



General Assembly

Amendment

January Session, 2017

LCO No. 8793



Offered by:
SEN. MCLACHLAN, 24th Dist.

To: Subst. House Bill No. 5589

File No. 806

Cal. No. 549

"AN ACT CONCERNING CAMPAIGN FINANCE REFORM."

1 Strike lines 56 to 313, inclusive, in their entirety and substitute the
2 following in lieu thereof:

3 "Sec. 4. Subsection (c) of section 9-608 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective*
5 *January 1, 2018, and applicable to primaries and elections held after said*
6 *date*):

7 (c) (1) Each statement filed under subsection (a), (e) or (f) of this
8 section shall include, but not be limited to: (A) An itemized accounting
9 of each contribution, if any, including the full name and complete
10 address of each contributor and the amount of the contribution; (B) an
11 itemized accounting of each expenditure, if any, including the full
12 name and complete address of each payee, including secondary payees
13 whenever the primary or principal payee is known to include charges
14 which the primary payee has already paid or will pay directly to
15 another person, vendor or entity, the amount and the purpose of the

16 expenditure, the candidate supported or opposed by the expenditure,
17 whether the expenditure is made independently of the candidate
18 supported or is an in-kind contribution to the candidate, and a
19 statement of the balance on hand or deficit, as the case may be; (C) an
20 itemized accounting of each expense incurred but not paid, provided if
21 the expense is incurred by use of a credit card, the accounting shall
22 include secondary payees, and the amount owed to each such payee;
23 (D) the name and address of any person who is the guarantor of a loan
24 to, or the cosigner of a note with, the candidate on whose behalf the
25 committee was formed, or the treasurer in the case of a party
26 committee or a political committee or who has advanced a security
27 deposit to a telephone company, as defined in section 16-1, for
28 telecommunications service for a committee; (E) for each business
29 entity or person purchasing advertising space in a program for a fund-
30 raising affair or on signs at a fund-raising affair, the name and address
31 of the business entity or the name and address of the person, and the
32 amount and aggregate amounts of such purchases; (F) for each
33 individual who contributes in excess of one hundred dollars but not
34 more than one thousand dollars, in the aggregate, to the extent known,
35 the principal occupation of such individual and the name of the
36 individual's employer, if any; (G) for each individual who contributes
37 in excess of one thousand dollars in the aggregate, the principal
38 occupation of such individual and the name of the individual's
39 employer, if any; (H) for each itemized contribution made by a
40 lobbyist, the spouse of a lobbyist or any dependent child of a lobbyist
41 who resides in the lobbyist's household, a statement to that effect; and
42 (I) for each individual who contributes in excess of four hundred
43 dollars in the aggregate to or for the benefit of any candidate's
44 campaign for nomination at a primary or election to the office of chief
45 executive officer or a slate or town committee financing the
46 nomination or election or a candidate for chief executive officer of a
47 town, city or borough, a statement indicating whether the individual
48 or a business with which he is associated has a contract with said
49 municipality that is valued at more than five thousand dollars. Each
50 treasurer shall include in such statement (i) an itemized accounting of

51 the receipts and expenditures relative to any testimonial affair held
52 under the provisions of section 9-609 or any other fund-raising affair [,
53 which is] referred to in subsection (b) of section 9-601a, and (ii) the
54 date, location and a description of the affair, except that a treasurer
55 shall not be required to include the name of any individual who has
56 purchased items at a fund-raising affair or food at a town fair, county
57 fair or similar mass gathering [,] if the cumulative value of items
58 purchased by such individual does not exceed one hundred dollars, or
59 the name of any individual who has donated food or beverages for a
60 meeting. A treasurer shall not be required to report or retain any
61 receipts or expenditures related to any de minimis donations described
62 in subdivision (17) of subsection (b) of section 9-601a.

63 (2) Each contributor described in subparagraph (F), (G), (H) or (I) of
64 subdivision (1) of this subsection shall, at the time the contributor
65 makes such a contribution, provide the information that the treasurer
66 is required to include under said subparagraph in the statement filed
67 under subsection (a), (e) or (f) of this section. Notwithstanding any
68 provision of subdivision (2) of section 9-7b, neither any contributor
69 described in subparagraph (F) of subdivision (1) of this subsection who
70 does not provide such information at the time the contributor makes
71 such a contribution [and] nor any treasurer shall [not] be subject to the
72 provisions of subdivision (2) of section 9-7b. If a treasurer receives a
73 contribution from an individual which separately, or in the aggregate,
74 is in excess of one thousand dollars and the contributor has not
75 provided the information required by said subparagraph (G), or if a
76 treasurer receives a contribution from an individual to or for the
77 benefit of any candidate's campaign for nomination at a primary or
78 election to the office of chief executive officer of a town, city or
79 borough [,] which separately, or in the aggregate, is in excess of four
80 hundred dollars and the contributor has not provided the information
81 required by said subparagraph (I), the treasurer: (i) Not later than three
82 business days after receiving the contribution, shall send a request for
83 such information to the contributor by certified mail, return receipt
84 requested; (ii) shall not deposit the contribution until the treasurer

85 obtains such information from the contributor, notwithstanding the
86 provisions of section 9-606; and (iii) shall return the contribution to the
87 contributor if the contributor does not provide the required
88 information [not later than] within fourteen days after the treasurer's
89 written request or at the end of the reporting period in which the
90 contribution was received, whichever is later. Any failure of a
91 contributor to provide the information [which] that the treasurer is
92 required to include under said subparagraph (F) or (H) [, which] and
93 that results in noncompliance by the treasurer with the provisions of
94 said subparagraph (F) or (H), shall be a complete defense to any action
95 against the treasurer for failure to disclose such information.

96 (3) In addition to the requirements of subdivision (2) of this
97 subsection, each contributor who makes a contribution to a candidate
98 or exploratory committee for Governor, Lieutenant Governor,
99 Attorney General, State Comptroller, Secretary of the State, State
100 Treasurer, state senator or state representative, any political committee
101 authorized to make contributions to such candidates or committees,
102 and any party committee [that separately, or in the aggregate, exceeds
103 fifty dollars] shall provide with the contribution: (A) The name of the
104 contributor's employer, if any; (B) the contributor's status as a
105 communicator lobbyist, as defined in section 1-91, a member of the
106 immediate family of a communicator lobbyist, a state contractor, a
107 prospective state contractor or a principal of a state contractor or
108 prospective state contractor, as defined in section 9-612, as amended by
109 this act; and (C) a certification that the contributor is not prohibited
110 from making a contribution to such candidate or committee. The State
111 Elections Enforcement Commission shall prepare a sample form for
112 such certification by the contributor and shall make it available to
113 treasurers and contributors. Such sample form shall include an
114 explanation of the terms "communicator lobbyist", "principal of a state
115 contractor or prospective state contractor", "immediate family", "state
116 contractor" and "prospective state contractor". The information on such
117 sample form shall be included in any written solicitation conducted by
118 any such committee. If a treasurer receives such a contribution and the

119 contributor has not provided such certification, the treasurer shall: (i)
120 Not later than three business days after receiving the contribution,
121 send a request for the certification to the contributor by certified mail,
122 return receipt requested; (ii) not deposit the contribution until the
123 treasurer obtains the certification from the contributor,
124 notwithstanding the provisions of section 9-606; and (iii) return the
125 contribution to the contributor if the contributor does not provide the
126 certification [not later than] within fourteen days after the treasurer's
127 written request or at the end of the reporting period in which the
128 contribution was received, whichever is later. No treasurer shall be
129 required to obtain and keep more than one certification from each
130 contributor, unless information certified to by the contributor, other
131 than the amount contributed, changes. If a treasurer deposits a
132 contribution based on a certification that is later determined to be false,
133 the treasurer shall have a complete defense to any action, including but
134 not limited to, any complaint investigated by the State Elections
135 Enforcement Commission or any other investigation initiated by [said]
136 the commission, against such treasurer for the receipt of such
137 contribution.

138 [(4) Contributions from a single individual to a treasurer in the
139 aggregate totaling fifty dollars or less need not be individually
140 identified in the statement, but a sum representing the total amount of
141 all such contributions made by all such individuals during the period
142 to be covered by such statement shall be a separate entry, identified
143 only by the words "total contributions from small contributors".]

144 (4) When an independent expenditure political committee discloses
145 a contribution or contributions pursuant to subparagraph (A) of
146 subdivision (1) of this subsection in excess of one thousand dollars, in
147 the aggregate, and the contributor is also a recipient of a covered
148 transfer, the independent expenditure political committee shall include
149 for any covered transfer or transfers in excess of five thousand dollars,
150 in the aggregate, the source and the amount of such covered transfer or
151 transfers to such contributor during the twelve-month period
152 immediately prior to the primary or election, as applicable.

153 (5) (A) If a person makes a contribution or contributions in excess of
154 one thousand dollars, in the aggregate, to an independent expenditure
155 political committee and such person derives all funds of such
156 contribution or contributions from a dedicated independent
157 expenditure account established by such person that is segregated
158 from all other accounts controlled by such person, such person shall
159 provide to the treasurer of such committee the source and the amount
160 of each donation, transfer or payment that is in excess of five thousand
161 dollars, in the aggregate, to such dedicated account. Such dedicated
162 independent expenditure account may receive covered transfers
163 directly from persons other than the person who established such
164 dedicated account and shall not receive covered transfers from any
165 other account controlled by the person who established such dedicated
166 account, except as provided in subparagraph (B) of this subdivision.
167 The treasurer of such independent expenditure political committee
168 shall include the information so provided under this subdivision with
169 the disclosure of such contribution or contributions.

170 (B) If a person who made a covered transfer to any other account
171 controlled by the person who established a dedicated independent
172 expenditure account requests that such covered transfer be used for
173 the purpose of making an independent expenditure or expenditures
174 from such dedicated account, the amount of such covered transfer may
175 be transferred to such dedicated account and shall be treated as a
176 covered transfer directly to such dedicated account.

177 (6) If a person makes a contribution or contributions in excess of one
178 thousand dollars, in the aggregate, to an independent expenditure
179 political committee and such person derives any funds of such
180 contribution or contributions from any source other than a dedicated
181 independent expenditure account established by such person that is
182 segregated from all other accounts controlled by such person, such
183 person shall provide to the treasurer of such committee the source and
184 the amount of each donation, transfer or payment to such person that
185 is in excess of five thousand dollars, in the aggregate, during the
186 twelve-month period prior to the primary or election, as applicable, for

187 which an independent expenditure is made. The treasurer of such
188 independent expenditure political committee shall include the
189 information so provided under this subdivision with the disclosure of
190 such contribution or contributions.

191 (7) (A) The treasurer of an independent expenditure political
192 committee shall not accept a contribution or contributions in excess of
193 one thousand dollars, in the aggregate, unless the information required
194 to be provided under subdivision (8) of this subsection is so provided.

195 (B) The recipient of a covered transfer or transfers in excess of five
196 thousand dollars, in the aggregate, shall not knowingly make any
197 contribution to an independent expenditure political committee unless
198 the information required to be disclosed or provided, as applicable,
199 under subdivision (4), (5) or (6) of this subsection is so disclosed or
200 provided.

201 (8) In addition to the requirements of subdivision (2) of this
202 subsection, each contributor who is the recipient of any covered
203 transfer or transfers that, in the aggregate, exceed five thousand dollars
204 and who makes a contribution to an independent expenditure political
205 committee that separately, or in the aggregate, exceeds one thousand
206 dollars per calendar year shall provide with the contribution a
207 statement signed under penalty of false statement, which statement
208 shall include: (A) If the contributor is a human being, the name of the
209 contributor's employer or employers, if any; (B) the contributor's status
210 as a client lobbyist or communicator lobbyist, as defined in section 1-
211 91, or a member of the immediate family of a communicator lobbyist;
212 (C) a certification that the contributor is not a state contractor, a
213 principal of a state contractor, a foreign-influenced entity or otherwise
214 prohibited from making such contribution; and (D) the name of any
215 person required to be disclosed or provided, as applicable, under
216 subdivision (4), (5) or (6) of this subsection and the amounts of the
217 covered transfers of any such person. The State Elections Enforcement
218 Commission shall prepare a form for such certification by the
219 contributor and shall make it available to treasurers and contributors.

220 Such form shall include an explanation of the terms "covered transfer"
221 and "campaign-related disbursement", as they are defined in section 9-
222 601, as amended by this act, as well as notice of the prior authorization
223 requirements set forth in section 13 of this act. The information on such
224 sample form shall be included in any written solicitation conducted by
225 such independent expenditure political committee. If a treasurer
226 receives a contribution and the contributor has not provided such
227 certification, the treasurer shall: (i) Not later than three business days
228 after receiving the contribution, send a request for the certification to
229 the contributor by certified mail, return receipt requested; (ii) not
230 deposit the contribution until the treasurer obtains the certification
231 from the contributor, notwithstanding the provisions of section 9-606;
232 and (iii) return the contribution to the contributor if the contributor
233 does not provide the certification not later than fourteen days after the
234 treasurer's written request or at the end of the reporting period in
235 which the contribution was received, whichever is later. If a treasurer
236 deposits a contribution based on a certification signed under penalty of
237 false statement that is later determined to be false, the treasurer shall
238 have a complete defense to any action, including, but not limited to,
239 any complaint investigated by the State Elections Enforcement
240 Commission or any other investigation initiated by the commission,
241 against such treasurer for the receipt of such contribution.

242 ~~[(5)]~~ (9) Each statement filed by the treasurer of a party committee, a
243 legislative caucus committee or a legislative leadership committee shall
244 include an itemized accounting of each organization expenditure made
245 by the committee. Concomitant with the filing of any such statement
246 containing an accounting of an organization expenditure made by the
247 committee for the benefit of any candidate for the office of [state
248 senator, state representative,] Governor, Lieutenant Governor,
249 Attorney General, [Secretary of the State,] State Comptroller, [or]
250 Secretary of the State, State Treasurer, state senator or state
251 representative, such treasurer shall provide notice of the organization
252 expenditure to the candidate committee of such candidate.

253 ~~[(6)]~~ (10) The commission shall post a link on the home page of the

254 commission's Internet web site to a listing of all organizational
255 expenditures reported by a party, legislative leadership or caucus
256 committee under subdivision [(5)] (9) of this subsection. Such
257 information shall include reported information on the committee
258 making the expenditure, the committee receiving the expenditure and
259 the date and purpose for the expenditure.

260 [(7)] (11) Statements filed in accordance with this section shall
261 remain public records of the state for five years from the date such
262 statements are filed."