9-7b.

1280 Sec. 16. Subdivisions (1) and (2) of subsection (f) of section 9-610 of  
1281 the general statutes are repealed and the following is substituted in  
1282 lieu thereof (*Effective January 1, 2014*):

1283 (f) (1) A political committee established by two or more individuals  
1284 under subparagraph (B) of subdivision (3) of section 9-601, as  
1285 amended by this act, other than a committee established solely for the  
1286 purpose of aiding or promoting any candidate or candidates for  
1287 municipal office or the success or defeat of a referendum question,  
1288 shall be subject to the prohibition on acceptance of lobbyist  
1289 contributions under subsection (e) of this section unless the [campaign]  
1290 treasurer of the committee has filed a registration statement as  
1291 described in subsection (b) of section 9-605 with the State Elections



1292 Enforcement Commission, on or before November 15, 2012, for all such  
1293 political committees in existence on such date, or, if the committee is  
1294 not in existence on such date, not later than ten days after the  
1295 organization of the committee pursuant to subsection (a) of section 9-  
1296 605, and on or before November fifteenth of each even-numbered year  
1297 thereafter. Such statements shall be filed even if there are no changes,  
1298 additions or deletions to the registration statement previously filed  
1299 with the commission. Notwithstanding the provisions of this  
1300 subdivision, if an officer of the committee has changed since the last  
1301 registration statement filed with the commission, such registration  
1302 statement shall be filed by the chairperson of the committee.

1303 (2) A political committee established for ongoing political activities  
1304 and required pursuant to subsection (a) of section 9-603 to file  
1305 statements with the commission shall be subject to the prohibition on  
1306 making contributions under subsection (e) of this section unless the  
1307 [campaign] treasurer of the committee has filed a registration  
1308 statement as described in subsection (b) of section 9-605 with the  
1309 commission, on forms prescribed by the commission, on or before  
1310 November 15, 2012, for all such political committees in existence on  
1311 such date, or, if the committee is not in existence on such date, not later  
1312 than ten days after the organization of the committee pursuant to  
1313 subsection (a) of section 9-605, and on or before November fifteenth of  
1314 each even-numbered year thereafter. Such statements shall be filed  
1315 even if there are no changes, additions or deletions to the registration  
1316 statement previously filed with the commission. Notwithstanding the  
1317 provisions of this subdivision, if an officer of the committee has  
1318 changed since the last registration statement filed with the  
1319 commission, such registration statement shall be filed by the  
1320 chairperson of the committee.

1321 Sec. 17. Subsection (a) of section 9-712 of the general statutes is  
1322 repealed and the following is substituted in lieu thereof (*Effective*  
1323 *January 1, 2014*):

1324 (a) (1) The [campaign] treasurer of each candidate committee in a

1325 primary campaign or a general election campaign in which there is at  
1326 least one participating candidate shall file weekly supplemental  
1327 campaign finance statements with the commission in accordance with  
1328 the provisions of subdivision (2) of this subsection. Such weekly  
1329 statements shall be in lieu of the campaign finance statements due  
1330 pursuant to subparagraphs (B) and (C) of subdivision (1) of subsection  
1331 (a) of section 9-608, as amended by this act.

1332 (2) Each such [campaign] treasurer shall file weekly supplemental  
1333 campaign finance statements with the commission pursuant to the  
1334 following schedule: (A) In the case of a primary campaign, on the  
1335 [next] second Thursday following the date in July on which treasurers  
1336 are required to file campaign finance statements pursuant to  
1337 subparagraph (A) of subdivision (1) of subsection (a) of section 9-608,  
1338 as amended by this act, and each Thursday thereafter up to and  
1339 including the Thursday before the day of the primary, and (B) in the  
1340 case of a general election campaign, on the [next] second Thursday  
1341 following the date in October on which candidates are required to file  
1342 campaign finance statements pursuant to subparagraph (A) of  
1343 subdivision (1) of subsection (a) of section 9-608, as amended by this  
1344 act, and each Thursday thereafter up to and including the Thursday  
1345 before the day of the election. The statement shall be complete as of  
1346 eleven fifty-nine o'clock p.m. of the second day immediately preceding  
1347 the required filing day. The statement shall cover the period beginning  
1348 with the first day not included in the last filed statement.

1349 (3) Notwithstanding the provisions of subdivisions (1) and (2) of  
1350 this subsection, if a participating candidate committee in a primary  
1351 campaign or a general election campaign in which there is at least one  
1352 participating candidate makes expenditures or incurs an obligation to  
1353 make expenditures that, in the aggregate, exceed one hundred per cent  
1354 of the applicable expenditure limit for the applicable primary or  
1355 general election campaign period, the [campaign] treasurer of any such  
1356 candidate committee shall file a declaration of excess expenditures  
1357 statement with the commission, pursuant to the following schedule:  
1358 (A) If a candidate committee makes expenditures or incurs an

1359 obligation to make such expenditures more than twenty days before  
1360 the day of such primary or election, the [campaign] treasurer of such  
1361 candidate shall file such statement with the commission not later than  
1362 forty-eight hours after making such expenditures or incurring an  
1363 obligation to make such expenditures, and (B) if a candidate committee  
1364 makes such expenditures or incurs an obligation to make such  
1365 expenditures twenty days or less before the day of such primary or  
1366 election, the [campaign] treasurer of such candidate shall file such  
1367 statement with the commission not later than twenty-four hours after  
1368 making such expenditures or incurring an obligation to make such  
1369 expenditures. The statement shall be complete as of eleven fifty-nine  
1370 o'clock p.m. of the first day immediately preceding the required filing  
1371 day. The statement shall cover a period beginning with the first day  
1372 not included in the last filed statement.

1373 (4) Notwithstanding the provisions of this subsection, the  
1374 statements required to be filed pursuant to subdivisions (1) and (2) of  
1375 this subsection shall not be required to be filed by (A) a candidate  
1376 committee of a candidate that is exempt from filing campaign finance  
1377 statements pursuant to subsection (b) of section 9-608 unless or until  
1378 such a candidate committee receives or expends an amount in excess  
1379 of one thousand dollars for purposes of the primary or election for  
1380 which such committee was formed, (B) a candidate committee of a  
1381 candidate who is no longer eligible for a position on the ballot, or [(B)]  
1382 (C) a candidate committee of a participating candidate that is  
1383 unopposed, except that such candidate committee shall file a  
1384 supplemental statement on the last Thursday before the applicable  
1385 primary or general election. Such statement shall be complete as of  
1386 eleven fifty-nine o'clock p.m. of the second day immediately preceding  
1387 the required filing day. The statement shall cover a period beginning  
1388 with the first day not included in the last filed statement.

1389 (5) Each supplemental statement required under subdivision (1), (2)  
1390 or (3) of this subsection for a candidate shall disclose the information  
1391 required under subsection (c) of section 9-608, as amended by this act.  
1392 The commission shall adopt regulations, in accordance with the

1393 provisions of chapter 54, specifying permissible media for the  
1394 transmission of such statements to the commission, which shall  
1395 include electronic [mail] filing.

1396 Sec. 18. Subsection (e) of section 9-615 of the general statutes is  
1397 repealed and the following is substituted in lieu thereof (*Effective*  
1398 *January 1, 2014*):

1399 (e) [No political committee established by an organization shall  
1400 make contributions to the committees designated in subsection (d) of  
1401 this section, which in the aggregate exceed fifteen thousand dollars in  
1402 any one calendar year.] Contributions to a political committee  
1403 established by an organization shall also be subject to the provisions of  
1404 section 9-618 in the case of a committee formed for ongoing political  
1405 activity or section 9-619 in the case of a committee formed for a single  
1406 election or primary.

1407 Sec. 19. Subsection (c) of section 9-611 of the general statutes is  
1408 repealed and the following is substituted in lieu thereof (*Effective*  
1409 *January 1, 2014*):

1410 (c) No individual shall make contributions to such candidates or  
1411 committees which in the aggregate exceed [~~fifteen~~] thirty thousand  
1412 dollars for any single election and primary preliminary [~~thereto~~] to  
1413 such election.

1414 Sec. 20. Section 9-391 of the general statutes is repealed and the  
1415 following is substituted in lieu thereof (*Effective January 1, 2014*):

1416 (a) Each endorsement of a candidate to run in a primary for the  
1417 nomination of candidates for municipal office to be voted upon at a  
1418 municipal election, or for the election of town committee members  
1419 shall be made under the provisions of section 9-390 not earlier than the  
1420 fifty-sixth day or later than the forty-ninth day preceding the day of  
1421 such primary. Such endorsement may be made of a candidate whose  
1422 name appears upon the last-completed enrollment list of such party  
1423 within the municipality or political subdivision within which such

1424 candidate is to run for nomination. The endorsement shall be certified  
1425 to the clerk of the municipality by either (1) the chairman or presiding  
1426 officer, or (2) the secretary of the town committee, caucus or  
1427 convention, as the case may be, not later than four o'clock p.m. on the  
1428 forty-eighth day preceding the day of such primary. Such certification  
1429 shall contain the name and street address of each person so endorsed,  
1430 the title of the office or the position as committee member and the  
1431 name or number of the political subdivision or district, if any, for  
1432 which each such person is endorsed. If such a certificate of a party's  
1433 endorsement is not received by the town clerk by such time, such  
1434 certificate shall be invalid and such party, for purposes of sections 9-  
1435 417, 9-418 and 9-419, shall be deemed to have neither made nor  
1436 certified such endorsement of any candidate for such office.

1437 (b) Each selection of delegates to a state or district convention shall  
1438 be made in accordance with the provisions of section 9-390 not earlier  
1439 than the one-hundred-fortieth day and not later than the one-hundred-  
1440 thirty-third day preceding the day of the primary for such state or  
1441 district office. Such selection shall be certified to the clerk of the  
1442 municipality by the chairman or presiding officer and the secretary of  
1443 the town committee or caucus, as the case may be, not later than four  
1444 o'clock p.m. on the one-hundred-thirty-second day preceding the day  
1445 of such primary. Each such certification shall contain the name and  
1446 street address of each person so selected, the position as delegate, and  
1447 the name or number of the political subdivision or district, if any, for  
1448 which each such person is selected. If such a certificate of a party's  
1449 selection is not received by the town clerk by such time, such certificate  
1450 shall be invalid and such party, for purposes of sections 9-417 and 9-  
1451 420, shall be deemed to have neither made nor certified any selection  
1452 of any person for the position of delegate.

1453 (c) Each endorsement of a candidate to run in a primary for the  
1454 nomination of candidates for a municipal office to be voted upon at a  
1455 state election shall be made under the provisions of section 9-390 not  
1456 earlier than the eighty-fourth day or later than the seventy-seventh day  
1457 preceding the day of such primary. Any certification to be filed under

1458 this subsection shall be received by the Secretary of the State, in the  
1459 case of a candidate for the office of state senator or state representative,  
1460 or the town clerk, in the case of a candidate for any other municipal  
1461 office to be voted upon at a state election, not later than four o'clock  
1462 p.m. on the fourteenth day after the close of the town committee  
1463 meeting, caucus or convention, as the case may be. If such a certificate  
1464 of a party's endorsement is not received by the Secretary of the State or  
1465 the town clerk, as the case may be, by such time, such certificate shall  
1466 be invalid and such party, for the purposes of sections 9-417 and 9-418,  
1467 shall be deemed to have neither made nor certified any endorsement of  
1468 any candidate for such office. The candidate so endorsed for a  
1469 municipal office to be voted upon at a state election, other than the  
1470 office of justice of the peace, shall file with the Secretary of the State or  
1471 the town clerk, as the case may be, a certificate, signed by that  
1472 candidate, stating that such candidate was so endorsed, the candidate's  
1473 name as the candidate authorizes it to appear on the ballot, the  
1474 candidate's full street address and the title and district of the office for  
1475 which the candidate was endorsed. Such certificate may be filed by a  
1476 candidate whose name appears upon the last-completed enrollment  
1477 list of such party within the senatorial district within which the  
1478 candidate is endorsed to run for nomination in the case of the  
1479 municipal office of state senator, or the assembly district within which  
1480 a person is endorsed to run for nomination in the case of the municipal  
1481 office of state representative, or the municipality or political  
1482 subdivision within which a person is to run for nomination for other  
1483 municipal offices to be voted on at a state election. Such certificate  
1484 shall be attested by the chairman or presiding officer and the secretary  
1485 of the town committee, caucus or convention which made such  
1486 endorsement. The endorsement of candidates for the office of justice of  
1487 the peace shall be certified to the clerk of the municipality by the  
1488 chairman or presiding officer and the secretary of the town committee,  
1489 caucus or convention, and shall contain the name and street address of  
1490 each person so endorsed and the title of the office for which each such  
1491 person is endorsed.

1492 Sec. 21. Section 9-406 of the general statutes is repealed and the

1493 following is substituted in lieu thereof (*Effective January 1, 2014*):

1494 A candidacy for nomination by a political party to a municipal  
1495 office or a candidacy for election as a member of a town committee  
1496 may be filed by or on behalf of any person whose name appears upon  
1497 the last-completed enrollment list of such party within the  
1498 [municipality or within the political subdivision,] senatorial district [or  
1499 assembly district] within which a person is to be nominated [or] in the  
1500 case of the municipal office of state senator, or the assembly district  
1501 within which a person is to be nominated in the case of the municipal  
1502 office of state representative, or the municipality or political  
1503 subdivision within which a person is to be nominated in the case of a  
1504 town committee member [is to be elected, as the case may be] or for  
1505 any other municipal office. Any such candidacy shall be filed by filing  
1506 with the registrar within the applicable time specified in section 9-405  
1507 a petition signed by (1) at least five per cent of the electors whose  
1508 names appear upon the last-completed enrollment list of such party in  
1509 such municipality or in such political subdivision, senatorial district or  
1510 assembly district, or (2) such lesser number of such electors as such  
1511 party by its rules prescribes, as the case may be. For the purpose of  
1512 computing five per cent of the last-completed enrollment list, the  
1513 registrar shall use the last printed enrollment list and the printed  
1514 updated list, if any, of a political party certified and last completed by  
1515 the registrars of voters prior to the date the first primary petition was  
1516 issued, excluding therefrom the names of individuals who have ceased  
1517 to be electors.

1518 Sec. 22. (*Effective January 1, 2014*) Notwithstanding the provisions of  
1519 chapter 155 of the general statutes, any penalty imposed by the State  
1520 Elections Enforcement Commission due to a filing that was not  
1521 deemed to be received in a timely manner by said commission in  
1522 accordance with the provisions of section 9-608 of the general statutes,  
1523 as amended by this act, may be waived by said commission, provided  
1524 (1) such filing was due to be received by said commission during  
1525 January, 2012, and (2) said commission determines that the treasurer's  
1526 actions were such that the filing reasonably should have been received

1527 on or before the deadline applicable to such filing.

1528 Sec. 23. Subsection (d) of section 9-608 of the general statutes is  
1529 repealed and the following is substituted in lieu thereof (*Effective*  
1530 *January 1, 2014*):

1531 (d) At the time of filing statements required under this section, the  
1532 [campaign] treasurer of each candidate committee shall send to the  
1533 candidate a duplicate statement and the [campaign] treasurer of each  
1534 party committee and each political committee other than an  
1535 exploratory committee shall send to the chairman of the committee a  
1536 duplicate statement. Each statement required to be filed with the  
1537 commission under this section, subsection (e) of section 9-612, section  
1538 9-706 or section 9-712 shall be deemed to be filed in a timely manner if:  
1539 (1) For a statement filed as a hard copy, including, but not limited to, a  
1540 statement delivered by the United States Postal Service, courier  
1541 service, parcel service or hand delivery, the statement is received by  
1542 the commission by five o'clock p.m. on the day the statement is  
1543 required to be filed, (2) for a statement authorized by the commission  
1544 to be filed electronically, including, but not limited to, a statement filed  
1545 via dedicated electronic mail, facsimile machine, a web-based program  
1546 created by the commission or other electronic means, the statement is  
1547 transmitted to the commission not later than eleven fifty-nine o'clock  
1548 p.m. on the day the statement is required to be filed, or (3) for a  
1549 statement required to be filed pursuant to subsection (e) of section 9-  
1550 612, section 9-706 or section 9-712, by the deadline specified in each  
1551 such section. Any other filing required to be filed with a town clerk  
1552 pursuant to this section shall be deemed to be filed in a timely manner  
1553 if it is delivered by hand to the office of the town clerk in accordance  
1554 with the provisions of section 9-603 before four-thirty o'clock p.m. or  
1555 postmarked by the United States Postal Service before midnight on the  
1556 required filing day. If the day for any filing falls on a Saturday, Sunday  
1557 or legal holiday, the statement shall be filed on the next business day  
1558 thereafter. The State Elections Enforcement Commission shall not levy  
1559 a penalty upon a treasurer for failure to file a hard copy of a statement  
1560 in a timely manner in accordance with the provisions of this section, if



1561 such treasurer has a copy of the statement time stamped by the State  
 1562 Elections Enforcement Commission that shows timely receipt of the  
 1563 statement, or the treasurer has a return receipt from the United States  
 1564 Postal Service or a similar receipt from a commercial delivery service  
 1565 confirming timely receipt of such statement by said commission.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2014	9-601
Sec. 2	January 1, 2014	9-601a
Sec. 3	January 1, 2014	9-601b
Sec. 4	January 1, 2014	9-601c
Sec. 5	January 1, 2014	9-606(a)
Sec. 6	January 1, 2014	9-607(g)(1)
Sec. 7	January 1, 2014	9-612(a)
Sec. 8	January 1, 2014	9-612(e)
Sec. 9	January 1, 2014	9-621
Sec. 10	January 1, 2014	New section
Sec. 11	January 1, 2014	New section
Sec. 12	January 1, 2014	New section
Sec. 13	January 1, 2014	9-605(c)
Sec. 14	January 1, 2014	9-608(a)
Sec. 15	January 1, 2014	9-608(e)(1)
Sec. 16	January 1, 2014	9-610(f)(1) and (2)
Sec. 17	January 1, 2014	9-712(a)
Sec. 18	January 1, 2014	9-615(e)
Sec. 19	January 1, 2014	9-611(c)
Sec. 20	January 1, 2014	9-391
Sec. 21	January 1, 2014	9-406
Sec. 22	January 1, 2014	New section
Sec. 23	January 1, 2014	9-608(d)

**Statement of Legislative Commissioners:**

Corrected grammar in section 1 (30) (B). Changed "political subdivision of state government" to "political subdivision of the state" in section 3 (a) (2) for consistency with the general statutes. Added reference to section 9-703 of the general statutes in section 11 for clarity.

**GAE**      *Joint Favorable Subst. -LCO*

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:** None**Municipal Impact:** None**Explanation**

The bill, which makes changes to campaign finance and election laws, has no fiscal impact.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis****SB 5*****AN ACT CONCERNING CHANGES TO CAMPAIGN FINANCE LAWS AND OTHER ELECTION LAWS.*****SUMMARY:**

This bill modifies state election laws affecting campaign finance, the Citizens' Election Program (CEP), the State Elections Enforcement Commission (SEEC), and certain endorsement procedures. Principally, the bill:

1. expands reporting, disclaimer, and attribution requirements for independent expenditures;
2. expands the definition of expenditure;
3. exempts from the definition of "independent expenditure," expenditures of up to \$250 in the aggregate made by a human being acting alone to benefit a candidate for a single election;
4. defines "campaign-related disbursements" and "covered transfers" and establishes reporting requirements for them;
5. raises the limits on various contributions from individuals to political committees (known as PACs) and party committees and raises the aggregate limit on contributions an individual can make in a single election cycle;
6. specifies that the \$1,000 payment the law allows CEP candidates to pay their treasurers from surplus funds is in addition to any payments made to the treasurer under a written services agreement;
7. authorizes candidate committees, other than those for

participating CEP candidates, to distribute surplus funds to charitable 501(c)(19) (veterans') organizations following an unsuccessful primary or election;

8. requires a PAC's treasurer, rather than its chairperson, to report most changes to information on the registration statement it files with the SEEC (the chairperson remains responsible for filing the initial statement and reporting any committee officer changes); and
9. authorizes the SEEC to waive penalties associated with certain reports that were due in January 2012 and modifies what constitutes a timely filing.

The bill also makes several conforming changes, including conforming the expenditure exemptions for uncompensated volunteer services and the costs associated with hosting a house party to the parallel contribution exemptions that PA 11-48 made for these services and costs (§§ 2 & 3).

Finally, the bill makes technical changes, including replacing the terms "campaign treasurer" with "treasurer" and "deputy campaign treasurer" with "deputy treasurer" throughout the campaign finance statutes (§§ 1 & 12).

EFFECTIVE DATE: Upon passage

### **§§ 1-3 & 6 — CAMPAIGN FINANCE DEFINITIONS**

State campaign finance laws regulate campaign expenditures and contributions, including who can make and accept them and when. The bill changes the definitions of both terms.

Current law defines "expenditure," in part, as any advertisement that (1) refers to one or more clearly identified candidates; (2) is broadcast by radio or television, other than on a public access channel, or appears in a newspaper, magazine, or on a billboard; and (3) is broadcast or appears during the 90-day period immediately preceding

a primary or an election.

The bill expands the definition to include any communication, not only an advertisement, if it is (1) broadcast as provided by law or by public access channel, satellite, Internet, or as a paid-for telephone communication or sent by mail and (2) broadcast or appears on or after January 1 of the year in which the candidate is seeking election.

Current law also defines “expenditure,” in part, as any gift, subscription, loan, advance, payment, or deposit of money or anything of value made “on behalf” of a political party. The bill expands the definition to cover anything of value that promotes either the success or defeat of a political party, not just those made on one’s behalf. It makes the same change to the definition of “contribution.” It specifies that any gift, subscription, loan, advance, payment, or deposit of money or anything of value that promotes either the success or defeat of a political party, not just those made on one’s behalf, is considered a contribution.

By law, volunteer services provided by individuals are not considered campaign contributions or expenditures. Individuals are considered volunteers if they do not receive compensation for the services they perform. The bill expands the contribution exemption and applies it to individuals volunteering their time, regardless of whether they may receive compensation in the future for similar services, not only the same services as under current law. It also applies this new definition to expenditures.

The bill establishes reporting and disclosure requirements for “campaign-related disbursements,” which it defines as independent expenditures or covered transfers. It defines “covered transfer” as any transfer or payment of funds, by an entity that is required to disclose spending, in an aggregate of \$1,000 or more in the two years after the initial transfer or payment, to a recipient who uses the money to make a campaign-related disbursement. Covered transfers do not include dues, fees, or assessments that are transferred between affiliate entities and paid by individuals on a regular, periodic basis in accordance with

a per-individual calculation made on a regular basis.

By law, an “entity” is an organization, corporation, cooperative association, limited partnership, professional association, limited liability company, or limited liability partnership, whether organized in this or another state. The bill specifies that entities include both for- and not-for-profit corporations and 501(c) and 527 organizations.

Under the bill, “affiliated” means that:

1. the entity’s governing instrument requires it to be bound by decisions of another entity;
2. the entity’s governing board includes people who are specifically designated representatives of the other entity or who are members of the governing board, officers, or paid executive staff of the other entity, or whose service on the governing board is contingent upon the approval of the other entity; or
3. the entity is chartered by the other entity.

“Affiliated” includes entities that are an affiliate of the other entity or where both of the entities are an affiliate of the same entity.

The bill expands the definition of “lawful purposes of the committee” for legislative leadership committees’ and PACs’ permissible expenditures (see BACKGROUND). For the former, it includes spending funds to defray members’ costs associated with legislative or constituency-related business that the state does not pay for or reimburse. (Legislative caucus committees may already spend funds for these purposes.) For the latter, it includes promoting a political party, including party-building activities. Under the bill, “party building activities” include political meetings, conferences, events, conventions, and their associated expenses.

The law defines “social media” as an electronic medium where users may create and view user-generated content, such as uploaded

or downloaded videos or still photographs, blogs, video blogs, podcasts, or instant messages. Currently, this definition applies only in the context of certain de minimis activities that are exempt from the definition of contribution. The bill applies the definition to all state campaign finance laws.

## **§§ 4, 8, & 10 — INDEPENDENT EXPENDITURES**

Existing law requires an individual, entity, or committee that makes or obligates 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 in a primary or general election campaign to electronically file a report with the SEEC. The bill expands the definition of independent expenditure and changes the reports' deadlines and required information.

### **§ 4 — Definitions**

Current law defines "independent expenditure" as an expenditure that is made without the consent, coordination, or consultation of a (1) candidate or candidate's agent, (2) candidate committee, (3) PAC, or (4) party committee. The bill exempts from this definition expenditures of up to \$250 in the aggregate made by a human being acting alone to benefit a candidate for a single election.

The law creates a rebuttable presumption that certain expenditures are not independent expenditures and thus are coordinated and considered contributions for campaign finance purposes. The bill expands the rebuttable presumption to cover expenditures made by a person or an entity, on or after January 1st in an election year, that benefit a candidate when the person or entity has hired (1) an individual as an employee or consultant and the individual was an employee of, or consultant to, the candidate during any part of the 18-month period preceding the expenditure or (2) a campaign-related vendor that has been hired by the candidate during the same election cycle.

Under the bill, "campaign-related vendor" includes a vendor that



provides polling, mail design, mail strategy, political strategy, general campaign advice, or phone banking services.

### **§ 8 — Reporting Deadlines**

The bill establishes earlier deadlines for filing independent expenditure reports. It requires the individual, entity, or committee to file these reports within 24, rather than 48, hours after making, or obligating to make, an independent expenditure more than 90 days before the primary or general election. If the expenditure is made 90 days or less before the primary or general election, the report must be filed within 12, rather than 24, hours after making or obligating to make the expenditure.

### **§ 8 — Information that Must be Disclosed**

The bill requires entities to disclose slightly different information in its reports to the SEEC based on whether it pays for an independent expenditure from its general treasury or a segregated bank account consisting only of direct donations.

For a nonprofit entity specifically, whether making an independent expenditure from its general treasury or a segregated account, if a donor restricts his or her donation from being used for a campaign-related disbursement, and the nonprofit entity consents and puts it into an account not used for these disbursements, the donor's identity need not be disclosed ("restricted donor"). The identity of a donor who does not restrict his or her donation to a nonprofit entity must be disclosed if it meets the criteria described below ("unrestricted donor").

**Segregated Account.** If any entity, nonprofit or for-profit, engages in an independent expenditure and makes a campaign-related disbursement from a segregated bank account, it must disclose in its reports (1) donors who gave an aggregate of \$1,000 or more on or after January 1st during the year in which there will be an election for the office for which the candidate who was the subject is running, (2) each donation amount, and (3) the aggregate amount given by each donor,

other than a restricted donor. A segregated account cannot accept transfers of funds from the entity.

**General Treasury.** If any entity, nonprofit or for-profit, engages in an independent expenditure and makes a campaign-related disbursement from its general treasury on or after January 1st during the year in which there will be an election for the office for which the candidate who was the subject is running, it must disclose in its reports the sources of all donations to the treasury, including dues payments, of \$1,000 or more in the aggregate, other than those from restricted donors. The bill does not specify or limit the period of time during which the donations must have occurred.

The report must disclose the amount of each donation and the aggregate given. The entity need not disclose funds received in a commercial transaction or as an investment.

#### **§ 10 — Campaign-Related Disbursements**

The bill requires an entity incorporated, organized, or operating in this state to publicly disclose on its website any campaign-related disbursement no later than 48 hours after making or obligating to make it and file the required disclosure report electronically with the SEEC.

After making or obligating to make an independent expenditure, the entity must do at least one of the following:

1. include in any regular periodic financial or activity report to its shareholders, members, or donors the (a) identity of the individual making any campaign-related disbursement and his or her business address; (b) disbursement amount, date, and recipient; (c) candidates or ballot issues to which the disbursement is related; and (d) identity of individuals who donated more than \$1,000 to the entity for campaign-related disbursements during the period that the report covers or
2. provide a link on its website to the disclosure reports it has filed

with the SEEC.

## **§ 9 — DISCLAIMER AND ATTRIBUTION REQUIREMENTS**

By law, printed, video, and audio political advertisements must include certain attributions, which the bill refers to as disclaimers. Since independent expenditures are not, by definition, considered contributions, the bill makes a technical change to the independent expenditure disclaimer provisions by substituting “donation” for “contribution” and “donor” for “contributor.”

The bill also expands certain disclaimer requirements. Generally, it:

1. requires all entities that are permitted to make independent expenditures, not only 501(c) and 527 organizations, to list at least five of their top unrestricted donors (contributors under current law), provided the donors gave an aggregate amount of at least \$1,000, and requires the list to cover two years, rather than one year;
2. requires all entities making independent expenditures to also provide an address of a website listing all unrestricted donors who gave an aggregate of \$1,000 or more and the donors’ addresses; and
3. expands the disclaimer requirements to cover individuals, not only entities.

Additionally, under current law, the independent expenditure disclaimer requirements apply only to advertisements that (1) promoted a candidate’s election or defeat, (2) promoted or opposed a political party, or (3) solicited funds for a political party or PAC. Under the bill, they apply to any communication that refers to one or more clearly identified candidates.

By law, “individual” means a human being, sole proprietorship, or a professional service corporation owned by a single human being. Under the bill, the individual disclaimer requirements do not apply to

expenditures (1) made by a human being acting alone, (2) in an amount of \$250 or less in the aggregate, and (3) that benefit a candidate for a single election (see “independent expenditure” definition, § 4).

Table 1 lists each type of independent expenditure and its disclaimer requirements under current law and the bill. When a disclaimer is on a flyer or leaflet, or in a newspaper, magazine or similar literature, the bill requires it to be printed in at least an eight-point, uniform font.

**Table 1: Disclaimer Requirements under Current Law and the Bill**

<i>Type of Independent Expenditure</i>		<i>Disclaimer Requirements</i>	
<i>Current Law</i>	<i>The Bill (lists changes, otherwise the same)</i>	<i>Current Law</i>	<i>The Bill (lists changes, otherwise the same)</i>
Written communication, including one that is typed, printed, or web-based	Includes billboards	<p>The material must bear upon its face:</p> <ul style="list-style-type: none"> <li>• “Paid for by” and the name of the entity, the chief executive officer (CEO) or equivalent, and the principal business address;</li> <li>• “This message was made independent of any candidate or political party;” and</li> <li>• In the case of a 501(c) or a 527 tax-exempt organization, “Top Five Contributors,” followed by a list of the five people or entities making the largest reportable contributions during the previous 12 months</li> </ul>	<ul style="list-style-type: none"> <li>• Adds individuals and requires them to include “Paid for by” and their name and address</li> <li>• Requires all entities, not just 501(c) and 527 tax-exempt organizations, to include in the communication at least five of the unrestricted donors who gave an aggregate of \$1,000 or more and whose aggregate donations during the two years preceding the expenditure are the largest</li> <li>• Requires entities to provide a website address listing all unrestricted donors who gave an aggregate of \$1,000 or more and the donors’ addresses</li> </ul>
Television or Internet video advertising	Adds videos broadcast by satellite	<p>The end of the advertisement must show, for at least four seconds:</p> <ul style="list-style-type: none"> <li>• a clearly identifiable image of</li> </ul>	<ul style="list-style-type: none"> <li>• Adds individuals and requires them to include a clearly identifiable image of themselves</li> </ul>

		<p>the entity's CEO or equivalent;</p> <ul style="list-style-type: none"> <li>• a simultaneous, personal audio message, stating "I am (name of entity's CEO or equivalent), (title) of (entity). This message was made independent of any candidate or political party, and I approved its content;" and</li> <li>• In the case of a 501(c) or a 527 tax-exempt organization, a written message stating "The top five contributors to the organization responsible for this advertisement," followed by a list of the five people or entities making the largest reportable contributions during the previous 12 months</li> </ul>	<ul style="list-style-type: none"> <li>• Requires all entities, not just 501(c) and 527 tax-exempt organizations, to include in the communication a written message listing at least five of the unrestricted donors who gave an aggregate of \$1,000 or more and whose aggregate donations during the two years preceding the expenditure are the largest</li> <li>• Requires entities to provide a website address listing all unrestricted donors who gave an aggregate of \$1,000 or more and the donors' addresses</li> </ul>
<p>Radio or Internet audio advertising</p>	<p>Adds audio communication broadcast by satellite</p>	<p>The communication must end with a personal audio statement by the CEO or equivalent:</p> <ul style="list-style-type: none"> <li>• identifying the entity paying for the expenditure;</li> <li>• indicating that the message was made independent of any candidate or political party, using the following form: "I am (name of entity's CEO or equivalent), (title) of (entity). This message was made independent of any candidate or political party, and I approved its content;" and</li> <li>• In the case of a 501(c) or a 527 tax-exempt organization, an audio message stating (1) "The top five contributors to the organization responsible for this advertisement," followed by a list of the five people or entities making the largest reportable contributions during the previous 12 months or (2) an audio message providing a website that lists the same if the advertisement is 30 seconds or</li> </ul>	<ul style="list-style-type: none"> <li>• Adds individuals and requires them to identify themselves</li> <li>• Requires all entities, not just 501(c) and 527 tax-exempt organizations, to list at the end of the advertisement at least five of the unrestricted donors who gave an aggregate of \$1,000 or more and whose aggregate donations during the two years preceding the expenditure are the largest</li> <li>• Requires entities to provide a website address listing all unrestricted donors who gave an aggregate of \$1,000 or more and the donors' addresses</li> </ul>

		less	
"Robo Calls" (i.e., automated telephone calls)	Adds non-automated telephone calls	<ul style="list-style-type: none"> <li>• The narrative of the telephone call must identify the entity and its CEO or equivalent.</li> <li>• In the case of a 501(c) or a 527 organization, the narrative must also include a message stating, "The top five contributors to the organization responsible for this telephone call are," followed by a list of the five people or entities making the largest reportable contributions during the previous 12 months</li> </ul>	<ul style="list-style-type: none"> <li>• Requires all entities, not just 501(c) and 527 tax-exempt organizations, to include at the end of the narrative at least five of the unrestricted donors who gave an aggregate of \$1,000 or more and whose aggregate donations during the two years preceding the expenditure are the largest</li> <li>• Requires entities to provide a website address listing all unrestricted donors who gave an aggregate of \$1,000 or more and the donors' addresses</li> </ul>

**Disclosing Individual Donors**

To satisfy the disclaimer, the bill requires entities to list their donors as individuals. If a donor is another entity that made a covered transfer to the receiving entity, then the individual donors to the entity making the transfer must be listed in the required website listing. Additionally, if an unrestricted donor to the entity making the covered transfer is also one of the top five donors to the entity making the independent expenditure, then the disclaimer must list at least five of the top donors to the entity making the covered transfer.

**Slate Promotions**

The bill specifies that disclaimers by individual candidates are not required for any print, television, or social media promotion by a party committee for a slate of candidates. Rather, the party committee must use the applicable disclaimer as required by current law and the bill.

**Referenda**

Existing law requires a business entity, organization, or association that makes or incurs an expenditure for a printed communication

supporting or opposing a referendum question to include a disclaimer with the words “paid for by,” the name of the chief executive officer, and the name of the entity, organization, or association. The bill additionally requires them to (1) list at least five of their unrestricted donors whose aggregate donations during the two years preceding the expenditure are in the five largest amounts and (2) include a website address listing all their unrestricted donors and their addresses.

## **§§ 2, 3, 5, 7, 18, & 19 — CONTRIBUTIONS**

### **§§ 2 & 3 — Exemptions**

The law places limits on contributions made to benefit candidate committees, party committees, and PACs, and subjects the contributions to campaign finance reporting requirements. However, it creates exemptions for certain items and services. Thus, these items and services need not be reported as contributions.

The bill exempts from the definition of contribution any office or office equipment provided by a party, legislative caucus, or legislative leadership committee for the committee’s use. The committee must use the office as its headquarters. Office equipment includes telephones, computers, and similar equipment. (The bill also eliminates a provision under current law that includes office equipment provided by such a committee as an “organization expenditure” – see ORGANIZATION EXPENDITURES below.)

### **§ 7, 18 & 19 — Increased Limits**

Current law prohibits an individual from contributing more than \$15,000 in the aggregate during a single primary and election to (1) candidate committees, (2) exploratory committees, and (3) slate PACs for justice of the peace (in a primary). The bill increases this aggregate contribution limit to \$30,000. It also removes the \$15,000 aggregate limit on labor PAC contributions to party committees and PACs other than exploratory or referendum committees.

The bill otherwise increases the limits on contributions from individuals to most PACs and party committees, as Table 2 shows.

**Table 2: Individual Contribution Limits**

<i>Recipient</i>	<i>Current Law</i>	<i>The Bill</i>
State Central Committee	\$5,000	\$10,000
Town Committee, Legislative Leadership Committee, Legislative Caucus Committee	1,000	2,000
Most other PACs (except a referendum PAC, labor PAC, exploratory committee, or slate committee for justice of the peace in a primary)	750	1,000

**§ 5 — Deposits**

The bill extends the deadline by which treasurers must deposit contributions in their committee's depository account from no later than 14 days to no later than 20 days after receiving the contribution.

**§§ 1 & 2 — 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, but the law places restrictions and limits on those made to benefit legislative candidates participating in the CEP.

The bill:

1. eliminates one type of organization expenditure (i.e., for office equipment) and
2. makes changes to what qualifies as another type of organization expenditure (i.e., party candidate listing).

**§§ 1 & 2 — Office Equipment**

The bill eliminates from the definition of "organization expenditure" the use of offices, phones, computers, and similar equipment that do not result in an additional cost to the party, legislative caucus, or legislative leadership committee. It instead creates a contribution exemption for similar activities (see CONTRIBUTIONS above). Thus, as noted above, payments for these activities need not be reported.

**§ 1 — Party Candidate Listings**



By law, a party candidate listing is a communication that identifies one or more candidates and meets several criteria (e.g., distributed through public advertising, mail, or electronic mail). The bill (1) eliminates the current requirement that party candidate listings treat all candidates in the communication substantially similarly and (2) allows these listings to contrast candidates with their opponents.

## §§ 14 & 17 — OTHER CAMPAIGN FINANCE REPORTING REQUIREMENTS

### §§ 14 & 17 — *Eliminated Reports*

The bill eliminates certain campaign finance reporting requirements for specified candidates and committees, which Table 3 shows. The candidates and committees remain responsible for filing termination reports when they dissolve.

**Table 3: Eliminated Campaign Finance Statements**

<b>Section</b>	<b>Candidate or Committee</b>	<b>Eliminated Reporting Requirement</b>
§ 14	Special election candidate and exploratory committees	Quarterly campaign finance reports
§ 14	Candidates in a municipal election who do not qualify for ballot access	Campaign finance report on the 7th day preceding the election
§§ 14 & 17	Candidates in a state election who do not qualify for ballot access	(1) Campaign finance report on the 7th day preceding the election and (2) weekly supplemental campaign finance statements under the CEP
§ 14	Candidates who are unsuccessful in a primary and do not otherwise qualify for ballot access	Periodic campaign finance reports following the primary

### § 14 — *State Central Committees*

Current law requires state central committees to file campaign disclosure statements on the 12th day preceding any regular or special election. For special elections, the bill limits the requirement to those for which the committee makes or receives a contribution or expenditure. It retains the requirement for all regular elections.

The bill also extends this reporting requirement to primaries and referenda for which a state central committee makes or receives a contribution or expenditure. The statement must be complete as of the

19th day preceding the election, primary, or referendum.

### **§ 17 — Supplemental Campaign Finance Statement Schedule**

By law, a candidate committee in a primary or general election with at least one candidate participating in the CEP must file supplemental weekly campaign finance statements according to a specified schedule. The bill extends, by one week, the deadline for filing the initial supplemental statement.

Under the bill, candidate committees must file the initial supplemental statement for a primary on the second, rather than the first, Thursday following the July filing deadline for quarterly campaign finance statements (generally July 10). Similarly, for a general election, they must file on the second, rather than the first, Thursday following the October filing deadline for quarterly campaign finance statements (generally October 10).

### **§§ 20 & 21 — ENDORSEMENTS**

Under the bill, a party endorsement for a candidate running for a municipal office to be voted on at a municipal election, or for town committee member, is valid only when the candidate's name appears on the party's last-completed enrollment list within the municipality or political subdivision, whichever applies, in which he or she will run.

Similarly, a party endorsement for a candidate running for the municipal office of state senator or state representative (i.e., in a single-town legislative district) to be voted on at a state election is valid only when the candidate's name appears on the party's last-completed enrollment list within the senatorial or assembly district, whichever applies, in which he or she will run.

### **§§ 11, 22, & 23 — PENALTIES**

#### **§ 11 — Joint Liability**

The bill makes a candidate, his or her treasurer, and his or her agent, if applicable, jointly and severally liable for paying any penalty the SEEC levies if it finds that a prohibited expenditure is coordinated

with the candidate, his or her committee, or agent. If the candidate is a participating CEP candidate, he or she must return grant money in an amount that the SEEC determines.

### **§ 22 — Penalties for January 2012 Filings**

The bill authorizes the SEEC to waive any penalty it imposed because a campaign finance report was not received in a timely manner when (1) the filing was due to be received by the SEEC in January 2012 and (2) the commission determines that the treasurer's actions were such that the filing reasonably should have been received on or before the applicable deadline.

### **§ 23 — Timely Submission to SEEC**

The bill prohibits the SEEC from levying a penalty on a treasurer for failing to file a hard copy of a campaign finance statement in a timely manner if the treasurer (1) has a copy of the statement time stamped by the SEEC showing timely receipt or (2) has a return receipt from the U.S. Postal Service or a similar receipt from a commercial delivery service confirming timely receipt.

## **BACKGROUND**

### ***Legislative Caucus and Legislative Leadership Committees***

By law, a majority of a party's members from one house of the General Assembly can designate a single legislative caucus committee. The House speaker and majority leader and the Senate president pro tempore and majority leader may establish one legislative leadership committee each. The House and Senate minority leaders may each establish two.

### ***Related Bills***

SB 1120 (File 495) increases the limit on contributions by individuals to state central committees.

sSB 1127, favorably reported by the Government Administration and Elections Committee, allows state contractors, prospective state contractors, their principals, and their spouses and dependent children

to contribute up to \$1,000 to the town committee of the municipality where they reside.

HB 6580 (File 467) increases the maximum penalties for failure to file an independent expenditure report.

HB 6632 (File 472) increases the limit on contributions by individuals to town committees.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable

Yea 13    Nay 1    (04/05/2013)