



# OLR RESEARCH REPORT

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## **OLR BACKGROUNDER: CAMPAIGN FINANCE LAWS APPLICABLE TO MAJOR PARTY LEGISLATIVE CANDIDATES**

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You asked for a summary of state campaign finance laws applicable to major party legislative candidates who participate in the Citizens' Election Program (CEP) and those who do not (i.e., "participating candidates" and "nonparticipating candidates," respectively).

This report provides only an overview of the applicable laws' major components; it is not exhaustive. Throughout it, we include hyperlinks to other sources for more detailed information. Alternatively, readers may contact the [State Elections Enforcement Commission](#) (SEEC) (i.e., the enforcement agency) at (860) 256-2940 for answers to their campaign finance questions.

The report incorporates campaign finance changes that the General Assembly made in PA [13-180](#) during the 2013 session.

### **SUMMARY**

The CEP is a voluntary public campaign financing program for statewide office and legislative candidates. Those who agree to limit spending, forgo outside funding sources, and comply with other requirements may qualify for state grants from the Citizens' Election Fund (CEF) to finance their campaigns.

During a primary or general election campaign period, certain laws apply to both participating and nonparticipating candidates, while others apply to one or the other. This report is divided into three sections: state

campaign finance laws and requirements applicable to (1) all legislative candidates, (2) participating candidates, and (3) nonparticipating candidates. It covers major party candidates.

For both types of candidates, the report addresses:

1. the exploratory committee phase,
2. dissolving an exploratory committee and forming a candidate committee,
3. deciding whether to participate in the CEP,
4. contributions and expenditures,
5. organization expenditures,
6. reporting requirements,
7. attribution requirements, and
8. terminating a candidate committee.

For participating candidates, it covers (1) qualifying for the CEP, (2) grants, and (3) spending limits.

Finally, for nonparticipating candidates the report covers (1) contribution limits and (2) state contractor and lobbyist contributions and solicitations.

## **PARTICIPATING AND NONPARTICIPATING CANDIDATES**

CEP participation is voluntary, but certain primary and general election campaign requirements apply to all major party legislative candidates, which we discuss below.

### ***Exploratory Committee Phase***

An individual who is undecided about whether to seek public office may form an exploratory committee for a single primary or election by filing a registration statement with SEEC. The purpose of the committee is to raise and spend funds to determine whether to seek office. On the registration, the individual (now a candidate) must indicate whether he or she is considering running for legislative, statewide, or any other public office (CGS §§ [9-601\(5\)](#), [9-604\(c\)](#), and [9-608\(f\)](#)).

A state senator exploratory committee may accept a \$375 contribution from an individual and a state representative exploratory committee may accept \$250 from an individual. An exploratory committee may also accept contributions from party committees and political committees (known as PACs), subject to certain limits shown in Table 1.

**Table 1: Limits on Contributions to Exploratory Committees**

<b>Contributor</b>	<b>Recipient</b>	
	<b>Candidate for State Senator</b>	<b>Candidate for State Representative</b>
Individual	\$375	\$250
Minor child (younger than age 18)	30	30
Communicator lobbyist*	100	100
State or prospective state contractor with legislative branch contract, and its principals	Prohibited	Prohibited
State or prospective state contractor with executive branch contract, and its principals	375	250
Principal of a pre-qualified state contractor	Prohibited	Prohibited
PAC (business, labor, single-election, and ongoing)	375	375
PAC (referendum)	Prohibited	Prohibited
Business entity	Prohibited	Prohibited
State central committee	375	375
Town committee	375	375
Legislative leadership or caucus committee	Prohibited	Prohibited

\* Allowed only when legislature is not in session

**Collecting Qualifying Contributions (QCs) During the Exploratory Committee Phase.** A candidate who is considering participating in the CEP may collect QCs during the exploratory committee phase. QCs are small donations from individuals ranging from \$5 to \$100. To qualify for a grant, participating candidates must raise a (1) threshold aggregate dollar amount and (2) minimum number of QCs from individuals residing in the district (see PARTICIPATING CANDIDATES below).

A contribution to an exploratory committee is considered a QC only if it is from an individual whose total contributions to the committee do not exceed \$100. An exploratory committee that raises contributions in excess of \$100 from an individual has two options. It can keep and spend the entire contribution, in which case it would not count as a QC. However, that same contributor may subsequently make a QC to the candidate committee. Alternatively, before the exploratory committee dissolves, it can refund the portion exceeding \$100 and count the contribution as a QC (CGS §§ [9-608\(f\)](#) and [9-704\(a\)](#)).

For more information on collecting QCs during the exploratory phase, see [SEEC Declaratory Ruling 2007-02](#).

### ***Dissolving an Exploratory Committee and Forming a Candidate Committee***

Once a candidate decides to pursue nomination or election, the underlying purpose of his or her activities is no longer exploration. In that case, the campaign treasurer must file a notice of intent to dissolve the exploratory committee no later than 15 days after the candidate declares his or her intent. According to SEEC's most recent guidebook for participating candidates (2012), this occurs when the candidate:

1. makes a "public declaration" of his or her intent to seek nomination or election to a particular office;
2. receives a party endorsement at a convention, caucus, or town committee meeting;
3. files candidacy for nomination under CGS § [9-400](#) or § [9-405](#) (forcing a party primary); or
4. decides, before any event listed above, to terminate the exploratory committee and form a candidate committee.

Any surplus or deficit from the exploratory committee is transferred to the candidate committee. For a candidate who intends to participate in the CEP this means that, in the case of a surplus, the treasurer must distribute (1) to the candidate committee the funds that meet the criteria for QCs and (2) any remainder to the CEF (CGS §§ [9-608\(f\)](#) and [9-704\(a\)](#)). A deficit counts toward a CEP candidate's spending limit because it is an "expense incurred but not paid," which is a type of expenditure (see *Spending Limits* below).

For more detailed information on (1) public declarations see SEEC [Declaratory Ruling 2009-01](#) and (2) dissolving an exploratory committee and forming a candidate committee, see SEEC's [A Checklist for Candidates who Intend to Participate in the Citizens' Election Program](#).

## ***Deciding Whether to Participate in the CEP***

With one exception, the law requires candidates to file an Affidavit of Intent to Abide or an Affidavit of Intent Not to Abide by the CEP’s spending limits. Candidates do not have to file an affidavit if they will not receive or spend more than \$1,000 from outside sources. These candidates are considered “nonparticipating candidates.”

Candidates who intend to participate must file the Affidavit of Intent to Abide only once, at which point they are considered “participating candidates.” Those who file before a primary and win the party endorsement are not required to re-file before the general election. The affidavit must include certain certifications from the candidate and his or her treasurer. Table 2 shows the affidavit deadlines and the required certifications.

**Table 2: Deciding to Participate**

<b><i>Requirement</i></b>	<b><i>When</i></b>
<p>Candidate must file an affidavit with SEEC certifying his or her intent to participate or not participate in the CEP, thus becoming a “participating candidate” or “nonparticipating candidate,” respectively (CGS § <a href="#">9-703(a)</a>).</p> <p>A candidate who intends to participate must include with the affidavit certifications stating (1) that the campaign treasurer agrees to the lawful use of state funds; (2) that the candidate will repay any amount improperly spent; and (3) the name of the party the candidate represents. The candidate and the campaign treasurer must both certify that they are jointly and severally liable for repaying an amount equal to the excess spending if the candidate exceeds the spending limit (CGS § <a href="#">9-703(a)</a>).</p>	<ul style="list-style-type: none"> <li>▪ For a primary candidate, no later than 4:00 p.m. on the 25<sup>th</sup> day preceding the primary (CGS § <a href="#">9-703(a)</a>).</li> <li>▪ For a general election candidate, no later than 4:00 p.m. on the 40<sup>th</sup> day preceding the election (CGS § <a href="#">9-703(a)</a>).</li> <li>▪ For a legislative candidate in a special election, no later than 4 p.m. on the 25<sup>th</sup> day preceding the special election (CGS § <a href="#">9-703(a)</a>).</li> </ul>

## ***Contributions and Expenditures***

State campaign finance laws regulate campaign contributions and expenditures, including who can accept them and when. During the 2013 session, the General Assembly changed both definitions (PA [13-180](#)).

***Anything of Value Promoting a Candidate or Party.*** Prior law defined “contribution,” in part, as any gift, subscription, loan, advance, payment, or deposit of money or anything of value made (1) “for the

purpose of influencing” the nomination or election of any person or (2) “on behalf” of a political party. The act expands the definition to cover anything of value that promotes either the success or defeat of a candidate or political party. It makes the same change to the parallel definition of “expenditure.”

**Communications.** Prior law defined “expenditure,” in part, as any advertisement that (1) referred to one or more clearly identified candidates; (2) was broadcast by radio or television, other than on a public access channel, or appeared in a newspaper, magazine, or on a billboard; and (3) was broadcast or appeared during the 90-day period immediately preceding a primary or an election.

The act expands the definition to include communications, not only advertisements, and communications and advertisements that (1) are broadcast by satellite or the Internet, paid-for telephone communications, or sent by mail and (2) appear at any time, not only during the 90-day period immediately preceding a primary or an election.

However, under the act, such a communication is not considered an expenditure or a contribution if it is (1) made more than 90 days before the primary or election and for the purpose of influencing legislative or administrative action, as defined by the Ethics Code, or executive action or (2) during the legislative session to influence legislative action.

**Exemptions.** The law exempts certain items and services under the definition of “contribution” and in many cases, creates parallel exemptions under the definition of “expenditure” (CGS §§ [9-601a](#) and [601b](#)). These exempted items and services are not considered campaign contributions, though some must still be reported to SEEC.

PA [13-180](#) expands certain exemptions applicable to both participating and nonparticipating candidates and creates new ones. Table 3 summarizes the most significant of these changes.

**Table 3: Contribution and Expenditure Exemptions ([PA 13-180](#) §§ 1& 2)**

<b>Exemption</b>	<b>Description</b>
<b>Campaign Training Events</b>	<a href="#">PA 13-180</a> exempts as a contribution and expenditure the costs that a legislative caucus committee incurs, up to an aggregate value of \$6,000 in a calendar year, for (1) providing campaign training to multiple individuals and (2) associated materials.
<b>De Minimis Activities</b>	The law creates a contribution exemption for certain de minimis campaign activities that benefit PACs and party, slate, and candidate committees. <a href="#">PA 13-180</a> expands the list of de minimis activities to include voluntarily creating a digital photo or video, free of charge, that is part of an electronic file.
<b>Endorsement Communications</b>	<a href="#">PA 13-180</a> exempts from the definitions of contribution and expenditure certain endorsement communications. Specifically, it exempts communications: <ol style="list-style-type: none"> <li>1. in any form, that contain an endorsement by a statewide or legislative office candidate for another statewide or legislative office candidate for nomination or election, provided the (a) endorser is unopposed at the time of the communication and (b) endorsee pays for the communication or</li> <li>2. sent by mail, that contain an endorsement by a legislative office candidate for another legislative candidate for nomination or election if (a) the communication is sent to addresses in the district where the endorsee is running for office, (b) the endorser and endorsee are not running in districts that share any geographical area, and (c) the endorsee pays for the communication.</li> </ol>
<b>House Parties</b>	The law exempts as a contribution and expenditure the costs associated with hosting a house party, up to certain thresholds. <a href="#">PA 13-180</a> specifies that the candidate or committee on whose behalf the party is being hosted may pay any portion of the invitation costs; the host need not cover the costs. In that case, the amount the candidate or committee spends on invitations does not count toward the exemption threshold.
<b>Office Space and Equipment</b>	<a href="#">PA 13-180</a> exempts from the definitions of contribution and expenditure any office space or office equipment that a party, legislative caucus, or legislative leadership committee provides if those committees use the space as their headquarters and use the equipment. Office equipment includes telephones, computers, and similar items. (The act makes a conforming change by eliminating an organization expenditure for these purposes.)
<b>Volunteer Services</b>	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, regardless of whether they could receive compensation in the future for the same services.  <a href="#">PA 13-180</a> expands both exemptions to cover volunteers who could receive compensation in the future for similar, not only the same, services.

For more information on contribution and expenditure exemptions, and for detailed reporting requirements, see SEEC’s 2012 guidebooks for [participating](#) and [nonparticipating](#) candidates. (PLEASE NOTE: SEEC will release its 2014 guidebooks in the near future. When it does, readers should refer to those.)

## **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 include expenditures for:

1. campaign events at which at least one candidate is present;
2. an advisor on campaign organization, financing, accounting, strategy, law, or media;
3. certain printed or electronic documents that a party, legislative caucus, or legislative leadership committee creates or maintains for party- or caucus-building and gives to candidates who are members of the same party; or
4. the preparation, display, mailing, or distribution of a party candidate listing (CGS § [9-601\(25\)](#)).

[PA 13-180](#) expands the latter two types of organization expenditures. With respect to printed or electronic documents, it authorizes expenditures for an electronic page that provides merchant account services that a candidate uses to collect online contributions (i.e., online contribution portal).

For party candidate listings, it eliminates the requirement that they treat candidates substantially similarly and instead allows them to promote the success or defeat of a (1) candidate or slate of candidates seeking nomination or election, (2) referendum question, or (3) political party. By law, “party candidate listings” are communications that identify one or more candidates and meet several criteria (e.g., distributed through public advertising).

Organization expenditures are not considered campaign contributions, but the law limits those made to benefit legislative candidates who participate in the CEP, as Table 4 shows. The law does not limit organization expenditures made to benefit nonparticipating candidates.

**Table 4: Organization Expenditure Limits and Restrictions for Participating Candidates**

<b>Entity Making Organization Expenditure</b>	<b>Primary Campaign</b>		<b>General Election Campaign</b>	
	<b>Candidate for State Senator</b>	<b>Candidate for State Representative</b>	<b>Candidate for State Senator</b>	<b>Candidate for State Representative</b>
State Central Committee	Unlimited, except that party candidate listings prohibited	Unlimited, except that party candidate listings prohibited	Unlimited	Unlimited
Town Committee	Same as above	Same as above	\$10,000*	\$3,500*
Legislative Caucus Committee	Same as above	Same as above	10,000*	3,500*
Legislative Leadership Committee	Same as above	Same as above	10,000*	3,500*

\* SEEC will adjust for inflation beginning January 15, 2014, and biennially thereafter, in accordance with any change during the two preceding calendar years in the Consumer Price Index for All Urban Consumers as published by the U. S. Department of Labor, Bureau of Labor Statistics.

**Reporting Requirements**

Campaign treasurers for legislative candidate committees must file periodic campaign finance disclosure statements by the 10<sup>th</sup> day of January, April, July, and October, and in certain cases, the seventh day preceding a primary or election. In addition, the campaign treasurer of a candidate in a primary or general election campaign with at least one participating candidate must file weekly supplemental campaign finance statements:

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

Committees that file weekly supplemental statements are not required to file statements on the seventh day preceding the primary or general election. Candidates who spend less than \$1,000 or who are unopposed are not subject to the supplemental filing requirement, with one exception. Unopposed candidates must file a supplemental statement on the last Thursday before a primary or general election, whichever applies.

For more information on reporting requirements and filing deadlines, see [SEEC Form 30](#) and the corresponding instructions.

## ***Attribution Requirements***

Candidate and exploratory committees' political mailings and advertisements intended to promote or defeat a candidate must contain certain attribution information. Among other things:

1. printed and web-based written communication must include the words "paid for by," and the name of the committee and its campaign treasurer, and the words "approved by," and the name of the candidate;
2. television and Internet video advertising must include the candidate's name, his or her image, and printed and audio statements indicating that he or she approved the message;
3. radio and Internet audio advertising must include the candidate's name and a personal audio message indicating that he or she approved the message; and
4. automated telephone calls must include the candidate's name and voice in the narrative before the call ends (CGS § [9-621](#)).

## ***Terminating a Candidate Committee***

By law, candidate committees must spend or distribute surplus funds after (1) a primary, if the candidate loses; (2) an election; or (3) a referendum. The deadline is March 31<sup>st</sup> following an election or referendum held in November, unless a candidate uses the surplus to comply with a post-election audit by SEEC. For these candidates, the deadline is (1) within 120 days after an election or referendum not held in November or a primary resulting in a defeat or (2) June 30<sup>th</sup> following an election or referendum held in November (CGS § [9-608\(e\)](#)).

According to SEEC's candidate guidebooks, a candidate committee cannot terminate until it has:

1. paid all of its expenses, including reimbursements owed and expenses previously incurred but not yet paid;
2. sold equipment and furniture purchased by the committee valued at greater than \$50 and reported the sale price in SEEC Form 30 as a miscellaneous monetary receipt;
3. distributed any surplus funds; and

4. eliminated any deficit.

By law, nonparticipating candidate committees may distribute their surplus to the CEF, a charitable organization, or a veterans' organization (i.e., 501(c)(19)). Participating candidate committees may distribute their surplus only to the CEF.

## **PARTICIPATING CANDIDATES**

To receive a CEF grant, a candidate must file the required certifications with SEEC, agree to abide by the program's spending limits, and collect the required QCs, among other things.

### ***Qualifying for the CEP***

Candidates qualify for the CEP by raising an aggregate amount in QCs. A certain number of QCs must come from "in-district" contributors (i.e., individuals residing in municipalities located, in whole or in part, in the district for which the candidate seeks office). The law prohibits principals of state or prospective state contractors and pre-qualified contractors from making QCs (see *State Contractor and Lobbyist Contributions and Solicitations* below).

Table 5 outlines steps participating candidates must take to qualify for state grants. Table 6 shows the (1) aggregate amount and (2) minimum number of in-district QCs.

**Table 5: Qualifying for the CEP**

<b>Requirement</b>	<b>When</b>
Candidate collects and receives the required amount of QCs (CGS § <a href="#">9-704</a> ).	Candidate may start collecting QCs upon establishing an exploratory committee (CGS § <a href="#">9-704</a> ).  Candidate must finish collecting QCs before applying for an initial grant from the CEF, whether for a primary or general election (CGS § <a href="#">9-706(b)(1)</a> ).
Campaign treasurer returns all contributions that do not meet the criteria for QCs (CGS § <a href="#">9-704</a> ).	Upon determining a contribution does not meet the criteria (CGS § <a href="#">9-704 (c)</a> ).
Candidate may withdraw from the program without penalty by filing an affidavit with SEEC that includes a written certification of withdrawal (CGS § <a href="#">9-703(c)</a> ).	Before applying for an initial grant from the CEF (CGS § <a href="#">9-703(c)</a> )
Candidate committee repays all loans and certifies such repayment to SEEC (CGS § <a href="#">9-710(a) and (b)</a> ).	Before applying for an initial grant from the CEF (CGS § <a href="#">9-710(b)</a> ).
Candidate committee transmits additional contributions it receives to the state treasurer for deposit into the CEF (CGS § <a href="#">9-704(d)</a> ).	After receiving the applicable aggregate amount of QCs (CGS § <a href="#">9-704(d)</a> ).

**Table 6: QC Requirements for Legislative Candidates**

<b>Office Sought in a Regular Election</b>	<b>Aggregate QC Requirement</b>	<b>Minimum Number of In-District QCs</b>
State senator	\$15,000	300
State representative	5,000	150

For more information on QC requirements, see [For Every Qualifying Contribution](#), [Documenting In-District Qualifying Contributions](#), and [Treasurer’s Best Practices Checklist](#) on SEEC’s website.

**Grants**

The law specifies events after which participating candidates may apply for grants. Only major party candidates are eligible for primary campaign grants. With two exceptions, the law prohibits a candidate from depositing any contribution, loan, personal, or other funds into his or her campaign account after an initial deposit from the CEF. He or she can deposit (1) grants from the fund and (2) reimbursements from shared expenses (CGS § [9-707](#)). Table 7 shows the schedule for applying.

**Table 7: Applying for a Grant**

<b>Action</b>	<b>When</b>
Candidate applies for a primary campaign grant (CGS § <a href="#">9-706 (a)</a> ).	For a statewide office candidate or a district office legislative candidate (i.e., multi-town district), after the close of the party's nominating convention if he or she (1) receives the party endorsement; (2) receives at least 15% of the delegate vote on a roll-call at the party convention, if applicable; or (3) qualifies as a petitioning candidate for the party's nomination (CGS §§ <a href="#">9-706(a)(1)</a> and <a href="#">9-383</a> ).  For a municipal office legislative candidate (i.e., single-town district), after the party endorsement or qualifying as a petitioning candidate, since these candidates are not endorsed at a nominating convention (CGS §§ <a href="#">9-706(a)(1)</a> and <a href="#">9-391(c)</a> ).
Candidate applies for a general election grant (CGS § <a href="#">9-706</a> ).	After the close of the party's nominating convention or municipal caucus, convention, or town committee meeting, whichever is applicable, if he or she (1) receives the party's endorsement and will not have to run in a primary; (2) receives at least 15% of the delegate vote on a roll-call at the party convention, no other candidate receives the party endorsement or 15% of the delegate vote, and no other candidate files a nominating petition; or (3) qualifies as a petitioning candidate and no candidate receives the party endorsement or 15% of the delegate vote (CGS § <a href="#">9-706(a)(2)(A)</a> ).  Candidate who receives a primary grant and becomes the party nominee automatically receives a general election grant (CGS § <a href="#">9-708</a> ).

Table 8 shows the 2012 grant amounts for major party legislative candidates for state senator and state representative. These amounts will be change for the 2014 election cycle after SEEC adjusts them for inflation (CGS § [9-705](#)).

**Table 8: 2012 Grants for Major Party Legislative Candidates\***

<b>Office</b>	<b>Primary Grant: Party Dominant District**</b>	<b>Primary Grant: Non-Party Dominant District</b>	<b>General Election Grant: Opposed Candidate</b>	<b>General Election Grant: Unopposed Candidate***</b>
State senator	\$80,550	\$37,590	\$91,290	\$27,387
State representative	26,850	10,740	26,850	8,055

\* SEEC will adjust for inflation by January 15, 2014 in accordance with any change during the two preceding calendar years in the Consumer Price Index for All Urban Consumers as published by the U. S. Department of Labor, Bureau of Labor Statistics.

\*\* Candidates in party-dominant districts are eligible for larger primary grants in campaigns. A "party-dominant" district is one in which the percentage registered voters who are enrolled in a major party exceeds the percentage of registered voters who are enrolled in the other major party by at least 20%.

\*\*\* Grant amount is reduced to 30% of the full amount if a candidate is unopposed in the general election.

**Lawn Sign Reductions.** Participating candidates receive a reduced grant if they possess a specified minimum number of lawn signs from any one of their previous primary or general election campaigns. By law, all participating candidates must certify in their grant application to SEEC whether they have custody and control over a number of signs applicable to the office for which they are running. If they do, their primary or general election grant, whichever is applicable, is reduced by a certain amount. The reduction does not apply to any item other than lawn signs. Table 9 shows the applicable number of lawn signs and resulting grant reduction.

**Table 9: Grant Reductions Based on Lawn Signs**

<b>Office</b>	<b>Applicable Minimum Number of Signs</b>	<b>Primary or General Election Grant Reduction</b>
State senator	100	\$500
State representative	50	250

**Spending Limits**

Candidates for state senator and state representative may provide their candidate committee with personal funds of up to \$2,000 and \$1,000, respectively, before applying for an initial grant. Any subsequent grant they receive is reduced by the amount of any allowable personal funds provided. Thus, under the CEP, participating candidates must agree to limit candidate committee spending:

1. before a primary and general election campaign, to the sum of the allowable (a) QCs and (b) personal funds;
2. for a primary campaign, to the sum of (a) the QCs and personal funds not spent before the primary campaign begins and (b) the grant for the primary campaign; and
3. for a general election campaign, to the sum of (a) the QCs and personal funds not spent before the general election campaign begins, (b) unspent funds from a primary campaign grant, and (c) the grant authorized for the general election campaign (CGS § [9-702](#)).

**Excess Expenditures—Penalties and Reporting Requirements.**

The law penalizes a candidate committee that receives money from the CEF and makes or incurs an expenditure exceeding the applicable spending limit. Specifically, it:

1. makes the candidate and campaign treasurer jointly and severally liable for paying for the excess expenditure,
2. prohibits the committee from receiving additional program funds for the remainder of the election cycle and makes the candidate a nonparticipating candidate if SEEC determines that the candidate or campaign treasurer knew of the excess expenditure, and
3. subjects the campaign treasurer to civil penalties imposed by SEEC (CGS § [9-711](#)).

In addition, participating candidates are subject to excess expenditure reporting requirements. CEP candidates who make, or obligate to make, expenditures that in the aggregate exceed 100% of the applicable spending limit must file a declaration of excess expenditures. These declarations must cover the first day not included in the last statement through 11:59 p.m. on the first day preceding the filing deadline (CGS § [9-712](#)). Table 10 shows the filing schedule.

**Table 10: Declarations of Excess Expenditures**

<b>PRIMARY OR GENERAL ELECTION CAMPAIGN</b>	
<b>Action</b>	<b>Deadline for Filing Declaration of Excess Expenditures with SEEC</b>
Candidate makes or becomes obligated to make an excess expenditure more than 20 days before the primary or general election.	Within 48 hours of making or obligating to make the excess expenditure.
Candidate makes or becomes obligated to make an excess expenditure 20 days or fewer before the primary or general election.	Within 24 hours of making or obligating to make the excess expenditure.

By law, a campaign treasurer who fails to timely file a declaration of excess expenditures is subject to a civil penalty of up to \$1,000 for the first failure and \$5,000 for any subsequent failure.

## NONPARTICIPATING CANDIDATES

Unlike participating candidates, nonparticipating candidates have no spending limits and may raise funds from outside sources. However, the law places limits on these contributions and prohibits others, as Table 11 shows (CGS §§ [9-610](#) to [9-620](#)). The limits generally apply separately to a primary and general election. For a complete list of contribution limits and restrictions, see [SEEC's July 2013 chart](#).

**Table 11: Limits on Contributions to Nonparticipating Candidates**

Contributor	Recipient	
	Candidate for State Senator	Candidate for State Representative
Individual	\$1,000	\$250
Minor child (younger than age 18)	30	30
Communicator lobbyist *	100	100
State or prospective state contractor with legislative branch contract, and its principals	Prohibited	Prohibited
State or prospective state contractor with executive branch contract, and its principals	1,000	250
Principal of a pre-qualified state contractor	Prohibited	Prohibited
PAC (business, labor, single-election, and ongoing)	1,500	750
PAC (referendum)	Prohibited	Prohibited
Business entity	Prohibited	Prohibited
State central committee	10,000	5,000
Town committee	5,000	3,000
Legislative leadership or caucus committee	10,000	5,000

\* Allowed only when legislature is not in session

### ***State Contractor and Lobbyist Contributions and Solicitations***

As Table 11 indicates, the law restricts contributions from state contractors and lobbyists under certain circumstances. Generally, it prohibits legislative branch state contractors, prospective state contractors, their principals, immediate family members, and PACs they establish or control from contributing to legislative candidates, committees authorized to give them, or party committees. It also prohibits them from knowingly soliciting contributions for such candidate committees from their employees, subcontractors, or subcontractors' principals.

With respect to lobbyists, the law prohibits communicator lobbyists, the immediate family members, and political committees they establish or control from contributing more than \$100 to exploratory or candidate

committees of legislative candidates, political committees established or controlled by these candidates, legislative caucus or legislative leadership committees, or party committees.

The law also prohibits communicator lobbyists from bundling contributions on behalf of candidates. "Bundle" means forwarding five or more contributions to a single committee by a communicator lobbyist, an agent of the lobbyist, or an immediate family member of a lobbyist, or raising contributions for such a committee at a fundraising affair hosted or sponsored by the lobbyist, lobbyist's agent, or immediate family member (CGS §§ [9-610](#) and [9-612](#)).

For more information on state contractor and lobbyist contributions and solicitations, see [Lobbyist and Contractor Limitations](#) on SEEC's website.

## **HYPERLINKS**

Connecticut General Assembly, PA 13-180,  
[http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=6580&which\\_year=2013](http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=6580&which_year=2013), last visited August 9, 2013.

SEEC, <http://www.ct.gov/seec/site/default.asp>, last visited August 8, 2013.

Documents from SEEC's website:

*Declaratory Ruling 2007-02*,  
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