



General Assembly

January Session, 2013

Raised Bill No. 6633

LCO No. 4494



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

AN ACT CONCERNING CAMPAIGN FINANCE LAW AND PRIOR BAD ACTS.

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

1 Section 1. Subdivision (3) of subsection (a) of section 9-7b of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (3) (A) To issue an order requiring any person the commission finds
5 to have received any contribution or payment which is prohibited by
6 any of the provisions of chapter 155 or 157, after an opportunity to be
7 heard at a hearing conducted in accordance with the provisions of
8 sections 4-176e to 4-184, inclusive, to return such contribution or
9 payment to the donor or payor, or to remit such contribution or
10 payment to the state for deposit in the General Fund or the Citizens'
11 Election Fund, whichever is deemed necessary to effectuate the
12 purposes of chapter 155 or 157, as the case may be;

13 (B) To issue an order when the commission finds that an intentional

14 violation of any provision of chapter 155 or 157 has been committed,
15 after an opportunity to be heard at a hearing conducted in accordance
16 with sections 4-176e to 4-184, inclusive, which order may contain one
17 or more of the following sanctions: (i) Removal of a campaign
18 treasurer, deputy campaign treasurer or solicitor; (ii) prohibition on
19 serving as a campaign treasurer, deputy campaign treasurer or
20 solicitor; [, for a period not to exceed four years;] and (iii) in the case of
21 a party committee or a political committee, suspension of all political
22 activities, including, but not limited to, the receipt of contributions and
23 the making of expenditures, provided the commission may not order
24 such a suspension unless the commission has previously ordered the
25 removal of the campaign treasurer and notifies the officers of the
26 committee that the commission is considering such suspension;

27 (C) To issue an order revoking any person's eligibility to be
28 appointed or serve as an election, primary or referendum official or
29 unofficial checker or in any capacity at the polls on the day of an
30 election, primary or referendum, when the commission finds such
31 person has intentionally violated any provision of the general statutes
32 relating to the conduct of an election, primary or referendum, after an
33 opportunity to be heard at a hearing conducted in accordance with
34 sections 4-176e to 4-184, inclusive;

35 (D) To issue an order to enforce the provisions of the Help America
36 Vote Act, P.L. 107-252, as amended from time to time, as the
37 commission deems appropriate;

38 (E) To issue an order following the commission's determination of
39 the right of an individual to be or remain an elector when such
40 determination is made (i) pursuant to an appeal taken to the
41 commission from a decision of the registrars of voters or board of
42 admission of electors under section 9-311, or (ii) following the
43 commission's investigation pursuant to subdivision (1) of this
44 subsection;

45 (F) To issue a cease and desist order for violation of any general
46 statute or regulation under the commission's jurisdiction and to take
47 reasonable actions necessary to compel compliance with such statute
48 or regulation;

49 Sec. 2. Subsection (d) of section 9-606 of the general statutes is
50 repealed and the following is substituted in lieu thereof (*Effective from*
51 *passage*):

52 (d) No person shall act as a campaign treasurer or deputy campaign
53 treasurer (1) unless the person is an elector of this state, the person has
54 paid any civil penalties or forfeitures assessed pursuant to chapters 155
55 to 157, inclusive, and a statement, signed by the chairman in the case of
56 a party committee or political committee or by the candidate in the
57 case of a candidate committee, designating the person as campaign
58 treasurer or deputy campaign treasurer, has been filed in accordance
59 with section 9-603, or (2) if such person has been convicted of or pled
60 guilty or nolo contendere to, in a court of competent jurisdiction, any
61 felony involving fraud, forgery, larceny, embezzlement or bribery or a
62 violation of this title unless at least eight years have elapsed from the
63 conviction or plea or the completion of any sentence, whichever date is
64 later, without a subsequent conviction of or plea to another such felony
65 or violation. In the case of a political committee, the filing of a
66 statement of organization by the chairman of the committee, in
67 accordance with the provisions of section 9-605, shall constitute
68 compliance with the filing requirements of this section. No provision
69 of this subsection shall prevent the campaign treasurer, deputy
70 campaign treasurer or solicitor of any committee from being the
71 campaign treasurer, deputy campaign treasurer or solicitor of any
72 other committee or prevent any committee from having more than one
73 solicitor, but no candidate shall have more than one campaign
74 treasurer. A candidate shall not serve as the candidate's own campaign
75 treasurer or deputy campaign treasurer, except that a candidate who is
76 exempt from forming a candidate committee under subsection (b) of
77 section 9-604 and has filed a certification that the candidate is financing

78 the candidate's campaign from the candidate's own personal funds or
79 is not receiving or expending in excess of one thousand dollars may
80 perform the duties of a campaign treasurer for the candidate's own
81 campaign.

82 Sec. 3. Subsection (b) of section 9-706 of the general statutes is
83 repealed and the following is substituted in lieu thereof (*Effective from*
84 *passage*):

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

86 (1) The candidate committee has received the required amount of
87 qualifying contributions;

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

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

93 (4) The candidate committee has returned all contributions or
94 portions of contributions that do not meet the criteria for qualifying
95 contributions under section 9-704 and transmitted all excess qualifying
96 contributions to the Citizens' Election Fund;

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

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

104 (7) The campaign treasurer of the candidate committee will expend
105 all moneys received from the fund in accordance with the provisions of

106 subsection (g) of section 9-607 and regulations adopted by the State
107 Elections Enforcement Commission under subsection (e) of this
108 section; [and]

109 (8) If the candidate withdraws from the campaign, becomes
110 ineligible or dies during the campaign, the candidate committee of the
111 candidate will return to the commission, for deposit in the fund, all
112 moneys received from the fund pursuant to sections 9-700 to 9-716,
113 inclusive, which said candidate committee has not spent as of the date
114 of such occurrence;

115 (9) All outstanding civil penalties or forfeitures assessed pursuant to
116 chapters 155 to 157, inclusive, against the current or any former
117 committee of the candidate have been paid;

118 (10) The treasurer has paid any civil penalties or forfeitures assessed
119 pursuant to chapters 155 to 157, inclusive, and has not been convicted
120 of or pled guilty or nolo contendere to, in a court of competent
121 jurisdiction, any felony involving fraud, forgery, larceny,
122 embezzlement or bribery or a violation of this title unless at least eight
123 years have elapsed from the date of the conviction or plea or the
124 completion of any sentence, whichever date is later, without a
125 subsequent conviction of or plea to another such felony or violation;

126 (11) The candidate has not been convicted of or pled guilty or nolo
127 contendere to, in a court of competent jurisdiction, a violation of this
128 title unless at least eight years have elapsed from the date of the
129 conviction or the completion of any sentence, whichever date is later,
130 without a subsequent conviction of or plea to another such felony or
131 violation; and

132 (12) The candidate has never been convicted of or pled guilty or
133 nolo contendere to, in a court of competent jurisdiction, a felony
134 related to the individual's public office, other than a violation of this
135 title in accordance with subdivision (11) of this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-7b(a)(3)
Sec. 2	<i>from passage</i>	9-606(d)
Sec. 3	<i>from passage</i>	9-706(b)

Statement of Purpose:

To limit the ability of persons who have been convicted of or pled guilty or nolo contendere to certain felonies from serving as campaign treasurers or from receiving a grant from the Citizens' Election Fund.

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