



# House of Representatives

General Assembly

**File No. 454**

February Session, 2018

Substitute House Bill No. 5522

*House of Representatives, April 12, 2018*

The Committee on Government Administration and Elections reported through REP. FOX of the 148th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT RESTORING THE CITIZENS' ELECTION PROGRAM,  
CONCERNING THE STATE ELECTIONS ENFORCEMENT  
COMMISSION AND REGARDING DISCLOSURE OF COORDINATED  
AND INDEPENDENT SPENDING.***

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

1 Section 1. Section 9-700 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective January 1, 2019*):

3 As used in [sections 9-700 to 9-716, inclusive] this chapter and  
4 section 2 of this act:

5 (1) "Commission" means the State Elections Enforcement  
6 Commission.

7 (2) "Depository account" means the single checking account at the  
8 depository institution designated as the depository for the candidate  
9 committee's moneys in accordance with the provisions of subsection  
10 (a) of section 9-604.

11 (3) "District office" has the same meaning as provided in section 9-  
12 372.

13 (4) "Eligible minor party candidate" means a candidate for election  
14 to an office who is nominated by a minor party pursuant to subpart B  
15 of part III of chapter 153.

16 (5) "Eligible petitioning party candidate" means a candidate for  
17 election to an office pursuant to subpart C of part III of chapter 153  
18 whose nominating petition has been approved by the Secretary of the  
19 State pursuant to section 9-453o.

20 (6) "Fund" means the Citizens' Election Fund established in section  
21 9-701, as amended by this act.

22 (7) "General election campaign" means (A) in the case of a candidate  
23 nominated at a primary, the period beginning on the day following the  
24 primary and ending on the date the treasurer files the final statement  
25 for such campaign pursuant to section 9-608, as amended by this act,  
26 or (B) in the case of a candidate nominated without a primary, the  
27 period beginning on the day following the day on which the candidate  
28 is nominated and ending on the date the treasurer files the final  
29 statement for such campaign pursuant to section 9-608, as amended by  
30 this act.

31 (8) "Major party" has the same meaning as provided in section 9-372.

32 (9) "Minor party" has the same meaning as provided in section 9-  
33 372.

34 (10) "Municipal office" has the same meaning as provided in section  
35 9-372.

36 (11) "Primary campaign" means the period beginning on the day  
37 following the close of (A) a convention held pursuant to section 9-382  
38 for the purpose of endorsing a candidate for nomination to the office of  
39 Governor, Lieutenant Governor, Attorney General, State Comptroller,  
40 State Treasurer or Secretary of the State or the district office of state

41 senator or state representative, or (B) a caucus, convention or town  
42 committee meeting held pursuant to section 9-390 for the purpose of  
43 endorsing a candidate for the municipal office of state senator or state  
44 representative, whichever is applicable, and ending on the day of a  
45 primary held for the purpose of nominating a candidate for such  
46 office.

47 (12) "Qualified candidate committee" means a candidate committee  
48 (A) established to aid or promote the success of any candidate for  
49 nomination or election to the office of Governor, Lieutenant Governor,  
50 Attorney General, State Comptroller, State Treasurer, Secretary of the  
51 State, state senator or state representative, and (B) approved by the  
52 commission to receive a grant from the Citizens' Election Fund under  
53 section 9-706.

54 (13) "Qualifying contribution" means a contribution that is applied  
55 toward the amount required to receive a grant under section 9-705, as  
56 amended by this act.

57 (14) "Supplemental qualifying contribution" means a contribution  
58 received in order to qualify for a supplemental grant under section 2 of  
59 this act or received in accordance with subdivision (3) of subsection (c)  
60 of section 9-702, as amended by this act.

61 Sec. 2. (NEW) (*Effective January 1, 2019*) (a) (1) (A) The qualified  
62 candidate committee of a major party candidate for the office of  
63 Governor who has a primary for nomination to said office may be  
64 eligible, in accordance with the provisions of this section, to receive a  
65 supplemental grant from the Citizens' Election Fund for the primary  
66 campaign in addition to a grant received pursuant to subdivision (1) of  
67 subsection (a) of section 9-705 of the general statutes.

68 (B) The amount of a supplemental grant for the primary campaign  
69 pursuant to this subdivision shall be determined pursuant to  
70 subsection (b) of this section, but in no case shall exceed the maximum  
71 amount provided for in this subparagraph. In the case of a primary  
72 held in 2022, the maximum amount of such supplemental grant for the

73 primary campaign shall be seventy-five per cent of the grant for the  
74 primary campaign authorized under subdivision (1) of subsection (a)  
75 of section 9-705 of the general statutes.

76 (2) (A) The qualified candidate committee of a candidate for the  
77 office of Governor that received a grant from the Citizens' Election  
78 Fund for the general election campaign pursuant to section 9-705 of the  
79 general statutes, as amended by this act, may be eligible, in accordance  
80 with the provisions of this section, to receive a supplemental grant  
81 from the fund for the general election campaign in addition to a grant  
82 received pursuant to subsection (a) of section 9-705 of the general  
83 statutes.

84 (B) The amount of a supplemental grant for the general election  
85 campaign pursuant to this subdivision shall be determined pursuant to  
86 subsection (b) of this section, but in no case shall exceed the maximum  
87 amount provided for in this subparagraph. In the case of an election  
88 held in 2022, the maximum amount of such supplemental grant for the  
89 general election campaign shall be seventy-five per cent of the  
90 applicable grant for the general election campaign authorized under  
91 section 9-705 of the general statutes, as amended by this act, for such  
92 qualified candidate committee described in subparagraph (A) of this  
93 subdivision.

94 (b) (1) Any qualified candidate committee described in subsection  
95 (a) of this section is eligible to receive a supplemental grant for a  
96 primary campaign, if applicable, and for a general election campaign if  
97 (A) the qualified candidate committee receives supplemental  
98 qualifying contributions for a supplemental grant under section 9-704  
99 of the general statutes, as amended by this act, (B) the qualified  
100 candidate committee returns all contributions that do not meet the  
101 criteria for supplemental qualifying contributions under section 9-704  
102 of the general statutes, as amended by this act, (C) the participating  
103 candidate agrees to limit such candidate's qualified candidate  
104 committee's campaign expenditures in accordance with the provisions  
105 of section 9-702 of the general statutes, as amended by this act, and (D)

106 the qualified candidate committee submits an application, and the  
107 State Elections Enforcement Commission approves such application, in  
108 accordance with the provisions of this section and subsections (a) and  
109 (b) of section 9-706 of the general statutes, as amended by this act.

110 (2) The State Elections Enforcement Commission shall review each  
111 application described in subdivision (1) of this subsection in  
112 accordance with the provisions of subsection (d) of section 9-706 of the  
113 general statutes, as amended by this act. If the commission approves  
114 the application of any such qualified candidate committee described in  
115 subdivision (1) of this subsection, the amount of any supplemental  
116 grant payable to such committee shall be equal to three times the  
117 amount of contributions received by such committee that qualify as  
118 supplemental qualifying contributions for a supplemental grant under  
119 section 9-704 of the general statutes, as amended by this act, but in no  
120 case shall the amount of such supplemental grant exceed the  
121 maximum amount applicable to such committee under subsection (a)  
122 of this section. The commission shall authorize the payment of such  
123 supplemental grant in accordance with the provisions of subsection (d)  
124 of section 9-706 of the general statutes, as amended by this act.

125 Sec. 3. Section 9-702 of the general statutes is repealed and the  
126 following is substituted in lieu thereof (*Effective January 1, 2019*):

127 (a) There is established a Citizens' Election Program under which (1)  
128 the candidate committee of a major party candidate for nomination to  
129 the office of state senator or state representative in 2008, or thereafter,  
130 or the office of Governor, Lieutenant Governor, Attorney General,  
131 State Comptroller, Secretary of the State or State Treasurer in 2010, or  
132 thereafter, may receive a grant from the Citizens' Election Fund for the  
133 candidate's primary campaign for said nomination, and (2) the  
134 candidate committee of a candidate nominated by a major party, or the  
135 candidate committee of an eligible minor party candidate or an eligible  
136 petitioning party candidate, for election to the office of state senator or  
137 state representative at a special election held on or after December 31,  
138 2006, or at a regular election held in 2008, or thereafter, or for election

139 to the office of Governor, Attorney General, State Comptroller,  
140 Secretary of the State or State Treasurer in 2010, or thereafter, may  
141 receive a grant from the fund for the candidate's general election  
142 campaign for said office.

143 (b) (1) Any such candidate committee is eligible to receive such  
144 grants under sections 9-705 and 9-706, as amended by this act, for a  
145 primary campaign, if applicable, and a general election campaign if  
146 [(1)] (A) the candidate certifies as a participating candidate under  
147 section 9-703, as amended by this act, [(2)] (B) the candidate's  
148 candidate committee receives the required amount of qualifying  
149 contributions under section 9-704, as amended by this act, [(3)] (C) the  
150 candidate's candidate committee returns, or transmits to the State  
151 Elections Enforcement Commission for deposit in the Citizens' Election  
152 Fund, all contributions that do not meet the criteria for qualifying  
153 contributions under section 9-704, as amended by this act, [(4)] (D) the  
154 candidate agrees to limit the campaign expenditures of the candidate's  
155 candidate committee in accordance with the provisions of subsection  
156 (c) of this section, and [(5)] (E) the candidate submits an application  
157 and the commission approves the application in accordance with the  
158 provisions of section 9-706, as amended by this act.

159 (2) After receiving a grant under sections 9-705 and 9-706, as  
160 amended by this act, a qualified candidate committee of a candidate  
161 for the office of Governor may then qualify for a supplemental grant  
162 under section 2 of this act.

163 (c) (1) A candidate participating in the Citizens' Election Program  
164 shall limit the expenditures of the candidate's candidate committee (A)  
165 before a primary campaign and a general election campaign, to the  
166 amount of qualifying contributions permitted in section 9-704, as  
167 amended by this act, and any personal funds provided by the  
168 candidate under subsection (c) of section 9-710, as amended by this act,  
169 (B) for a primary campaign, to the sum of (i) the amount of such  
170 qualifying contributions and personal funds that have not been spent  
171 before the primary campaign, [and] (ii) the amount of the grant for the

172 primary campaign authorized under section 9-705, as amended by this  
173 act, (iii) the amount of any supplemental grant for the primary  
174 campaign authorized under section 2 of this act, if applicable, for a  
175 candidate for the office of Governor, and (iv) the amount of any  
176 supplemental qualifying contributions under subdivision (3) of this  
177 subsection, if applicable, for a candidate for the office of Governor, and  
178 (C) for a general election campaign, to the sum of (i) the amount of  
179 such qualifying contributions and personal funds that have not been  
180 spent before the general election campaign, (ii) any unexpended funds  
181 from any grant for a primary campaign authorized under section 9-  
182 705, as amended by this act, [and] or from any supplemental grant for  
183 a primary campaign authorized under section 2 of this act, if  
184 applicable, (iii) the amount of the grant for the general election  
185 campaign authorized under section 9-705, as amended by this act, (iv)  
186 the amount of any supplemental grant for the general election  
187 campaign authorized under section 2 of this act, if applicable, for a  
188 candidate for the office of Governor, and (v) the amount of any  
189 supplemental qualifying contributions under subdivision (3) of this  
190 subsection for a candidate for the office of Governor.

191 (2) The candidate committee of a minor or petitioning party  
192 candidate who has received a general election campaign grant from  
193 the fund pursuant to section 9-705, as amended by this act, or an  
194 unopposed candidate who is ineligible to receive a grant pursuant to  
195 subparagraph (A) of subdivision (3) of subsection (i) of said section,  
196 shall be permitted to receive contributions in addition to the qualifying  
197 contributions subject to the limitations and restrictions applicable to  
198 participating candidates for the same office, provided (A) such minor  
199 or petitioning party candidate shall limit the expenditures of the  
200 candidate committee for a general election campaign to the sum of (i)  
201 the qualifying contributions, [and] (ii) any personal funds, (iii) the  
202 amount of the general election campaign grant received, and (iv) the  
203 amount raised in additional contributions that is equivalent to the  
204 difference between the amount of the applicable general election  
205 campaign grant for a major party candidate for such office and the  
206 amount of the general election campaign grant received by such minor

207 or petitioning party candidate, and (B) such unopposed candidate shall  
208 limit the expenditures of the candidate committee for a general  
209 election campaign to the sum of (i) the qualifying contributions, (ii)  
210 any personal funds, and (iii) the amount raised in additional  
211 contributions that is equivalent to thirty per cent of the applicable  
212 general election campaign grant for which such candidate committee  
213 would be eligible under subsections (a) to (h), inclusive, of section 9-  
214 705 if such candidate was not unopposed.

215 (3) After qualifying for a grant under section 9-705, as amended by  
216 this act, a qualified candidate committee of a candidate for the office of  
217 Governor that is eligible to receive a supplemental grant under section  
218 2 of this act, regardless of whether such candidate committee satisfies  
219 application deadlines under section 9-706, as amended by this act, may  
220 receive supplemental qualifying contributions subject to the limitations  
221 and restrictions under section 9-704, as amended by this act. The  
222 amount raised in supplemental qualifying contributions shall not  
223 exceed an amount that is equivalent to one-third of the maximum  
224 amount of the applicable grant for which such qualified candidate  
225 committee would be eligible if such qualified candidate committee  
226 received the maximum grant amount under section 2 of this act.

227 (d) For the purposes of this chapter and section 2 of this act, if a  
228 qualified candidate committee receives a grant for a primary campaign  
229 and has qualifying contributions that have not been spent before the  
230 primary campaign, no expenditures by such committee during the  
231 primary campaign shall be deemed to have been made from such  
232 qualifying contributions until the primary campaign grant funds have  
233 been fully spent.

234 (e) [No] Any grants or moneys paid to a qualified candidate  
235 committee from the Citizens' Election Fund under this chapter or  
236 section 2 of this act shall not be deemed to be public funds under any  
237 other provision of the general statutes or any public or special act  
238 unless specifically stated by such provision.

239 Sec. 4. Section 9-704 of the 2018 supplement to the general statutes is



240 repealed and the following is substituted in lieu thereof (*Effective*  
241 *January 1, 2019*):

242 (a) The amount of qualifying contributions that the candidate  
243 committee of a candidate shall be required to receive in order to be  
244 eligible for grants from the Citizens' Election Fund under section 9-705,  
245 as amended by this act, shall be:

246 (1) In the case of a candidate for nomination or election to the office  
247 of Governor, contributions from individuals in the aggregate amount  
248 of two hundred fifty thousand dollars, of which two hundred twenty-  
249 five thousand dollars or more is contributed by individuals residing in  
250 the state, except that in the case of a primary or election held in 2022,  
251 or thereafter, the aggregate contribution amounts shall be first adjusted  
252 under subdivision (1) of subsection [(b)] (c) of this section and then  
253 rounded to the nearest multiple of one hundred dollars with exactly  
254 fifty dollars rounded upward. The provisions of this subdivision shall  
255 be subject to the following: (A) Except as provided in subparagraph  
256 (C) of this subdivision and subsection (g) of section 9-610, (i) before  
257 January 1, 2019, the candidate committee shall return the portion of  
258 any contribution or contributions from any individual, including said  
259 candidate, that exceeds one hundred dollars, (ii) on and after January  
260 1, 2019, the candidate committee shall return the portion of any  
261 contribution or contributions from any individual, including said  
262 candidate, that exceeds two hundred fifty dollars, and (iii) any such  
263 excess portion shall not be considered in calculating the aggregate  
264 contribution amounts under this subdivision, (B) all contributions  
265 received by (i) an exploratory committee established by said candidate,  
266 or (ii) an exploratory committee or candidate committee of a candidate  
267 for the office of Lieutenant Governor who is deemed to be jointly  
268 campaigning with a candidate for nomination or election to the office  
269 of Governor under subsection (a) of section 9-709, which meet the  
270 criteria for qualifying contributions to candidate committees under this  
271 section shall be considered in calculating the aggregate contribution  
272 amounts, and (C) in the case of a primary or election held in 2022, or  
273 thereafter, the two-hundred-fifty-dollar maximum individual

274 contribution amount provided in subparagraph (A) of this subdivision  
275 shall be first adjusted under subdivision (1) of subsection [(c)] (d) of  
276 this section and then rounded to the nearest multiple of ten dollars  
277 with exactly five dollars rounded upward.

278 (2) In the case of a candidate for nomination or election to the office  
279 of Lieutenant Governor, Attorney General, State Comptroller, State  
280 Treasurer or Secretary of the State, contributions from individuals in  
281 the aggregate amount of seventy-five thousand dollars, of which sixty-  
282 seven thousand five hundred dollars or more is contributed by  
283 individuals residing in the state, except that in the case of a primary or  
284 election for Lieutenant Governor held in 2022, or thereafter, the  
285 aggregate contribution amounts shall be first adjusted under  
286 subdivision (1) of subsection (b) of this section and then rounded to the  
287 nearest multiple of one hundred dollars with exactly fifty dollars  
288 rounded upward and in the case of a primary or election for Attorney  
289 General, State Comptroller, State Treasurer or Secretary of the State  
290 held in 2018, or thereafter, the aggregate contribution amounts shall be  
291 first adjusted under subdivision (2) of subsection [(b)] (c) of this section  
292 and then rounded to the nearest multiple of one hundred dollars with  
293 exactly fifty dollars rounded upward. The provisions of this  
294 subdivision shall be subject to the following: (A) Except as provided in  
295 subparagraph (C) of this subdivision and subsection (g) of section 9-  
296 610, (i) before January 1, 2019, the candidate committee shall return the  
297 portion of any contribution or contributions from any individual,  
298 including said candidate, that exceeds one hundred dollars, (ii) on and  
299 after January 1, 2019, the candidate committee shall return the portion  
300 of any contribution or contributions from any individual, including  
301 said candidate, that exceeds two hundred fifty dollars, and (iii) any  
302 such excess portion shall not be considered in calculating the aggregate  
303 contribution amounts under this subdivision, (B) all contributions  
304 received by an exploratory committee established by said candidate  
305 that meet the criteria for qualifying contributions to candidate  
306 committees under this section shall be considered in calculating the  
307 aggregate contribution amounts, and (C) in the case of a primary or  
308 election held in 2022, or thereafter, the two-hundred-fifty-dollar

309 maximum individual contribution amount provided in subparagraph  
310 (A) of this subdivision shall be first adjusted under subdivision (1) of  
311 subsection [(c)] (d) of this section and then rounded to the nearest  
312 multiple of ten dollars with exactly five dollars rounded upward.

313 (3) In the case of a candidate for nomination or election to the office  
314 of state senator for a district, contributions from individuals in the  
315 aggregate amount of fifteen thousand dollars, including contributions  
316 from at least three hundred individuals residing in municipalities  
317 included, in whole or in part, in said district, except that in the case of  
318 a primary or election held in 2018, or thereafter, the aggregate  
319 contribution amount shall be first adjusted under subdivision (3) of  
320 subsection [(b)] (c) of this section and then rounded to the nearest  
321 multiple of one hundred dollars with exactly fifty dollars rounded  
322 upward. The provisions of this subdivision shall be subject to the  
323 following: (A) Except as provided in subparagraph (D) of this  
324 subdivision and subsection (g) of section 9-610, (i) before December 1,  
325 2017, the candidate committee shall return the portion of any  
326 contribution or contributions from any individual, including said  
327 candidate, that exceeds one hundred dollars, (ii) on and after  
328 December 1, 2017, the candidate committee shall return the portion of  
329 any contribution or contributions from any individual, including said  
330 candidate, that exceeds two hundred fifty dollars, and (iii) any such  
331 excess portion shall not be considered in calculating the aggregate  
332 contribution amount under this subdivision, (B) no contribution shall  
333 be counted for the purposes of the requirement under this subdivision  
334 for contributions from at least three hundred individuals residing in  
335 municipalities included, in whole or in part, in the district unless the  
336 contribution is five dollars or more, and (C) all contributions received  
337 by an exploratory committee established by said candidate that meet  
338 the criteria for qualifying contributions to candidate committees under  
339 this section shall be considered in calculating the aggregate  
340 contribution amount under this subdivision and all such exploratory  
341 committee contributions that also meet the requirement under this  
342 subdivision for contributions from at least three hundred individuals  
343 residing in municipalities included, in whole or in part, in the district

344 shall be counted for the purposes of said requirement, and (D) in the  
345 case of a primary or election held in 2020, or thereafter, the two-  
346 hundred-fifty-dollar maximum individual contribution amount  
347 provided in subparagraph (A) of this subdivision shall be adjusted  
348 under subdivision (2) of subsection [(c)] (d) of this section and then  
349 rounded to the nearest multiple of ten dollars with exactly five dollars  
350 rounded upward.

351 (4) In the case of a candidate for nomination or election to the office  
352 of state representative for a district, contributions from individuals in  
353 the aggregate amount of five thousand dollars, including contributions  
354 from at least one hundred fifty individuals residing in municipalities  
355 included, in whole or in part, in said district, except that in the case of  
356 a primary or election held in 2018, or thereafter, the aggregate  
357 contribution amount shall be first adjusted under subdivision (3) of  
358 subsection [(b)] (c) of this section and then rounded to the nearest  
359 multiple of one hundred dollars with exactly fifty dollars rounded  
360 upward. The provisions of this subdivision shall be subject to the  
361 following: (A) Except as provided in subparagraph (D) of this  
362 subdivision and subsection (g) of section 9-610, (i) before December 1,  
363 2017, the candidate committee shall return the portion of any  
364 contribution or contributions from any individual, including said  
365 candidate, that exceeds one hundred dollars, (ii) on and after  
366 December 1, 2017, the candidate committee shall return the portion of  
367 any contribution or contributions from any individual, including said  
368 candidate, that exceeds two hundred fifty dollars, and (iii) any such  
369 excess portion shall not be considered in calculating the aggregate  
370 contribution amount under this subdivision, (B) no contribution shall  
371 be counted for the purposes of the requirement under this subdivision  
372 for contributions from at least one hundred fifty individuals residing  
373 in municipalities included, in whole or in part, in the district unless the  
374 contribution is five dollars or more, (C) all contributions received by an  
375 exploratory committee established by said candidate that meet the  
376 criteria for qualifying contributions to candidate committees under this  
377 section shall be considered in calculating the aggregate contribution  
378 amount under this subdivision and all such exploratory committee

379 contributions that also meet the requirement under this subdivision for  
380 contributions from at least one hundred fifty individuals residing in  
381 municipalities included, in whole or in part, in the district shall be  
382 counted for the purposes of said requirement, and (D) in the case of a  
383 primary or election held in 2020, or thereafter, the two-hundred-fifty-  
384 dollar maximum individual contribution amount provided in  
385 subparagraph (A) of this subdivision shall be adjusted under  
386 subdivision (2) of subsection [(c)] (d) of this section and then rounded  
387 to the nearest multiple of ten dollars with exactly five dollars rounded  
388 upward.

389 (5) Notwithstanding the provisions of subdivisions (3) and (4) of  
390 this subsection, in the case of a special election for the office of state  
391 senator or state representative for a district, (A) the aggregate amount  
392 of qualifying contributions that the candidate committee of a candidate  
393 for such office shall be required to receive in order to be eligible for a  
394 grant from the Citizens' Election Fund shall be seventy-five per cent or  
395 more of the corresponding amount required under the applicable said  
396 subdivision (3) or (4), as adjusted and rounded pursuant to the  
397 applicable provisions of subsection [(b)] (c) of this section, and (B) the  
398 number of contributions required from individuals residing in  
399 municipalities included, in whole or in part, in said district shall be  
400 seventy-five per cent or more of the corresponding number required  
401 under the applicable said subdivision (3) or (4).

402 (b) The maximum amount of contributions that a qualified  
403 candidate committee described in section 2 of this act may receive as  
404 supplemental qualifying contributions in order to be eligible for a  
405 supplemental grant from the Citizens' Election Fund under said  
406 section shall be:

407 (1) In the case of a qualified candidate committee of a major party  
408 candidate for the office of Governor who has a primary campaign for  
409 nomination to said office, contributions from individuals in an  
410 aggregate amount not to exceed one-third of the maximum amount of  
411 the supplemental grant for a primary campaign under subsection (a) of

412 section 2 of this act, of which seventy-five per cent or more of the  
413 aggregate amount is contributed by individuals residing in the state.  
414 The qualified candidate committee shall return the portion of any  
415 contribution or contributions from any individual that exceeds one  
416 hundred dollars, and such excess portion shall not be considered in  
417 calculating such amounts.

418 (2) In the case of a qualified candidate committee of a candidate for  
419 election to the office of Governor, contributions from individuals in an  
420 aggregate amount not to exceed one-third of the maximum amount of  
421 the supplemental grant for a general election campaign under  
422 subsection (a) of section 2 of this act, of which seventy-five per cent or  
423 more of the aggregate amount is contributed by individuals residing in  
424 the state. The qualified candidate committee shall return the portion of  
425 any contribution or contributions from any individual that exceeds one  
426 hundred dollars, and such excess portion shall not be considered in  
427 calculating such amounts.

428 [(b)] (c) (1) For elections for the office of Governor or Lieutenant  
429 Governor held in 2022, and thereafter, the aggregate contribution  
430 amounts in subdivision (1) or (2), as applicable, of subsection (a) of this  
431 section shall be adjusted by the State Elections Enforcement  
432 Commission not later than January 15, 2022, and quadrennially  
433 thereafter, in accordance with any change in the consumer price index  
434 for all urban consumers as published by the United States Department  
435 of Labor, Bureau of Labor Statistics, during the period beginning on  
436 January 1, 2017, and ending on December thirty-first in the year  
437 preceding the year in which said adjustment is to be made.

438 (2) For elections for the office of Attorney General, State  
439 Comptroller, State Treasurer or Secretary of the State held in 2018, and  
440 thereafter, the aggregate contribution amounts in subdivision (2) of  
441 subsection (a) of this section shall be adjusted by the State Elections  
442 Enforcement Commission not later than January 15, 2018, and  
443 quadrennially thereafter, in accordance with any change in the  
444 consumer price index for all urban consumers as published by the

445 United States Department of Labor, Bureau of Labor Statistics, during  
446 the period beginning on January 1, 2017, and ending on December  
447 thirty-first in the year preceding the year in which said adjustment is  
448 to be made.

449 (3) For elections for the office of state senator or state representative  
450 held in 2018, and thereafter, the aggregate contribution amounts in  
451 subdivision (3) or (4), as applicable, of subsection (a) of this section  
452 shall be adjusted by the State Elections Enforcement Commission not  
453 later than January 15, 2018, and biennially thereafter, in accordance  
454 with any change in the consumer price index for all urban consumers  
455 as published by the United States Department of Labor, Bureau of  
456 Labor Statistics, during the period beginning on January 1, 2017, and  
457 ending on December thirty-first in the year preceding the year in  
458 which said adjustment is to be made.

459 ~~[(c)]~~ (d) (1) For elections for the office of Governor, Lieutenant  
460 Governor, Attorney General, State Comptroller, State Treasurer or  
461 Secretary of the State held in 2022, and thereafter, the two-hundred-  
462 fifty-dollar maximum individual contribution amount in subdivision  
463 (1) or (2), as applicable, of subsection (a) of this section shall be  
464 adjusted by the State Elections Enforcement Commission not later than  
465 January 15, 2022, and quadrennially thereafter, in accordance with any  
466 change in the consumer price index for all urban consumers as  
467 published by the United States Department of Labor, Bureau of Labor  
468 Statistics, during the period beginning on January 1, 2017, and ending  
469 on December thirty-first in the year preceding the year in which said  
470 adjustment is to be made.

471 (2) For elections for the office of state senator or state representative  
472 held in 2020, and thereafter, the two-hundred-fifty-dollar maximum  
473 individual contribution amount in subdivision (3) or (4), as applicable,  
474 of subsection (a) of this section shall be adjusted by the State Elections  
475 Enforcement Commission not later than January 15, 2020, and  
476 biennially thereafter, in accordance with any change in the consumer  
477 price index for all urban consumers as published by the United States

478 Department of Labor, Bureau of Labor Statistics, during the period  
479 beginning on January 1, 2017, and ending on December thirty-first in  
480 the year preceding the year in which said adjustment is to be made.

481 [(d)] (e) Each individual who makes a contribution of more than  
482 fifty dollars to a candidate committee established to aid or promote the  
483 success of a participating candidate for nomination or election shall  
484 include with the contribution a certification that contains the same  
485 information described in subdivision (3) of subsection (c) of section 9-  
486 608, as amended by this act, and shall follow the same procedure  
487 prescribed in said subsection.

488 [(e)] (f) The following shall not be deemed to be qualifying  
489 contributions under subsection (a) of this section or supplemental  
490 qualifying contributions under subsection (b) of this section and shall  
491 be returned by the treasurer of the candidate committee to the  
492 contributor or transmitted to the State Elections Enforcement  
493 Commission for deposit in the Citizens' Election Fund:

494 (1) A contribution from a principal of a state contractor or  
495 prospective state contractor;

496 (2) A contribution of less than five dollars, and a contribution of five  
497 dollars or more from an individual who does not provide the full name  
498 and complete address of the individual;

499 (3) A contribution under subdivision (1) or (2) of subsection (a) of  
500 this section, or under subdivision (1) or (2) of subsection (b) of this  
501 section, from an individual who does not reside in the state, in excess  
502 of the applicable limit on contributions from out-of-state individuals in  
503 subsection (a) or (b), as applicable, of this section; and

504 (4) A contribution made by a youth who is less than twelve years of  
505 age.

506 [(f) After] (g) (1) Except as provided in subdivision (2) of this  
507 subsection, after a candidate committee receives the applicable  
508 aggregate amount of qualifying contributions under subsection (a) of



509 this section or supplemental qualifying contributions under subsection  
510 (b) of this section, the candidate committee shall transmit any  
511 additional contributions that it receives to the State Treasurer for  
512 deposit in the Citizens' Election Fund.

513 (2) If a qualified candidate committee of a candidate for the office of  
514 Governor is eligible for a supplemental grant under section 2 of this  
515 act, the qualified candidate committee may use excess qualifying  
516 contributions, the aggregate amount of which shall be not more than  
517 twenty per cent of the applicable aggregate amount of qualifying  
518 contributions under subsection (a) of this section, as supplemental  
519 qualifying contributions under subsection (b) of this section. If a  
520 qualified candidate committee for the office of Governor is eligible for  
521 a supplemental grant for a primary campaign under section 2 of this  
522 act, the qualified candidate committee may use excess supplemental  
523 qualifying contributions, the aggregate amount of which shall be not  
524 more than twenty per cent of the applicable aggregate amount of  
525 supplemental qualifying contributions for a primary campaign grant,  
526 as supplemental qualifying contributions for a supplemental grant for  
527 the general election campaign under section 2 of this act.

528 [(g)] (h) As used in this section, "principal of a state contractor or  
529 prospective state contractor" has the same meaning as provided in  
530 subsection (g) of section 9-612, and "individual" shall include sole  
531 proprietorships.

532 Sec. 5. Subdivisions (1) to (3), inclusive, of subsection (i) of section 9-  
533 705 of the 2018 supplement to the general statutes are repealed and the  
534 following is substituted in lieu thereof (*Effective January 1, 2019*):

535 (1) The initial grant that a qualified candidate committee for a  
536 candidate is eligible to receive under subsections (a) to (h), inclusive, of  
537 this section shall be reduced by the amount of any personal funds that  
538 the candidate provides for the candidate's campaign for nomination or  
539 election pursuant to subsection (c) of section 9-710;

540 (2) If a participating candidate is nominated at a primary and does

541 not expend the entire grant for the primary campaign authorized  
542 under subsection (a), (b), (e) or (f) of this section, or does not expend  
543 the entire supplemental grant for the primary campaign authorized  
544 under section 2 of this act, if applicable, the amount of the grant for the  
545 general election campaign shall be reduced by the total amount of any  
546 such unexpended [primary campaign] grant for the primary campaign,  
547 supplemental grant for the primary campaign and moneys;

548 (3) (A) If a participating candidate who is nominated for election  
549 does not have [any] an opponent in the general election campaign, [the  
550 amount of the] such candidate shall be ineligible to receive a general  
551 election campaign grant. [for which the qualified candidate committee  
552 for said candidate shall be eligible shall be thirty per cent of the  
553 applicable amount set forth in subsections (a) to (h), inclusive, of this  
554 section.] For the purposes of this subdivision, a participating candidate  
555 shall be deemed to have an opponent if [(A)] (i) a major party has  
556 properly endorsed any other candidate and made the requisite filing  
557 with the Secretary of the State within the time specified in [section 9-  
558 391 or 9-400, as applicable, (B)] chapter 153, (ii) any candidate of any  
559 other major party has received not less than fifteen per cent of the vote  
560 of convention delegates and has complied with the filing requirements  
561 set forth in section 9-400, or [(C)] (iii) any candidate of any other major  
562 party has circulated a petition and obtained the required number of  
563 signatures for filing a candidacy for nomination and has either  
564 qualified for the primary or been deemed the party's nominee;

565 (B) If a participating candidate who is nominated for election and  
566 who was previously deemed to not have an opponent under  
567 subparagraph (A) of this subdivision is subsequently deemed to have  
568 an opponent in the general election campaign, the qualified candidate  
569 committee of such candidate shall be eligible to receive a general  
570 election campaign grant under subsections (a) to (h), inclusive, of this  
571 section, and the amount of such grant shall be reduced by the amount  
572 of any additional contributions raised pursuant to subsection (c) of  
573 section 9-702, as amended by this act, during the period when such  
574 candidate was deemed to not have an opponent;

575 Sec. 6. Subsections (b) to (g), inclusive, of section 9-706 of the general  
576 statutes are repealed and the following is substituted in lieu thereof  
577 (*Effective January 1, 2019*):

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

579 (1) The candidate committee has received the required amount of  
580 qualifying contributions;

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

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

586 (4) [The] Except as provided in subsection (e) of section 9-704, as  
587 amended by this act, the candidate committee has returned all  
588 contributions or portions of contributions that do not meet the criteria  
589 for qualifying contributions under section 9-704, as amended by this  
590 act, and transmitted all excess qualifying contributions and  
591 supplemental qualifying contributions to the Citizens' Election Fund;

592 (5) The treasurer of the candidate committee will: (A) Comply with  
593 the provisions of chapter 155 and this chapter, and (B) maintain and  
594 furnish all records required pursuant to chapter 155 and this chapter  
595 and any regulation adopted pursuant to such chapters;

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

599 (7) The treasurer of the candidate committee will expend all moneys  
600 received from the fund in accordance with the provisions of subsection  
601 (g) of section 9-607 and regulations adopted by the State Elections  
602 Enforcement Commission under subsection (e) of this section;

603 (8) If the candidate withdraws from the campaign, becomes

604 ineligible or dies during the campaign, the candidate committee of the  
605 candidate will return to the commission, for deposit in the fund, all  
606 moneys received from the fund pursuant to [sections 9-700 to 9-716,  
607 inclusive, which] this chapter and section 2 of this act that said  
608 candidate committee has not spent as of the date of such occurrence;

609 (9) All outstanding civil penalties or forfeitures assessed pursuant to  
610 chapters 155 to 157, inclusive, against the current or any former  
611 committee of the candidate have been paid, provided (A) in the case of  
612 any candidate seeking nomination for or election to the office of  
613 Governor, Lieutenant Governor, Attorney General, State Comptroller,  
614 Secretary of the State or State Treasurer, any such penalty or forfeiture  
615 was assessed not later than twenty-four months prior to the  
616 submission of an application pursuant to this section; or (B) in the case  
617 of any candidate seeking nomination for or election to the office of  
618 state senator or state representative, any such penalty or forfeiture was  
619 assessed not later than twelve months prior to the submission of an  
620 application pursuant to this section;

621 (10) The treasurer has paid any civil penalties or forfeitures assessed  
622 pursuant to chapters 155 to 157, inclusive, and has not been convicted  
623 of or pled guilty or nolo contendere to, in a court of competent  
624 jurisdiction, any (A) felony involving fraud, forgery, larceny,  
625 embezzlement or bribery, or (B) criminal offense under this title, unless  
626 at least eight years have elapsed from the date of the conviction or plea  
627 or the completion of any sentence, whichever date is later, without a  
628 subsequent conviction of or plea to another such felony or offense;

629 (11) The candidate has not been convicted of or pled guilty or nolo  
630 contendere to, in a court of competent jurisdiction, a criminal offense  
631 under this title unless at least eight years have elapsed from the date of  
632 the conviction or plea or the completion of any sentence, whichever  
633 date is later, without a subsequent conviction of or plea to another  
634 such offense; and

635 (12) The candidate has never been convicted of or pled guilty or  
636 nolo contendere to, in a court of competent jurisdiction, a felony

637 related to the individual's public office, other than a criminal offense  
638 under this title in accordance with subdivision (11) of this subsection.

639 (c) The application shall be accompanied by a cumulative itemized  
640 accounting of all funds received, expenditures made and expenses  
641 incurred but not yet paid by the candidate committee as of three days  
642 preceding the day the application is filed. Such accounting shall be  
643 sworn to under penalty of false statement by the treasurer of the  
644 candidate committee. The commission shall prescribe the form of the  
645 application and the cumulative itemized accounting. The form for such  
646 accounting shall conform to the requirements of section 9-608, as  
647 amended by this act. Both the candidate and the treasurer of the  
648 candidate committee shall sign the application.

649 (d) In accordance with the provisions of subsection (g) of this  
650 section, the commission shall review the application, determine  
651 whether (1) the candidate committee for the applicant has received the  
652 required qualifying contributions, (2) in the case of an application for a  
653 grant from the fund for a primary campaign, the applicant has met the  
654 applicable condition under subsection (a) of this section for applying  
655 for such grant and complied with the provisions of subsections (b) and  
656 (c) of this section, (3) in the case of an application for a grant from the  
657 fund for a general election campaign, the applicant has met the  
658 applicable condition under subsection (a) of this section for applying  
659 for such moneys and complied with the provisions of subsections (b)  
660 and (c) of this section, and (4) in the case of an application by a minor  
661 party or petitioning party candidate for a grant from the fund for a  
662 general election campaign, the applicant qualifies as an eligible minor  
663 party candidate or an eligible petitioning party candidate, whichever is  
664 applicable. If the commission approves an application, the commission  
665 shall determine the amount of the grant payable to the candidate  
666 committee for the applicant pursuant to section 9-705, as amended by  
667 this act, or section 2 of this act, from the fund, and notify the State  
668 Comptroller and the candidate of such candidate committee, of such  
669 amount. If the timing of the commission's approval of the grant in  
670 relation to the Secretary of the State's determination of ballot status is

671 such that the commission cannot determine whether the qualified  
672 candidate committee is entitled to the applicable full initial grant for  
673 the primary or election or the applicable partial grant for the primary  
674 or election, as the case may be, the commission shall approve the lesser  
675 applicable partial initial grant. The commission shall then authorize  
676 the payment of the remaining portion of the applicable grant after the  
677 commission has knowledge of the circumstances regarding the ballot  
678 status of the opposing candidates in such primary or election. Not later  
679 than two business days following notification by the commission, the  
680 State Comptroller shall draw an order on the State Treasurer for  
681 payment of any such approved amount to the qualified candidate  
682 committee from the fund.

683 (e) The State Elections Enforcement Commission shall adopt  
684 regulations, in accordance with the provisions of chapter 54, on  
685 permissible expenditures under subsection (g) of section 9-607 for  
686 qualified candidate committees receiving grants from the fund [under  
687 sections 9-700 to 9-716, inclusive] pursuant to this chapter and section 2  
688 of this act.

689 (f) If a nominated participating candidate dies, withdraws the  
690 candidate's candidacy or becomes disqualified to hold the office for  
691 which the candidate has been nominated after the commission  
692 approves the candidate's application for a grant under this section, the  
693 candidate committee of the candidate who is nominated to replace said  
694 candidate pursuant to section 9-460 shall be eligible to receive grants  
695 from the fund without complying with the provisions of section 9-704,  
696 as amended by this act, if said replacement candidate files an affidavit  
697 under section 9-703, as amended by this act, certifying the candidate's  
698 intent to abide by the expenditure limits set forth in subsection (c) of  
699 section 9-702, as amended by this act, and notifies the commission on a  
700 form prescribed by the commission.

701 (g) (1) Any application submitted pursuant to this section for a grant  
702 for the primary or general election campaign under section 9-705, as  
703 amended by this act, or a supplemental grant for the primary or

704 general election campaign under section 2 of this act, shall be  
705 submitted in accordance with the following schedule: (A) By five  
706 o'clock p.m. on the third Wednesday in May of the year that the  
707 primary or election will be held at which such participating candidate  
708 will seek nomination or election, or (B) by five o'clock p.m. on any  
709 subsequent Wednesday of such year, provided no application shall be  
710 accepted by the commission after five o'clock p.m. on or after the  
711 fourth to last Friday prior to the primary or election at which such  
712 participating candidate will seek nomination or election. Not later than  
713 five business days following any such Wednesday or Friday, as  
714 applicable, for participating candidates seeking nomination or election  
715 to the office of state senator or state representative, or ten business  
716 days following any such Wednesday or Friday, as applicable, for  
717 participating candidates seeking nomination or election to the office of  
718 Governor, Lieutenant Governor, Attorney General, State Comptroller,  
719 State Treasurer or Secretary of the State or, in the event of a national,  
720 regional or local emergency or local natural disaster, as soon thereafter  
721 as is practicable, the commission shall review any application received  
722 by such Wednesday or Friday, in accordance with the provisions of  
723 subsection (d) of this section, and determine whether such application  
724 shall be approved or disapproved. Notwithstanding the provisions of  
725 this subsection, if an application for a grant for the general election  
726 [grant] campaign under section 9-705, as amended by this act, or a  
727 supplemental grant for the general election campaign under section 2  
728 of this act, is received during the period beginning at five o'clock p.m.  
729 on the Wednesday of the week preceding the week of the last primary  
730 application deadline and ending five o'clock p.m. on the last primary  
731 application deadline, as set forth in this subsection, the commission  
732 shall review such application in accordance with the provisions of  
733 subsection (d) of this section and determine whether it shall be  
734 approved or disapproved not later than five business days or ten  
735 business days, as applicable, after the first application deadline  
736 following the last primary application deadline. For any such  
737 application that is approved, any disbursement of funds by the  
738 commission shall be made not later than twelve business days prior to

739 any such primary or general election. From the third week of June in  
740 even-numbered years until the third week in July, the commission  
741 shall meet twice weekly to determine whether or not to approve  
742 applications for grants if there are pending grant applications.

743 (2) Notwithstanding the provisions of subdivision (1) of this  
744 subsection, no application for a special election shall be accepted by  
745 the commission after five o'clock p.m. on or after ten business days  
746 prior to the special election at which such participating candidate will  
747 seek election. Not later than three business days following such  
748 deadline, or, in the event of a national, regional or local emergency or  
749 local natural disaster, as soon thereafter as practicable, the commission  
750 shall review any such application received by such deadline, in  
751 accordance with the provisions of subsection (d) of this section, and  
752 determine whether such application shall be approved or disapproved.  
753 For any such application that is approved, any disbursement of funds  
754 by the commission shall be made not later than seven business days  
755 prior to any such special election.

756 (3) The commission shall publish such application review schedules  
757 and meeting schedules on the commission's web site and with the  
758 Secretary of the State.

759 Sec. 7. Section 9-701 of the general statutes is repealed and the  
760 following is substituted in lieu thereof (*Effective January 1, 2019*):

761 There is established the "Citizens' Election Fund", which shall be a  
762 separate, nonlapsing account within the General Fund. The fund may  
763 contain any moneys required by law to be deposited in the fund.  
764 Investment earnings credited to the assets of the fund shall become  
765 part of the assets of the fund. The State Treasurer shall administer the  
766 fund. All moneys deposited in the fund shall be used for the purposes  
767 of [sections 9-700 to 9-716, inclusive] this chapter and section 2 of this  
768 act.

769 Sec. 8. Subsections (b) and (c) of section 9-703 of the general statutes  
770 are repealed and the following is substituted in lieu thereof (*Effective*



771 *January 1, 2019*):

772 (b) A candidate who so certifies the candidate's intent to abide by  
773 the expenditure limits under the Citizens' Election Program set forth in  
774 subsection (c) of section 9-702, as amended by this act, shall be referred  
775 to in [sections 9-700 to 9-716, inclusive,] this chapter and section 2 of  
776 this act as a "participating candidate", and a candidate who so certifies  
777 the candidate's intent to not abide by said limits shall be referred to in  
778 [sections 9-700 to 9-716, inclusive,] this chapter and section 2 of this act  
779 as a "nonparticipating candidate". The commission shall prepare a list  
780 of the participating candidates and a list of the nonparticipating  
781 candidates and shall make such lists available for public inspection.

782 (c) A participating candidate may withdraw from participation in  
783 the Citizens' Election Program before applying for an initial grant  
784 under section 9-706, as amended by this act, by filing an affidavit with  
785 the State Elections Enforcement Commission, which includes a written  
786 certification of such withdrawal. A candidate who files such an  
787 affidavit shall be deemed to be a nonparticipating candidate for the  
788 purposes of [sections 9-700 to 9-716, inclusive,] this chapter and section  
789 2 of this act and shall not be penalized for such withdrawal. No  
790 participating candidate shall withdraw from participation in the  
791 Citizens' Election Program after applying for an initial grant under  
792 section 9-706, as amended by this act.

793 Sec. 9. Section 9-707 of the general statutes is repealed and the  
794 following is substituted in lieu thereof (*Effective January 1, 2019*):

795 Following the initial deposit of moneys from the Citizens' Election  
796 Fund into the depository account of a qualified candidate committee,  
797 no contribution, loan, amount of the candidate's own moneys or any  
798 other moneys received by the candidate or the treasurer on behalf of  
799 the committee shall be deposited into said depository account, except  
800 (1) grants under section 9-705, as amended by this act, and  
801 supplemental grants under section 2 of this act from the fund, [and] (2)  
802 any supplemental qualifying contributions received in accordance  
803 with the provisions of subsection (b) of section 9-704, as amended by

804 this act, or the provisions of subdivision (3) of subsection (c) of section  
805 9-702, as amended by this act, and (3) reimbursement from another  
806 candidate committee for shared expenses [as provided] pursuant to  
807 subsection (b) of section 9-610.

808 Sec. 10. Subsection (a) of section 9-711 of the general statutes is  
809 repealed and the following is substituted in lieu thereof (*Effective*  
810 *January 1, 2019*):

811 (a) If an expenditure in excess of the applicable expenditure limit set  
812 forth in subsection (c) of section 9-702, as amended by this act, is made  
813 or incurred by a qualified candidate committee that receives a grant  
814 from the Citizens' Election Fund pursuant to section 9-706, as amended  
815 by this act, (1) the candidate and treasurer of said committee shall be  
816 jointly and severally liable for paying for the excess expenditure, (2)  
817 the committee shall not receive any additional grants or moneys from  
818 the fund for the remainder of the election cycle if the State Elections  
819 Enforcement Commission determines that the candidate or treasurer of  
820 said committee had knowledge of the excess expenditure, (3) the  
821 treasurer shall be subject to penalties under section 9-7b, and (4) the  
822 candidate of said candidate committee shall be deemed to be a  
823 nonparticipating candidate for the purposes of [sections 9-700 to 9-716,  
824 inclusive,] this chapter and section 2 of this act if the commission  
825 determines that the candidate or treasurer of said committee had  
826 knowledge of the excess expenditure. The commission may waive the  
827 provisions of this subsection upon determining that an excess  
828 expenditure is de minimis. The commission shall adopt regulations, in  
829 accordance with the provisions of chapter 54, establishing standards  
830 for making such determinations. Such standards shall include, but not  
831 be limited to, a finding by the commission that the candidate or  
832 treasurer has, from the candidate's or treasurer's personal funds, either  
833 paid the excess expenditure or reimbursed the qualified candidate  
834 committee for its payment of the excess expenditure.

835 Sec. 11. Subsection (b) of section 9-712 of the general statutes is  
836 repealed and the following is substituted in lieu thereof (*Effective*

837 *January 1, 2019*):

838 (b) (1) As used in this section, "excess expenditure" means an  
839 expenditure made, or obligated to be made, by a nonparticipating or a  
840 participating candidate who is opposed by one or more other  
841 participating candidates in a primary campaign or a general election  
842 campaign, which is in excess of the amount of the applicable limit on  
843 expenditures for said participating candidates for said campaign [and  
844 which is the sum of (A) the applicable qualifying contributions that the  
845 participating candidate is required to receive under section 9-704 to be  
846 eligible for grants from the Citizens' Election Fund, and (B) one  
847 hundred per cent of the applicable full grant amount for a major party  
848 candidate authorized under section 9-705 for the applicable campaign  
849 period] as set forth in subsection (c) of section 9-702, as amended by  
850 this act.

851 (2) The commission shall confirm whether an expenditure described  
852 in a declaration filed under this subsection is an excess expenditure.

853 Sec. 12. Subsections (a) and (b) of section 9-716 of the general  
854 statutes are repealed and the following is substituted in lieu thereof  
855 (*Effective January 1, 2019*):

856 (a) Not later than June 1, 2007, and annually thereafter, the State  
857 Elections Enforcement Commission shall issue a report on the status of  
858 the Citizens' Election Fund during the previous calendar year. Such  
859 report shall include the amount of moneys deposited in the fund, the  
860 sources of moneys received by category, the number of contributions,  
861 the number of contributors, the amount of moneys expended by  
862 category, the recipients of moneys distributed from the fund and an  
863 accounting of the costs incurred by the commission in administering  
864 the provisions of this chapter and section 2 of this act.

865 (b) Not later than January first in any year in which a state election  
866 is to be held, the commission shall determine whether the amount of  
867 moneys in the fund is sufficient to carry out the purposes of this  
868 chapter and section 2 of this act. The commission shall issue a report

869 on said determination.

870 Sec. 13. Subsections (a) and (b) of section 9-601a of the general  
871 statutes are repealed and the following is substituted in lieu thereof  
872 (*Effective January 1, 2019*):

873 (a) As used in this chapter, [and] chapter 157 and section 2 of this  
874 act, "contribution" means:

875 (1) Any gift, subscription, loan, advance, payment or deposit of  
876 money or anything of value, made (A) to promote, attack, support or  
877 oppose the success or defeat of any [candidate] person seeking (i) the  
878 nomination for election, or (ii) election, or (B) for the purpose of aiding  
879 or promoting (i) the success or defeat of any referendum question, or  
880 (ii) the success or defeat of any political party;

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

883 (3) The payment by any person, other than a candidate or treasurer,  
884 of compensation for the personal services of any other person which  
885 are rendered without charge to a committee or candidate for any such  
886 purpose;

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

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

890 (b) As used in this chapter, [and] chapter 157 and section 2 of this  
891 act, "contribution" does not mean:

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

894 (2) Any communication made by a corporation, organization or  
895 association solely to its members, owners, stockholders, executive or  
896 administrative personnel, or their families;

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

901 (4) Uncompensated services provided by individuals volunteering  
902 their time on behalf of a party committee, political committee, slate  
903 committee or candidate committee, including any services provided  
904 for the benefit of nonparticipating and participating candidates under  
905 the Citizens' Election Program and any unreimbursed travel expenses  
906 made by an individual who volunteers the individual's personal  
907 services to any such committee. For purposes of this subdivision, an  
908 individual is a volunteer if such individual is not receiving  
909 compensation for such services regardless of whether such individual  
910 received compensation in the past or may receive compensation for  
911 similar services that may be performed in the future;

912 (5) The use of real or personal property, a portion or all of the cost of  
913 invitations and the cost of food or beverages, voluntarily provided by  
914 an individual to a candidate, including a nonparticipating or  
915 participating candidate under the Citizens' Election Program, or to a  
916 party, political or slate committee, in rendering voluntary personal  
917 services at the individual's residential premises or a community room  
918 in the individual's residence facility, to the extent that the cumulative  
919 value of the invitations, food or beverages provided by an individual  
920 on behalf of any candidate or committee does not exceed four hundred  
921 dollars with respect to any single event or does not exceed eight  
922 hundred dollars for any such event hosted by two or more individuals,  
923 provided at least one such individual owns or resides at the residential  
924 premises, and further provided the cumulative value of the invitations,  
925 food or beverages provided by an individual on behalf of any such  
926 candidate or committee does not exceed eight hundred dollars with  
927 respect to a calendar year or single election, as the case may be;

928 (6) The sale of food or beverage for use by a party, political, slate or  
929 candidate committee, including those for a participating or

930 nonparticipating candidate, at a discount, if the charge is not less than  
931 the cost to the vendor, to the extent that the cumulative value of the  
932 discount given to or on behalf of any single candidate committee does  
933 not exceed four hundred dollars with respect to any single primary or  
934 election, or to or on behalf of any party, political or slate committee,  
935 does not exceed six hundred dollars in a calendar year;

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

937 (8) The payment, by a party committee or slate committee of the  
938 costs of preparation, display, mailing or other distribution incurred by  
939 the committee or individual with respect to any printed slate card,  
940 sample ballot or other printed list containing the names of three or  
941 more candidates;

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

947 (10) (A) The purchase of advertising space which clearly identifies  
948 the purchaser, in a program for a fund-raising affair sponsored by the  
949 candidate committee of a candidate for an office of a municipality,  
950 provided the cumulative purchase of such space does not exceed two  
951 hundred fifty dollars from any single such candidate or the candidate's  
952 committee with respect to any single election campaign if the  
953 purchaser is a business entity or fifty dollars for purchases by any  
954 other person;

955 (B) The purchase of advertising space which clearly identifies the  
956 purchaser, in a program for a fund-raising affair or on signs at a fund-  
957 raising affair sponsored by a party committee or a political committee,  
958 other than an exploratory committee, provided the cumulative  
959 purchase of such space does not exceed two hundred fifty dollars from  
960 any single party committee or a political committee, other than an  
961 exploratory committee, in any calendar year if the purchaser is a

962 business entity or fifty dollars for purchases by any other person.  
963 Notwithstanding the provisions of this subparagraph, the following  
964 may not purchase advertising space in a program for a fund-raising  
965 affair or on signs at a fund-raising affair sponsored by a party  
966 committee or a political committee, other than an exploratory  
967 committee: (i) A communicator lobbyist, (ii) a member of the  
968 immediate family of a communicator lobbyist, (iii) a state contractor,  
969 (iv) a prospective state contractor, or (v) a principal of a state  
970 contractor or prospective state contractor. As used in this  
971 subparagraph, "state contractor", "prospective state contractor" and  
972 "principal of a state contractor or prospective state contractor" have the  
973 same meanings as provided in subsection (f) of section 9-612;

974 (11) The payment of money by a candidate to the candidate's  
975 candidate committee, provided the committee is for a nonparticipating  
976 candidate;

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

981 (13) The advance of a security deposit by an individual to a  
982 telephone company, as defined in section 16-1, for telecommunications  
983 service for a committee or to another utility company, such as an  
984 electric distribution company, provided the security deposit is  
985 refunded to the individual;

986 (14) The provision of facilities, equipment, technical and managerial  
987 support, and broadcast time by a community antenna television  
988 company, as defined in section 16-1, for community access  
989 programming pursuant to section 16-331a, unless (A) the major  
990 purpose of providing such facilities, equipment, support and time is to  
991 influence the nomination or election of a candidate, or (B) such  
992 facilities, equipment, support and time are provided on behalf of a  
993 political party;

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

999 (16) An organization expenditure by a party committee, legislative  
1000 caucus committee or legislative leadership committee;

1001 (17) The donation of food or beverage by an individual for  
1002 consumption at a slate, candidate, political committee or party  
1003 committee meeting, event or activity that is not a fund-raising affair to  
1004 the extent that the cumulative value of the food or beverages donated  
1005 by an individual for a single meeting or event does not exceed fifty  
1006 dollars;

1007 (18) The value associated with the de minimis activity on behalf of a  
1008 party committee, political committee, slate committee or candidate  
1009 committee, including for activities including, but not limited to, (A) the  
1010 creation of electronic or written communications or digital photos or  
1011 video as part of an electronic file created on a voluntary basis without  
1012 compensation, including, but not limited to, the creation and ongoing  
1013 content development and delivery of social media on the Internet or  
1014 telephone, including, but not limited to, the sending or receiving of  
1015 electronic mail or messages, (B) the posting or display of a candidate's  
1016 name or group of candidates' names at a town fair, county fair, local  
1017 festival or similar mass gathering by a party committee, (C) the use of  
1018 personal property or a service that is customarily attendant to the  
1019 occupancy of a residential dwelling, or the donation of an item or  
1020 items of personal property that are customarily used for campaign  
1021 purposes, by an individual, to a candidate committee, provided the  
1022 cumulative fair market value of such use of personal property or  
1023 service or items of personal property does not exceed one hundred  
1024 dollars in the aggregate for any single election or calendar year, as the  
1025 case may be;

1026 (19) The use of offices, telephones, computers and similar



1027 equipment provided by a party committee, legislative caucus  
1028 committee or legislative leadership committee that serve as  
1029 headquarters for or are used by such party committee, legislative  
1030 caucus committee or legislative leadership committee;

1031 (20) A communication, as described in subdivision (7) of subsection  
1032 (b) of section 9-601b, as amended by this act;

1033 (21) An independent expenditure, as defined in section 9-601c, as  
1034 amended by this act;

1035 (22) A communication containing an endorsement on behalf of a  
1036 candidate for nomination or election to the office of Governor,  
1037 Lieutenant Governor, Secretary of the State, State Treasurer, State  
1038 Comptroller, Attorney General, state senator or state representative,  
1039 from a candidate for the office of Governor, Lieutenant Governor,  
1040 Secretary of the State, State Treasurer, State Comptroller, Attorney  
1041 General, state senator or state representative, provided the candidate  
1042 (A) making the endorsement is unopposed at the time of the  
1043 communication, and (B) being endorsed paid for such communication;

1044 (23) A communication that is sent by mail to addresses in the district  
1045 for which a candidate being endorsed by another candidate pursuant  
1046 to this subdivision is seeking nomination or election to the office of  
1047 state senator or state representative, containing an endorsement on  
1048 behalf of such candidate for such nomination or election from a  
1049 candidate for the office of state senator or state representative,  
1050 provided the candidate (A) making the endorsement is not seeking  
1051 election to the office of state senator or state representative for a  
1052 district that contains any geographical area shared by the district for  
1053 the office to which the endorsed candidate is seeking nomination or  
1054 election, and (B) being endorsed paid for such communication; or

1055 (24) Campaign training events provided to multiple individuals by  
1056 a legislative caucus committee and any associated materials, provided  
1057 the cumulative value of such events and materials does not exceed six  
1058 thousand dollars in the aggregate for a calendar year.

1059 Sec. 14. Subsections (a) to (d), inclusive, of section 9-718 of the  
1060 general statutes are repealed and the following is substituted in lieu  
1061 thereof (*Effective January 1, 2019*):

1062 (a) (1) Notwithstanding any provision of the general statutes and  
1063 except as provided in subsection (e) of this section, [no] a town  
1064 committee [, legislative caucus committee or legislative leadership  
1065 committee] shall not make an organization expenditure for the benefit  
1066 of a participating candidate or the candidate committee of a  
1067 participating candidate in the Citizens' Election Program for the office  
1068 of state senator in an amount that exceeds ten thousand dollars for the  
1069 general election campaign.

1070 (2) Notwithstanding any provision of the general statutes, a state  
1071 central committee, legislative caucus committee or legislative  
1072 leadership committee shall not make an organization expenditure for  
1073 the benefit of a participating candidate or the candidate committee of a  
1074 participating candidate in the Citizens' Election Program for the office  
1075 of state senator in an amount that exceeds one-fourth of the applicable  
1076 full grant amount for a major party candidate authorized under section  
1077 9-705, as amended by this act, for the applicable campaign period.

1078 (b) Notwithstanding any provision of the general statutes, [no] a  
1079 party committee, legislative caucus committee or legislative leadership  
1080 committee shall not make an organization expenditure for the  
1081 purposes described in subparagraph (A) of subdivision (25) of section  
1082 9-601 for the benefit of a participating candidate or the candidate  
1083 committee of a participating candidate in the Citizens' Election  
1084 Program for the office of state senator for the primary campaign.

1085 (c) (1) Notwithstanding any provision of the general statutes and  
1086 except as provided in subsection (e) of this section, [no] a town  
1087 committee [, legislative caucus committee or legislative leadership  
1088 committee] shall not make an organization expenditure for the benefit  
1089 of a participating candidate or the candidate committee of a  
1090 participating candidate in the Citizens' Election Program for the office  
1091 of state representative in an amount that exceeds three thousand five

1092 hundred dollars for the general election campaign.

1093 (2) Notwithstanding any provision of the general statutes, a state  
1094 central committee, legislative caucus committee or legislative  
1095 leadership committee shall not make an organization expenditure for  
1096 the benefit of a participating candidate or the candidate committee of a  
1097 participating candidate in the Citizens' Election Program for the office  
1098 of state representative in an amount that exceeds one-fourth of the  
1099 applicable full grant amount for a major party candidate authorized  
1100 under section 9-705, as amended by this act, for the applicable  
1101 campaign period.

1102 (d) Notwithstanding any provision of the general statutes, [no] a  
1103 party committee, legislative caucus committee or legislative leadership  
1104 committee shall not make an organization expenditure for the  
1105 purposes described in subparagraph (A) of subdivision (25) of section  
1106 9-601 for the benefit of a participating candidate or the candidate  
1107 committee of a participating candidate in the Citizens' Election  
1108 Program for the office of state representative for the primary  
1109 campaign.

1110 Sec. 15. Subdivision (2) of subsection (a) of section 9-7a of the 2018  
1111 supplement to the general statutes is repealed and the following is  
1112 substituted in lieu thereof (*Effective from passage*):

1113 (2) On and after July 1, 2011, and before July 1, 2018, members shall  
1114 be appointed for terms of three years from July first in the year of their  
1115 appointment and shall be appointed by the person holding the same  
1116 office as was held by the person making the original appointment,  
1117 provided any person chosen to fill a vacancy shall be appointed only  
1118 for the unexpired term of the member whom he or she shall succeed.  
1119 [On and after July 1, 2011, no] On and after July 1, 2018, any member  
1120 may serve more than two consecutive terms, [except that] and any  
1121 member serving on said date [.] may serve until a successor is  
1122 appointed and has qualified. All appointments shall be made with the  
1123 consent of the state Senate and House of Representatives. No person  
1124 who has served during any part of the three-year period prior to the

1125 appointment as a political party officer, shall be appointed to  
1126 membership on the commission. For purposes of this subsection,  
1127 "political party officer" means an officer of a national committee of a  
1128 political party, state central or town committee. The commission shall  
1129 elect one of its members to serve as chairperson and another member  
1130 to serve as vice-chairperson. Each member of the commission shall be  
1131 compensated at the rate of two hundred dollars per day for any day on  
1132 which he participates in a regular commission meeting or hearing, and  
1133 shall be paid by the state for his reasonable expenses, including  
1134 necessary stenographic and clerical help.

1135 Sec. 16. Subdivision (1) of subsection (g) of section 9-7a of the 2018  
1136 supplement to the general statutes is repealed and the following is  
1137 substituted in lieu thereof (*Effective from passage*):

1138 (g) (1) In the case of a written complaint filed with the commission  
1139 pursuant to section 9-7b, [commission staff shall conduct and complete  
1140 a preliminary examination of such complaint by the fourteenth day  
1141 following its receipt, at which time such staff shall, at its discretion, (A)  
1142 dismiss the complaint for failure to allege any substantial violation of  
1143 state election law supported by evidence, (B) engage the respondent in  
1144 discussions in an effort to speedily resolve any matter pertaining to a  
1145 de minimis violation, or (C) investigate and docket the complaint for a  
1146 determination by the commission that probable cause or no probable  
1147 cause exists for any such violation. If commission staff dismisses a  
1148 complaint pursuant to subparagraph (A) of this subdivision, such staff  
1149 shall provide a brief written statement concisely setting forth the  
1150 reasons for such dismissal. If commission staff engages a respondent  
1151 pursuant to subparagraph (B) of this subdivision but is unable to  
1152 speedily resolve any such matter described in said subparagraph by  
1153 the forty-fifth day following receipt of the complaint, such staff shall  
1154 docket such complaint for a determination by the commission that  
1155 probable cause or no probable cause exists for any violation of state  
1156 election law. If] the commission does not, by the sixtieth day following  
1157 receipt of the complaint, either issue a decision or render its  
1158 determination that probable cause or no probable cause exists for any

1159 violation of state election laws, the complainant or respondent may  
1160 apply to the superior court for the judicial district of Hartford for an  
1161 order to show cause why the commission has not acted upon the  
1162 complaint and to provide evidence that the commission has  
1163 unreasonably delayed action. [For any complaint received on or after  
1164 January 1, 2018, if the commission does not, by one year following  
1165 receipt of such complaint, issue a decision thereon, the commission  
1166 shall dismiss such complaint, provided the length of time of any delay  
1167 caused by (i) the commission or commission staff granting any  
1168 extension or continuance to a respondent prior to the issuance of any  
1169 such decision, (ii) any subpoena issued in connection with such  
1170 complaint, (iii) any litigation in state or federal court related to such  
1171 complaint, or (iv) any investigation by, or consultation of the  
1172 commission or commission staff with, the Chief State's Attorney, the  
1173 Attorney General, the United States Department of Justice or the  
1174 United States Attorney for Connecticut related to such complaint, shall  
1175 be added to such one year.]

1176 Sec. 17. Subsection (a) of section 9-601a of the general statutes is  
1177 repealed and the following is substituted in lieu thereof (*Effective from*  
1178 *passage*):

1179 (a) As used in this chapter and chapter 157, "contribution" means:

1180 (1) Any gift, subscription, loan, advance, payment or deposit of  
1181 money or anything of value, made (A) to promote, ~~attack, support or~~  
1182 ~~oppose~~ the success or defeat of any [candidate] person seeking (i) the  
1183 nomination for election, or (ii) election, or (B) for the purpose of aiding  
1184 or promoting (i) the success or defeat of any referendum question, or  
1185 (ii) the success or defeat of any political party;

1186 (2) A written contract, promise or agreement to make a contribution  
1187 for any such purpose;

1188 (3) The payment by any person, other than a candidate or treasurer,  
1189 of compensation for the personal services of any other person which  
1190 are rendered without charge to a committee or candidate for any such

1191 purpose;

1192 (4) An expenditure that is not an independent expenditure; or

1193 (5) Funds received by a committee which are transferred from  
1194 another committee or other source for any such purpose.

1195 Sec. 18. Subsections (a) and (b) of section 9-601b of the general  
1196 statutes are repealed and the following is substituted in lieu thereof  
1197 (*Effective from passage*):

1198 (a) As used in this chapter and chapter 157, [the term] "expenditure"  
1199 means:

1200 (1) Any purchase, payment, distribution, loan, advance, deposit or  
1201 gift of money or anything of value, when made (A) to promote, attack,  
1202 support or oppose the success or defeat of any [candidate] person  
1203 seeking (i) the nomination for election, or (ii) election, [of any person]  
1204 or (B) for the purpose of aiding or promoting (i) the success or defeat  
1205 of any referendum question, or (ii) the success or defeat of any political  
1206 party;

1207 (2) Any communication that (A) refers to one or more clearly  
1208 identified candidates, and (B) (i) is broadcast (I) by radio, television,  
1209 other than on a public access channel, [or by] satellite communication  
1210 or via the Internet, or (II) as a paid-for telephone communication, or (ii)  
1211 appears in a newspaper, magazine or on a billboard, or (iii) is sent by  
1212 mail; or

1213 (3) The transfer of funds by a committee to another committee.

1214 (b) [The term "expenditure"] "Expenditure" does not mean:

1215 (1) A loan of money, made in the ordinary course of business, by a  
1216 state or national bank;

1217 (2) A communication made by any corporation, organization or  
1218 association solely to its members, owners, stockholders, executive or  
1219 administrative personnel, or their families;

1220 (3) Nonpartisan voter registration and get-out-the-vote campaigns  
1221 by any corporation, organization or association aimed at its members,  
1222 owners, stockholders, executive or administrative personnel, or their  
1223 families;

1224 (4) Uncompensated services provided by individuals volunteering  
1225 their time on behalf of a party committee, political committee, slate  
1226 committee or candidate committee, including any services provided  
1227 for the benefit of nonparticipating and participating candidates under  
1228 the Citizens' Election Program and any unreimbursed travel expenses  
1229 made by an individual who volunteers the individual's personal  
1230 services to any such committee. For purposes of this subdivision, an  
1231 individual is a volunteer if such individual is not receiving  
1232 compensation for such services regardless of whether such individual  
1233 received compensation in the past or may receive compensation for  
1234 similar services that may be performed in the future;

1235 (5) Any news story, commentary or editorial distributed through  
1236 the facilities of any broadcasting station, newspaper, magazine or  
1237 other periodical, unless such facilities are owned or controlled by any  
1238 political party, committee or candidate;

1239 (6) The use of real or personal property, a portion or all of the cost of  
1240 invitations and the cost of food or beverages, voluntarily provided by  
1241 an individual to a candidate, including a nonparticipating or  
1242 participating candidate under the Citizens' Election Program, or to a  
1243 party, political or slate committee, in rendering voluntary personal  
1244 services at the individual's residential premises or a community room  
1245 in the individual's residence facility, to the extent that the cumulative  
1246 value of the invitations, food or beverages provided by an individual  
1247 on behalf of any candidate or committee does not exceed four hundred  
1248 dollars with respect to any single event or does not exceed eight  
1249 hundred dollars for any such event hosted by two or more individuals,  
1250 provided at least one such individual owns or resides at the residential  
1251 premises, and further provided the cumulative value of the invitations,  
1252 food or beverages provided by an individual on behalf of any such

1253 candidate or committee does not exceed eight hundred dollars with  
1254 respect to a calendar year or single election, as the case may be;

1255 (7) A communication described in subdivision (2) of subsection (a)  
1256 of this section, which communication is not made to promote, attack,  
1257 support or oppose the nomination or election of any person, that  
1258 includes speech or expression [made] (A) made prior to the ninety-day  
1259 period preceding the date of a primary or an election at which the  
1260 clearly identified candidate or candidates are seeking nomination to  
1261 public office or position, [that is] including a communication made for  
1262 the purpose of influencing any legislative or administrative action, as  
1263 defined in section 1-91, or executive action, [or] (B) made during a  
1264 legislative session for the purpose of influencing legislative action, or  
1265 (C) that constitutes a candidate debate or that solely promotes any  
1266 such debate and is made by or on behalf of the person sponsoring the  
1267 debate;

1268 (8) An organization expenditure by a party committee, legislative  
1269 caucus committee or legislative leadership committee;

1270 (9) A commercial advertisement that refers to an owner, director or  
1271 officer of a business entity who is also a candidate, [and that] which  
1272 commercial advertisement had previously been broadcast or appeared  
1273 when the owner, director or officer was not a candidate;

1274 (10) A communication containing an endorsement on behalf of a  
1275 candidate for nomination or election to the office of Governor,  
1276 Lieutenant Governor, Secretary of the State, State Treasurer, State  
1277 Comptroller, Attorney General, state senator or state representative,  
1278 from a candidate for the office of Governor, Lieutenant Governor,  
1279 Secretary of the State, State Treasurer, State Comptroller, Attorney  
1280 General, state senator or state representative, shall not be an  
1281 expenditure attributable to the endorsing candidate, if the candidate  
1282 making the endorsement is unopposed at the time of the  
1283 communication;

1284 (11) A communication that is sent by mail to addresses in the district



1285 for which a candidate being endorsed by another candidate pursuant  
1286 to the provisions of this subdivision is seeking nomination or election  
1287 to the office of state senator or state representative, containing an  
1288 endorsement on behalf of such candidate for such nomination or  
1289 election, from a candidate for the office of state senator or state  
1290 representative, shall not be an expenditure attributable to the  
1291 endorsing candidate, if the candidate making the endorsement is not  
1292 seeking election to the office of state senator or state representative for  
1293 a district that contains any geographical area shared by the district for  
1294 the office to which the endorsed candidate is seeking nomination or  
1295 election;

1296 (12) Campaign training events provided to multiple individuals by  
1297 a legislative caucus committee and any associated materials, provided  
1298 the cumulative value of such events and materials does not exceed six  
1299 thousand dollars in the aggregate for a calendar year;

1300 (13) A lawful communication by any charitable organization which  
1301 is a tax-exempt organization under Section 501(c)(3) of the Internal  
1302 Revenue Code of 1986, or any subsequent corresponding internal  
1303 revenue code of the United States, as from time to time amended;

1304 (14) The use of offices, telephones, computers and similar  
1305 equipment provided by a party committee, legislative caucus  
1306 committee or legislative leadership committee that serve as  
1307 headquarters for or are used by such party committee, legislative  
1308 caucus committee or legislative leadership committee; or

1309 (15) An expense or expenses incurred by a human being acting  
1310 alone in an amount that is two hundred dollars or less, in the  
1311 aggregate, that benefits a candidate for a single election.

1312 Sec. 19. Section 9-601c of the general statutes is repealed and the  
1313 following is substituted in lieu thereof (*Effective January 1, 2019*):

1314 (a) (1) As used in this chapter and chapter 157, [the term]  
1315 "independent expenditure" means an expenditure, as defined in

1316 section 9-601b, as amended by this act, that is made entirely without  
1317 the consent, coordination, or consultation of [,] a candidate, or any  
1318 agent of [the] such candidate, candidate committee, political  
1319 committee or party committee.

1320 (2) For the purposes of this section, a payment shall not be  
1321 considered to be made by a person with the consent, coordination or  
1322 consultation of, or at the request or suggestion of, a candidate or  
1323 committee solely on the grounds that such person or the agent of such  
1324 person engaged in discussion with such candidate or committee, or  
1325 any agent of such candidate or committee, regarding such person's  
1326 position on a legislative or policy matter, including urging the  
1327 candidate or committee to adopt such person's position, provided any  
1328 such discussion between such person and such candidate or  
1329 committee, or any agent of such candidate or committee, shall not  
1330 regard the campaign advertising, message, strategy, policy, polling,  
1331 fund-raising, campaign operations or allocation of resources of such  
1332 candidate, committee or person.

1333 (b) As used in this section, (1) "candidate" includes any person who,  
1334 during an election cycle, becomes a candidate later in such election  
1335 cycle and benefits from any expenditure, (2) "election cycle" means,  
1336 with respect to an office to which a person seeks nomination or  
1337 election, the period beginning the day after a regular election for such  
1338 office and ending the day of the next regular election for such office,  
1339 and (3) "member of the family" means (A) the spouse of the candidate,  
1340 (B) any sibling, parent, child, grandparent, grandchild, aunt or uncle of  
1341 the candidate, (C) any sibling, parent, child, grandparent, grandchild,  
1342 aunt or uncle of the spouse of the candidate, or (D) the spouse of any  
1343 child of any such individual described in subparagraph (B) or (C) of  
1344 this subdivision.

1345 (c) As used in this section, "coordinated spender" means, with  
1346 respect to a candidate or committee:

1347 (1) Any person directly or indirectly formed, controlled or  
1348 established in an election cycle or the immediately preceding election

1349 cycle by, at the request or suggestion of, or with the encouragement or  
1350 approval of, such candidate or committee, or any agent of such  
1351 candidate or committee;

1352 (2) Except as otherwise provided in this subdivision, any person on  
1353 whose behalf during an election cycle such candidate or committee, or  
1354 any agent of such candidate or committee, solicits funds or engages in  
1355 fund-raising activity, including by providing to such person the name  
1356 of any potential donor or other list to be used by such person in  
1357 engaging in fund-raising activity, regardless of whether such person  
1358 pays fair market value for any such name or list. Such person shall not  
1359 be considered a coordinated spender under this subdivision if any  
1360 funds raised by such candidate or committee, or any agent of such  
1361 candidate or committee, are (A) segregated from all other accounts  
1362 controlled by such person, and (B) not used to make (i) independent  
1363 expenditures that benefit such candidate or committee, or (ii)  
1364 contributions or covered transfers to another person who later in such  
1365 election cycle makes independent expenditures, contributions or  
1366 covered transfers that benefit such candidate or committee;

1367 (3) Any person established, directed or managed by another person  
1368 who during an election cycle (A) served in such election cycle as a  
1369 political, media or fund-raising advisor or consultant for such  
1370 candidate or committee, or for any entity controlled by such candidate  
1371 or committee, or (B) held in such election cycle a formal position with a  
1372 title for such candidate or committee;

1373 (4) Any person who is a member of the family of such candidate or  
1374 who is established, directed or managed by any member of the family  
1375 of such candidate; or

1376 (5) Any person, or any officer or agent of such person, who has had  
1377 more than incidental discussion with a member of the family of such  
1378 candidate regarding campaign advertising, message, strategy, policy,  
1379 polling, fund-raising, campaign operations or allocation of resources of  
1380 such candidate, committee or person.

1381 (d) Any expenditure made by a coordinated spender, as described  
1382 in subsection (c) of this section, shall be deemed to have been made  
1383 with the consent, coordination or consultation of, or at the request or  
1384 suggestion of, a candidate or committee, or any agent of such  
1385 candidate or committee.

1386 [(b)] (e) When the State Elections Enforcement Commission  
1387 evaluates an expenditure, other than an expenditure described in  
1388 subsection (d) of this section, to determine whether such expenditure is  
1389 an independent expenditure, there shall be a rebuttable presumption  
1390 that the following expenditures are not independent expenditures:

1391 (1) An expenditure made by a person [in cooperation, consultation  
1392 or in concert with, at the request, suggestion or direction of, or]  
1393 pursuant to a general or [particular] tacit understanding with (A) a  
1394 candidate, candidate committee, political committee or party  
1395 committee, or (B) a consultant or other agent acting on behalf of a  
1396 candidate, candidate committee, political committee or party  
1397 committee;

1398 (2) An expenditure made by a person for the production,  
1399 dissemination, distribution or publication, in whole or in substantial  
1400 part, of any broadcast or any written, graphic or other form of political  
1401 advertising or campaign communication prepared by (A) a candidate,  
1402 candidate committee, political committee or party committee, or (B) a  
1403 consultant or other agent acting on behalf of a candidate, candidate  
1404 committee, political committee or party committee;

1405 (3) An expenditure made by a person based on information about a  
1406 candidate's, political committee's [,] or party committee's plans,  
1407 projects or needs, provided by (A) a candidate, candidate committee,  
1408 political committee or party committee, or (B) a consultant or other  
1409 agent acting on behalf of a candidate, candidate committee, political  
1410 committee or party committee, with the intent that such expenditure  
1411 be made;

1412 (4) An expenditure made by an individual who [, in the same]

1413 during an election cycle [ ] is serving or has served in such election  
1414 cycle (A) as the campaign chairperson, treasurer or deputy treasurer of  
1415 a candidate committee, political committee or party committee  
1416 benefiting from such expenditure, or (B) in any other executive or  
1417 policymaking position, including as a member, employee, fundraiser,  
1418 consultant or other agent, of a candidate, candidate committee,  
1419 political committee or party committee;

1420 (5) An expenditure made by a person or an entity on or after  
1421 January first in the year of an election in which a candidate is seeking  
1422 public office that benefits such candidate when such person or entity  
1423 has hired an individual as an employee or consultant and such  
1424 individual was an employee of or consultant to such candidate, such  
1425 candidate's candidate committee or such candidate's opponent's  
1426 candidate committee during [any part of the eighteen-month period  
1427 preceding such expenditure] an election cycle or the immediately  
1428 preceding election cycle;

1429 (6) An expenditure made by a person for fundraising activities (A)  
1430 for a candidate, candidate committee, political committee or party  
1431 committee, or a consultant or other agent acting on behalf of a  
1432 candidate, candidate committee, political committee or party  
1433 committee, or (B) for the solicitation or receipt of contributions on  
1434 behalf of a candidate, candidate committee, political committee or  
1435 party committee, or a consultant or other agent acting on behalf of a  
1436 candidate, candidate committee, political committee or party  
1437 committee;

1438 (7) An expenditure made by a person based on information about a  
1439 candidate's campaign plans, projects or needs, that is directly or  
1440 indirectly provided by a candidate, the candidate's candidate  
1441 committee, a political committee or a party committee, or a consultant  
1442 or other agent acting on behalf of such candidate, candidate  
1443 committee, political committee or party committee, to the person  
1444 making the expenditure or such person's agent, with an express or tacit  
1445 understanding that such person is considering making the

1446 expenditure;

1447 (8) An expenditure made by a person for a communication that  
1448 clearly identifies a candidate during an election campaign, if the  
1449 person making the expenditure, or such person's agent, has informed  
1450 the candidate who benefits from the expenditure, [that] such  
1451 candidate's candidate committee, a political committee or a party  
1452 committee, or a consultant or other agent acting on behalf of the  
1453 benefiting candidate or candidate committee, political committee, or  
1454 party committee, concerning the communication's contents, or of the  
1455 intended audience, timing, location or mode or frequency of  
1456 dissemination. [As used in] For the purposes of this subdivision, a  
1457 communication clearly identifies a candidate when that  
1458 communication contains the name, nickname, initials, photograph or  
1459 drawing of the candidate or an unambiguous reference to [that] such  
1460 candidate, which includes, but is not limited to, a reference that can  
1461 only mean [that] such candidate; [and]

1462 (9) An expenditure made by a person or an entity for consultant or  
1463 creative services, including, but not limited to, services related to  
1464 communications strategy or design or campaign strategy or to engage  
1465 a campaign-related vendor, to be used to promote or oppose a  
1466 candidate's election to office if the provider of such services is  
1467 providing or has provided consultant or creative services to such  
1468 candidate, such candidate's candidate committee or an agent of such  
1469 candidate committee, or to any opposing candidate's candidate  
1470 committee or an agent of such opposing candidate's candidate  
1471 committee after January first of the year in which the expenditure  
1472 occurs. For the purposes of this subdivision, communications strategy  
1473 or design does not include the costs of printing or costs for the use of a  
1474 medium for the purpose of communications. For the purposes of this  
1475 subdivision, campaign-related vendor includes, but is not limited to, a  
1476 vendor that provides any of the following services: Polling, mail  
1477 design, mail strategy, political strategy, general campaign advice or  
1478 telephone banking; [.] and

1479       (10) An expenditure made by any person directly or indirectly  
1480 formed, controlled or established in an election cycle or the  
1481 immediately preceding election cycle by, at the request or suggestion  
1482 of, or with the encouragement of, another person deemed to be a  
1483 coordinated spender, or any agent of such coordinated spender,  
1484 including with the express or tacit approval of any such coordinated  
1485 spender or agent.

1486       [(c) When the State Elections Enforcement Commission evaluates an  
1487 expenditure to determine whether an expenditure by entity is an  
1488 independent expenditure, the following shall not be presumed to  
1489 constitute evidence of consent, coordination or consultation within the  
1490 meaning of subsection (a) of this section: (1) Participation by a  
1491 candidate or an agent of the candidate in an event sponsored by the  
1492 entity, unless such event promotes the success of the candidate's  
1493 candidacy or the defeat of the candidate's opponent, or unless the  
1494 event is during the period that is forty-five days prior to the primary  
1495 for which the candidate is seeking nomination for election or election  
1496 to office; (2) membership of the candidate or agent of the candidate in  
1497 the entity, unless the candidate or agent of the candidate holds an  
1498 executive or policymaking position within the entity after the  
1499 candidate becomes a candidate; or (3) financial support for, or  
1500 solicitation or fundraising on behalf of the entity by a candidate or an  
1501 agent of the candidate, unless the entity has made or obligated to make  
1502 independent expenditures in support of such candidate in the election  
1503 or primary for which the candidate is a candidate.]

1504       [(d)] (f) When the State Elections Enforcement Commission  
1505 evaluates an expenditure to determine whether such expenditure is an  
1506 independent expenditure, the commission shall consider, as an  
1507 effective rebuttal to the presumptions provided in subsection [(b)] (e)  
1508 of this section, the establishment by the person making the  
1509 expenditure of a firewall policy designed and implemented to prohibit  
1510 the flow of information between (1) employees, consultants or other  
1511 individuals providing services to the person paying for the  
1512 expenditure, and (2) the candidate or agents of the candidate.

1513 Sec. 20. Subdivision (1) of subsection (a) of section 9-608 of the  
1514 general statutes is repealed and the following is substituted in lieu  
1515 thereof (*Effective from passage*):

1516 (a) (1) Each treasurer of a committee, other than a state central  
1517 committee, shall file a statement, sworn under penalty of false  
1518 statement with the proper authority in accordance with the provisions  
1519 of section 9-603, (A) on the tenth calendar day in the months of  
1520 January, April, July and October, provided, if such tenth calendar day  
1521 is a Saturday, Sunday or legal holiday, the statement shall be filed on  
1522 the next business day, except that in the case of a candidate or  
1523 exploratory committee established for an office to be elected at a  
1524 special election, statements pursuant to this subparagraph shall not be  
1525 required, (B) on the seventh day preceding each regular state election,  
1526 except that (i) in the case of a candidate or exploratory committee  
1527 established for an office to be elected at a municipal election, the  
1528 statement shall be filed on the seventh day preceding a regular  
1529 municipal election in lieu of such date, except if the candidate's name  
1530 is not eligible to appear on the ballot, in which case such statement  
1531 shall not be required, (ii) in the case of a town committee, the  
1532 statement shall be filed on the seventh day preceding each municipal  
1533 election in addition to such date, (iii) in the case of a candidate  
1534 committee in a state election, [that is required to file any supplemental  
1535 campaign finance statements pursuant to subdivisions (1) and (2) of  
1536 subsection (a) of section 9-712, such] the supplemental campaign  
1537 finance statements required to be filed pursuant to subsection (a) of  
1538 section 9-712, as amended by this act, shall satisfy the filing  
1539 requirement under this subdivision, and (iv) in the case of a candidate  
1540 committee established by a candidate whose name is not eligible to  
1541 appear on the ballot, such statement shall not be required, and (C) if  
1542 the committee has made or received a contribution or expenditure in  
1543 connection with any other election, a primary or a referendum, on the  
1544 seventh day preceding the election, primary or referendum, except that  
1545 in the case of a candidate committee in a primary [that is required to  
1546 file statements pursuant to subdivisions (1) and (2) of subsection (a) of  
1547 section 9-712, such] for an office to be voted upon at a state election,



1548 the statements required to be filed pursuant to subsection (a) of section  
1549 9-712, as amended by this act, shall satisfy the filing requirement under  
1550 this subdivision. The statement shall be complete as of eleven fifty-  
1551 nine o'clock p.m. of the last day of the month preceding the month in  
1552 which the statement is required to be filed, except that for the  
1553 statement required to be filed on the seventh day preceding the  
1554 election, primary or referendum, the statement shall be complete as of  
1555 eleven fifty-nine o'clock p.m. of the second day immediately preceding  
1556 the required filing day. The statement shall cover a period to begin  
1557 with the first day not included in the last filed statement. In the case of  
1558 a candidate committee, the statement required to be filed in January  
1559 shall be in lieu of the statement formerly required to be filed within  
1560 forty-five days following an election.

1561 Sec. 21. Section 9-611 of the general statutes is repealed and the  
1562 following is substituted in lieu thereof (*Effective from passage*):

1563 (a) No individual shall make a contribution or contributions to, for  
1564 the benefit of, or pursuant to the authorization or request of, a  
1565 candidate or a committee supporting or opposing any candidate's  
1566 campaign for nomination at a primary, or any candidate's campaign  
1567 for election, to the office of (1) Governor, in excess of three thousand  
1568 five hundred dollars; (2) Lieutenant Governor, Secretary of the State,  
1569 Treasurer, Comptroller or Attorney General, in excess of two thousand  
1570 dollars; (3) chief executive officer of a town, city or borough, in excess  
1571 of one thousand dollars; (4) state senator or probate judge, in excess of  
1572 one thousand dollars; or (5) state representative or any other office of a  
1573 municipality not previously included in this subsection, in excess of  
1574 two hundred fifty dollars. The limits imposed by this subsection shall  
1575 be applied separately to primaries and elections.

1576 (b) (1) No individual shall make a contribution or contributions to,  
1577 or for the benefit of, an exploratory committee, in excess of three  
1578 hundred seventy-five dollars, if the candidate establishing the  
1579 exploratory committee certifies on the statement of organization for  
1580 the exploratory committee pursuant to subsection (c) of section 9-604

1581 that the candidate will not be a candidate for the office of state  
1582 representative. No individual shall make a contribution or  
1583 contributions to, or for the benefit of, any exploratory committee, in  
1584 excess of two hundred fifty dollars, if the candidate establishing the  
1585 exploratory committee does not so certify.

1586 (2) No individual shall make a contribution or contributions to, or  
1587 for the benefit of, a political committee formed by a slate of candidates  
1588 in a primary for the office of justice of the peace, in excess of two  
1589 hundred fifty dollars.

1590 [(c) No individual shall make contributions to such candidates or  
1591 committees which in the aggregate exceed thirty thousand dollars for  
1592 any single election and primary preliminary to such election.]

1593 [(d)] (c) No individual shall make a contribution to any candidate or  
1594 committee, other than a contribution in kind, in excess of one hundred  
1595 dollars except by personal check or credit card of that individual.

1596 [(e)] (d) No individual who is less than eighteen years of age shall  
1597 make a contribution or contributions, in excess of thirty dollars to, for  
1598 the benefit of, or pursuant to the authorization or request of: (1) A  
1599 candidate or a committee supporting or opposing any candidate's  
1600 campaign for nomination at a primary to any office; (2) a candidate or  
1601 a committee supporting or opposing any candidate's campaign for  
1602 election to any office; (3) an exploratory committee; (4) any other  
1603 political committee in any calendar year; or (5) a party committee in  
1604 any calendar year. Notwithstanding any provision of subdivision (2) of  
1605 section 9-7b, any individual who is less than eighteen years of age who  
1606 violates any provision of this subsection shall not be subject to the  
1607 provisions of subdivision (2) of section 9-7b.

1608 Sec. 22. Subdivision (4) of subsection (a) of section 9-712 of the  
1609 general statutes is repealed and the following is substituted in lieu  
1610 thereof (*Effective January 1, 2019*):

1611 (4) Notwithstanding the provisions of this subsection, the

1612 statements required to be filed pursuant to subdivisions (1) and (2) of  
 1613 this subsection shall not be required to be filed by (A) a candidate  
 1614 committee of a candidate that is exempt from filing campaign finance  
 1615 statements pursuant to subsection (b) of section 9-608 unless or until  
 1616 such a candidate committee receives or expends an amount in excess  
 1617 of one thousand dollars for purposes of the primary or election for  
 1618 which such committee was formed, (B) a candidate committee of a  
 1619 candidate who is no longer eligible for a position on the ballot, or (C) a  
 1620 candidate committee of a participating or nonparticipating candidate  
 1621 that is unopposed, except that such candidate committee shall file a  
 1622 supplemental statement on the last Thursday before the applicable  
 1623 primary or general election. Such statement shall be complete as of  
 1624 eleven fifty-nine o'clock p.m. of the second day immediately preceding  
 1625 the required filing day. The statement shall cover a period beginning  
 1626 with the first day not included in the last filed statement.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2019</i>	9-700
Sec. 2	<i>January 1, 2019</i>	New section
Sec. 3	<i>January 1, 2019</i>	9-702
Sec. 4	<i>January 1, 2019</i>	9-704
Sec. 5	<i>January 1, 2019</i>	9-705(i)(1) to (3)
Sec. 6	<i>January 1, 2019</i>	9-706(b) to (g)
Sec. 7	<i>January 1, 2019</i>	9-701
Sec. 8	<i>January 1, 2019</i>	9-703(b) and (c)
Sec. 9	<i>January 1, 2019</i>	9-707
Sec. 10	<i>January 1, 2019</i>	9-711(a)
Sec. 11	<i>January 1, 2019</i>	9-712(b)
Sec. 12	<i>January 1, 2019</i>	9-716(a) and (b)
Sec. 13	<i>January 1, 2019</i>	9-601a(a) and (b)
Sec. 14	<i>January 1, 2019</i>	9-718(a) to (d)
Sec. 15	<i>from passage</i>	9-7a(a)(2)
Sec. 16	<i>from passage</i>	9-7a(g)(1)
Sec. 17	<i>from passage</i>	9-601a(a)
Sec. 18	<i>from passage</i>	9-601b(a) and (b)
Sec. 19	<i>January 1, 2019</i>	9-601c
Sec. 20	<i>from passage</i>	9-608(a)(1)

Sec. 21	<i>from passage</i>	9-611
Sec. 22	<i>January 1, 2019</i>	9-712(a)(4)

**Statement of Legislative Commissioners:**

In Section 3(c)(1)(C)(iv), "section 4" was changed to "section 2" for accuracy; in Section 3(c)(2)(A) and (B), designators were inserted for clarity; in Section 6(b)(8), the language was restructured for clarity, and "which" was changed to "that" for consistency; in Section 9, "(1) except" was changed to "except (1)" for accuracy; in Section 13(a)(1), changes were made for consistency with Section 17 of the bill, which amends the same statutory section but has a different effective date; and in Section 18(b)(7), "and (C)" was changed to "or (C)" for accuracy.

**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:**

Agency Affected	Fund-Effect	FY 19 \$	FY 20 \$
Elections Enforcement Commission	Citizens' Election Fund - Potential Savings	At Least \$50,000	At Least \$50,000

**Municipal Impact:** None

**Explanation**

The bill: 1) allows gubernatorial candidates to receive supplemental qualifying contributions (QCs) and supplemental grants, 2) eliminates unopposed candidate grants, as well as certain aggregate contribution limits, 3) revises the State Elections Enforcement Commission’s (SEEC) complaint process, and makes other various changes.

The bill permits gubernatorial candidate committees to receive supplemental QCs and grants from the Citizens’ Election Fund (CEF). The utilization of these grants are unknown, and any fiscal impact will not be recognized until the November 2022 elections.<sup>1</sup>

Additionally, the bill eliminates unopposed candidate grants, as well as certain aggregate contribution limits of \$30,000.<sup>2</sup> Since the

<sup>1</sup>Under the bill, supplemental qualified contributions and grants will not begin until an election held in 2022, at the earliest, and after the candidate receives an initial grant from the CEF.

<sup>2</sup>Aggregate limits on certain contributions were deemed unconstitutional by the U. S. Supreme Court and if the aggregate limits are still enforced, costly litigation could ensue.

costs of unopposed grants fluctuate annually, exact savings are uncertain. In the 2016 elections, unopposed grants disbursed totaled approximately \$100,000. No additional fiscal impact is anticipated as a result of the elimination of aggregate contribution limits as few contributors reach these limits.

The bill also eliminates the requirement that SEEC resolves complaints within one year. This provision has no fiscal impact.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to amounts of supplemental grants disbursed.

*Sources: State Elections Enforcement Commission*

**OLR Bill Analysis****sHB 5522*****AN ACT RESTORING THE CITIZENS' ELECTION PROGRAM, CONCERNING THE STATE ELECTIONS ENFORCEMENT COMMISSION AND REGARDING DISCLOSURE OF COORDINATED AND INDEPENDENT SPENDING.*****SUMMARY**

This bill makes changes to the Citizens' Election Program (CEP)—the state's voluntary public campaign financing system. Principally, it:

1. allows qualified gubernatorial candidate committees to receive, in 2022, supplemental qualifying contributions (QCs) and supplemental grants after receiving an initial grant from the Citizens' Election Fund (CEF);
2. eliminates grants for unopposed candidates and instead allows them to raise contributions, in addition to QCs, up to a specified amount;
3. increases the limit on certain organization expenditures made by legislative caucus and legislative leadership committees and reestablishes limits on those made by state central committees; and
4. exempts unopposed nonparticipating candidates, not only unopposed participating candidates as under current law, from filing supplemental CEP campaign finance statements (other than on the last Thursday before a primary or general election) (§ 22).

The bill also modifies laws affecting campaign finance and the State Elections Enforcement Commission (SEEC). Among other things, it:

1. expands and limits contribution and expenditure exemptions for certain communications;
2. eliminates aggregate individual contribution limits;
3. lifts the ban on SEEC members serving more than two consecutive terms;
4. revises SEEC's process for reviewing complaints; and
5. creates a category of spenders called "coordinated spenders" and defines their expenditures as contributions subject to campaign finance reporting and limits.

Violators of the bill's provisions are subject to SEEC's enforcement authority. Among other things, SEEC may levy civil penalties or refer matters to the chief state's attorney.

The bill also makes several minor, conforming, and technical changes.

EFFECTIVE DATE: January 1, 2019, except that certain technical changes to the filing schedule for campaign finance statements and the provisions on SEEC and contributions and expenditures, are effective upon passage.

### **§§ 1-12 & 14 — CITIZENS' ELECTION PROGRAM**

Under the CEP, statewide and legislative office candidates who receive QCs from individual donors, agree to abide by spending limits, and comply with other requirements, are eligible to receive state grants to fund their campaigns. Candidates who elect to participate in the program are known as "participating candidates." "Qualified candidate committees" are those that SEEC approves for a grant.

### ***Supplemental QCs & Grants in 2022 (§§ 1-4)***

The bill allows qualified gubernatorial candidate committees to receive supplemental QCs and supplemental grants for a primary or general election campaign held in 2022 after receiving an initial grant



from the CEF. Since, by law, minor and petitioning party candidates are not eligible for primary grants, they may receive only general election supplemental QCs and supplemental grants. Similarly, since the bill eliminates grants for unopposed candidates, an unopposed gubernatorial candidate is not eligible for supplemental QCs or grants.

The bill defines “supplemental qualifying contribution” as a contribution received to qualify for a supplemental grant and it establishes the same criteria for them as initial QCs. For example, for gubernatorial candidates, the contributions must range from \$5 to \$100 and beginning January 1, 2019, from \$50 to \$250. (For legislative office candidates, the \$250 limit went into effect on December 1, 2017.) In addition, contributions from state contractors and their principals are prohibited.

**Eligibility.** A qualified gubernatorial candidate committee is eligible to receive a supplemental grant for a primary campaign, if applicable, or a general election if it (1) collects and receives supplemental QCs; (2) returns all contributions that do not meet the criteria for supplemental QCs; and (3) submits an application, which SEEC approves. In addition, the candidate must agree to abide by the program's spending limits.

Candidates must submit an application, which SEEC reviews just as it does primary and general election grant applications. Upon approval, the bill requires the commission to determine the supplemental grant amount.

**Maximum Supplemental Amounts.** Under the bill, the supplemental grant amount equals three times the amount of supplemental QCs, up to a maximum specified amount. Major party gubernatorial candidates may raise supplemental QCs and receive supplemental grants for the primary and general election. Minor and petitioning party gubernatorial candidates may raise and receive them for the general election only. At least 75% of supplemental QCs must come from state residents. If a candidate committee receives a supplemental grant for a primary, but does not spend it all, any

general election supplemental grant is reduced by the unspent amount.

For both the primary and general election, the maximum amount of supplemental QCs a candidate committee may receive is one-third of the maximum supplemental grant amount. Under the bill, the maximum supplemental grant amounts for a primary or general election in 2022 are 75% of the maximum initial primary and general election grant amounts.

As an example, Table 1 shows the maximum allowable supplemental QCs and supplemental grants for gubernatorial candidates based on grant amounts for the 2018 gubernatorial election.

**Table 1: Maximum Supplemental QCs and Supplemental Grants Using 2018 Grant Amounts**

<b>Primary Campaign (Major Party Candidates Only)</b>			<b>General Election Campaign</b>		
<b>2018 Primary Grant</b>	<b>Maximum Aggregate Supplemental QCs</b>	<b>Maximum Supplemental Grant</b>	<b>2018 General Election Grant*</b>	<b>Maximum Aggregate Supplemental QCs</b>	<b>Maximum Supplemental Grant</b>
\$1,250,000	\$312,500	\$937,500	\$6,000,000	\$1,500,000	\$4,500,000

\*Assumes candidate is opposed and receives the full grant.

**Excess QCs and Supplemental QCs.** Current law requires participating candidates to transmit excess QCs to the state treasurer for deposit in the CEF. The bill allows gubernatorial candidates to use some excess QCs and supplemental QCs to qualify for supplemental grants. Specifically, these candidates may use excess QCs as supplemental QCs toward a supplemental grant. The maximum amount they may use for this purpose is 20% of the required supplemental QCs. Candidates may also use excess supplemental QCs collected to receive a supplemental primary grant toward a supplemental general election grant. The limit is 20% of the maximum allowable supplemental QCs for a primary grant.

**Unopposed Candidates (§§ 3 & 5)**

By law, a participating candidate is considered to have a major party opponent if, by the nominating or petition deadline set by law a (1) major party endorses a candidate, (2) candidate from any other

major party receives at least 15% of the delegate vote on a roll-call at the party convention, or (3) candidate qualifies as a petitioning candidate for any other major party's nomination.

The bill prohibits participating candidates who are unopposed in the general election from receiving an initial grant, or a supplemental grant in the case of a gubernatorial candidate. It instead allows unopposed candidates to raise contributions in addition to QCs, up to 30% of the applicable initial general election grant, which is the amount they may receive as a grant under current law. It subjects these additional contributions to the same limitations and restrictions that exist for participating candidates running for the same office. Unopposed candidates must limit their expenditures to the sum of their (1) QCs; (2) allowable personal funds, if any; and (3) permissible additional contributions.

If an unopposed candidate is subsequently opposed, he or she is eligible for the applicable general election grant. But the grant is reduced by any additional contributions the candidate received while unopposed. At that point, candidates must limit their expenditures to the sum of their (1) QCs; (2) allowable personal funds, if any; (3) permissible additional contributions; and (4) applicable general election grant.

### ***Spending Limits (§ 3)***

The bill changes spending limits in 2022 for participating gubernatorial candidates' primary and general election campaigns by adding the new supplemental QCs and supplemental grants. Existing law, unchanged by the bill, requires candidates to limit spending before a primary and general election campaign to the sum of the allowable QCs and personal funds.

Under the bill, these gubernatorial candidates must agree to limit spending:

1. for a primary campaign, to the sum of the (a) QCs and personal funds not spent before the primary begins; (b) initial primary

grant; and (c) supplemental QCs and supplemental primary grant, if applicable, and

2. for a general election campaign, to the sum of the (a) unspent QCs or personal funds; (b) unspent funds from the initial primary campaign grant or supplemental primary grant; (c) initial general election grant; and (d) supplemental QCs and supplemental general election grant, if applicable.

### ***Grant Applications (§ 6)***

The bill extends the schedule and procedures for submitting initial grant applications to submissions for primary and general election supplemental grant applications. Among other things, this means that both the candidate and treasurer must sign the application, which must contain:

1. various certifications, including that the (a) candidate committee transmitted all excess supplemental QCs to the CEF, (b) candidate and treasurer are in compliance with specified campaign finance laws, and (c) current or former candidate committee has paid any civil penalties or forfeitures assessed under state campaign finance laws and
2. a cumulative itemized accounting of funds received, expenditures made, and expenses incurred but not paid.

### ***No Additional Deposits (§ 9)***

By law, after an initial deposit of CEF funds into their depository accounts, qualified candidate committees cannot deposit any other contribution, loan, personal funds, or other funds. But existing law allows them to deposit grants from the fund and reimbursements they receive from other candidate committees for certain shared expenses. The bill similarly allows qualified gubernatorial candidate committees to deposit any supplemental QCs or grants they receive.

### ***Organization Expenditures (§ 14)***

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 on those made to benefit legislative candidates participating in the CEP.

The bill:

1. increases the limit on organization expenditures made by legislative caucus and legislative leadership committees to benefit the general election campaigns of CEP candidates for state senator or state representative and
2. reestablishes limits for organization expenditures made by state central committees.

Currently, \$10,000 is the maximum amount a town committee or legislative caucus or legislative leadership committee may spend on the general election campaign of a CEP candidate for state senator; \$3,500 is the maximum amount for a CEP candidate for state representative.

The bill retains the above limits for town committees. However, for legislative caucus and legislative leadership committees, it instead authorizes them to make organization expenditures for CEP legislative office candidates in an amount up to one-fourth the applicable full (initial) grant amount. It establishes the same limits for state central committees. As an example, Table 2 shows the limits using the 2018 grant amounts.

**Table 2: Organization Expenditures Using 2018 General Election Grant Amounts**

<b>Office</b>	<b>General Election Full Grant</b>	<b>Organization Expenditure Limit: State Central, Legislative Caucus, and Legislative Leadership Committees</b>
State senator in a general election	\$85,000	\$21,250
State representative in a general election	25,000	6,250

Existing law, unchanged by the bill, prohibits legislative caucus, legislative leadership, or party committees from making organization expenditures for party candidate listings made to benefit the primary campaigns of participating legislative office candidates.

### **§§ 13, 17-18 & 21 — CONTRIBUTIONS AND EXPENDITURES**

The law defines “contribution” and “expenditure” and exempts various items and services from the definitions. The bill modifies the definitions, as well as the exemptions for certain communications.

#### ***Definitions***

Current law defines “contribution,” in part, as anything of value made to promote the success or defeat of any candidate seeking nomination or election.

The bill expands the definition to cover (1) persons, not only candidates, seeking nomination or election and (2) anything of value made to attack, support, or oppose, not only promote, such a person’s success or defeat. By expanding the definition to cover “persons,” the bill covers contributions and expenditures made to benefit or oppose people who are not officially candidates. The bill also makes the same changes to the parallel definition of “expenditure.”

Existing law further defines contribution and expenditure, in part, as any communication that refers to one or more clearly identified candidates and (1) is broadcast by radio, television (other than a public access channel), satellite communication, via the Internet, or as a paid-for telephone communication; (2) appears in a newspaper, magazine, or on a billboard; or (3) is sent by mail.

But under current law, such a communication is not considered a contribution or expenditure if it is made (1) 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 for the purpose of influencing legislative action.

The bill modifies the exemption. It limits the exemption by applying it only to communications that are not made to promote, attack, support, or oppose any person seeking nomination or election. For communications that meet this criterion, the bill (1) extends the exemption to any communication made more than 90 days before the primary or election, not only those made to influence legislative, administrative, or executive action, and (2) exempts communications that constitute candidate debates, or that solely promote debates, and that are made by or on behalf of the debate sponsor.

### ***Aggregate Limit for Individuals (§ 21)***

Current law prohibits an individual from contributing more than \$30,000 in the aggregate during a single primary and election to (1) candidate committees; (2) exploratory committees; and (3) slate committee for justice of the peace (in a primary). The bill removes this limit, thus allowing individuals to make unlimited aggregate contributions to these committees (see BACKGROUND).

### **§§ 15 & 16 — SEEC**

#### ***Terms***

Beginning July 1, 2018, the bill lifts the ban on SEEC members serving more than two consecutive terms.

By law, SEEC's five members serve three-year terms. No more than two may be from the same political party and at least one must not be affiliated with any political party. The governor, Senate president pro tempore, House speaker, Senate minority leader, and House minority leader each appoint one member. Both houses of the General Assembly must confirm the appointments.

#### ***Complaint Review Process***

By law, SEEC receives complaints from the secretary of the state, registrars of voters, town clerks, and individuals under oath about alleged election law violations. It investigates and holds hearings as it deems appropriate.

The bill revises SEEC's process for reviewing complaints by eliminating the current requirements that:

1. commission staff conduct and complete a preliminary examination of a complaint within 14 days after receiving it and dismiss, attempt to speedily resolve, or investigate and docket it for a probable cause determination by the commission;
2. the staff docket any complaint it is unable to resolve within 45 days after receipt for a probable cause determination; and
3. the commission dismiss any complaint it receives on or after January 1, 2018, that it has not adjudicated within one year after receipt.

Under existing law, unchanged by the bill, if SEEC has not either issued a decision or made a probable cause determination by 60 days after receiving a written complaint, the complainant or respondent may apply to Hartford Superior Court for an order to show cause why the commission has not acted and provide evidence that it has unreasonably delayed action. Complaints that the secretary of the state files must be disposed of more quickly.

### **§ 19 — INDEPENDENT AND COORDINATED EXPENDITURES**

Existing law authorizes persons (including individuals, entities, and committees) to make unlimited independent expenditures (IEs). It creates a rebuttable presumption that certain expenditures are not IEs, and thus are coordinated and considered contributions for campaign finance purposes.

The bill:

1. creates a new category of spenders called "coordinated spenders";
2. establishes their relationship to candidates and committees;
3. specifies that their expenditures are coordinated, not



independent, and thus are contributions subject to campaign finance limits; and

4. modifies the rebuttable presumption for IEs.

### **Definitions**

Current law defines “independent expenditure” as an expenditure made without the consent, coordination, or consultation of a (1) candidate or candidate's agent, (2) candidate committee, (3) political committee (PAC), or (4) party committee. The bill expands the definition to include agents of the above-listed committees. It also specifies that the expenditure qualifies as an IE when it is made entirely without consent, coordination, or consultation.

The bill specifies that with respect to IEs and coordinated spenders, “candidate” includes any person who, during an election cycle, later becomes a candidate and who benefits from an expenditure.

The bill defines “election cycle,” with respect to an office to which an individual seeks nomination or election, as the period beginning the day after a regular election (for that office) and ending on the day of the next regular election (for that office).

“Member of the family” means the (1) candidate’s spouse; (2) sibling, parent, child, grandparent, grandchild, aunt, or uncle of the candidate or the candidate’s spouse; or (3) spouse of a child of any of these individuals.

### **Coordinated Spenders**

Under the bill, expenditures by coordinated spenders are deemed to be made with the consent, coordination, or consultation of, or at the request or suggestion of, a candidate, committee, or agent of a candidate or committee. By law, “committee” means a candidate or party committee, or a PAC.

Under the bill, coordinated spenders’ expenditures are not IEs. Since, by law, expenditures that are not IEs are contributions,

coordinated spenders' expenditures are contributions for campaign finance purposes.

Under the bill, a "coordinated spender," with respect to a candidate or committee, is a person:

1. directly or indirectly formed, controlled, or established in an election cycle or the one immediately preceding it, by, at the request or suggestion of, or with the encouragement or approval of, the candidate, committee, or agent of the candidate or committee;
2. established, directed, or managed by any other person who, during an election cycle, (a) served as a political, media, or fundraising advisor or consultant for the candidate, committee, or any entity controlled by the candidate or committee or (b) held a formal position, with a title, for the candidate or committee;
3. who is a candidate's family member or who is established, directed, or managed by a candidate's family member;
4. that has had, or whose officer or agent has had, more than incidental discussion with a candidate's family member about the candidate's, committee's, or person's campaign advertising, message, strategy, policy, polling, fundraising, campaign operations, or resource allocation; or
5. on whose behalf the candidate, committee, or agent, during an election cycle, solicits funds or engages in fundraising activities, including providing donor or other lists to assist with fundraising activities, regardless of whether the person pays fair market value for the information.

The bill creates an exception under the last type of coordinated spender listed above. Under the exception, a person is not considered a coordinated spender if funds that the candidate, committee, or agent raises for the person are segregated from other accounts the person

controls and not used to make (1) IEs benefitting the candidate or committee or (2) contributions or covered transfers to any other person that, later in the election cycle, makes IEs, contributions, or covered transfers benefitting the candidate or committee.

The bill also provides that a payment is not considered made by a person with the consent, coordination, or consultation of, or at the request or suggestion of, a candidate or committee solely on the grounds that the person or person’s agent engaged a candidate, committee, or agent of a candidate or committee in discussion about the person's position on a legislative or policy matter. This (1) includes discussions in which the person or agent urges the candidate or committee to adopt a position, but (2) excludes discussions on campaign advertising, message, strategy, policy, polling, fundraising, resource allocation, or operations.

**Rebuttable Presumptions**

The law creates a rebuttable presumption that certain expenditures are not IEs and thus, are coordinated and considered contributions for campaign finance purposes. The bill modifies three types of expenditures under the rebuttable presumption and adds another, as shown in Table 3.

**Table 3: Expenditures Not Considered IEs Under The Rebuttable Presumption**

<i>Current Law</i>	<i>The Bill</i>
Expenditures made by a person in cooperation, consultation, or concert with; at the request, suggestion, or direction of; or pursuant to a general or particular understanding with a candidate, candidate committee, party committee, PAC, or consultant or agent of a candidate or any such committee	Applies instead to expenditures made by a person pursuant to a general or tacit understanding with a candidate, candidate committee, party committee, PAC, or consultant or agent of a candidate or any such committee
Expenditures made by an individual who, during an election cycle, serves or has served (1) as the campaign chairperson, treasurer, or deputy treasurer of a candidate committee, PAC, or party committee benefiting from the expenditure or (2) in any other executive or policymaking position, including as a member, employee,	Adds expenditures by an individual who served as an employee, fundraiser, consultant, or other agent of a candidate

fundraiser, consultant, or other agent, of a candidate committee, PAC, or party committee	
Expenditures made by a person or an entity, on or after January 1 in an election year, that benefit a candidate when (1) the person or entity has hired an individual as an employee or consultant and (2) such individual was an employee of, or consultant to, the candidate's committee or that of his or her opponent during any part of the 18-month period preceding the expenditure	Provides that the (1) provision also applies to individuals who were employees of, or consultants to, the candidate and (2) applicable time period covers an election cycle or the one preceding it, rather than the 18-month period preceding the expenditure
N/A	Expenditures made by any person directly or indirectly formed, controlled, or established in an election cycle or the one immediately preceding it, by, at the request or suggestion of, or with the encouragement of any other person deemed to be a coordinated spender or coordinated spender's agent, including with the spender's or agent's express or tacit approval

Additionally, the bill eliminates a prohibition on SEEC presuming that certain activities constitute evidence of consent, coordination, or consultation. Generally, they are:

1. participation by a candidate or his or her agent in an event that an entity sponsors;
2. membership of the candidate or his or her agent in the entity; and
3. financial support for, or solicitation or fundraising on behalf of, the entity by a candidate or his or her agent.

**BACKGROUND**

***Aggregate Contribution Limits***

In *McCutcheon et al. v. Federal Election Commission*, 134 S. Ct. 1434 (2014), the U.S. Supreme Court held that aggregate limits on contributions by individuals to federal candidates, political parties, and PACs were unconstitutional under the First Amendment.

In Advisory Opinion 2014-03, SEEC announced that, unless it received further guidance from the legislature or a court of competent jurisdiction, it would no longer enforce current law's \$30,000 aggregate limit on contributions by individuals during a single primary and election to (1) candidate committees, (2) exploratory committees, and (3) slate committees for justice of the peace (in a primary).

**Related Bills**

SB 499, reported favorably by the Government Administration and Elections (GAE) Committee, expands a contribution exemption to include the sale of parking, up to a cumulative total of \$50, sold by a town committee to an individual at a town or county fair, local festival, or similar mass gathering.

SB 500, reported favorably by the GAE Committee, establishes a contribution exemption for certain campaign communications by candidates for legislative office.

sHB 5526, reported favorably by the GAE Committee, adds to the reasons for which SEEC must delay issuing a final decision.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable

Yea 9      Nay 8      (03/23/2018)