



General Assembly

February Session, 2020

Raised Bill No. 488

LCO No. 3112



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING THE STATE ELECTIONS ENFORCEMENT
COMMISSION AND CERTAIN CAMPAIGN FINANCE STATUTES.***

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

1 Section 1. Section 9-621 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2020*):

3 (a) [No] (1) Except as provided in subdivision (2) of this subsection,
4 no individual shall make or incur any expenditure with the consent of,
5 in coordination with or in consultation with any candidate, candidate
6 committee or candidate's agent, no group of two or more individuals
7 acting together that receives funds or makes or incurs expenditures not
8 exceeding one thousand dollars in the aggregate and has not formed a
9 political committee shall make or incur any expenditure, and no
10 candidate or committee shall make or incur any expenditure including
11 an organization expenditure for a party candidate listing, as defined in
12 subparagraph (A) of subdivision (25) of section 9-601, for any written,
13 typed or other printed communication, or any web-based, written
14 communication, which promotes the success or defeat of any

15 candidate's campaign for nomination at a primary or election or
16 promotes or opposes any political party or solicits funds to benefit any
17 political party or committee unless such communication bears upon its
18 face as a disclaimer [(1)] (A) the words "paid for by" and the following:
19 [(A)] (i) In the case of such an individual, the name and address of such
20 individual; [(B)] (ii) in the case of a committee other than a party
21 committee, the name of the committee and its treasurer; [(C)] (iii) in the
22 case of a party committee, the name of the committee; or [(D)] (iv) in the
23 case of a group of two or more individuals that receives funds or makes
24 or incurs expenditures not exceeding one thousand dollars in the
25 aggregate and has not formed a political committee, the name of the
26 group and the name and address of its agent, and [(2)] (B) the words
27 "approved by" and the following: [(A)] In the case of an individual,
28 group or committee [other than a candidate committee] making or
29 incurring an expenditure with the consent of, in coordination with or in
30 consultation with any candidate, candidate committee or candidate's
31 agent, the name of the candidate, [; or (B) in the case of a candidate
32 committee, the name of the candidate.] except that the provisions of this
33 subparagraph shall not apply to any candidate committee or town
34 committee;

35 (2) In the case of a candidate who appears on any written, typed or
36 other printed communication, or any web-based written
37 communication, which solicits funds to benefit any political committee
38 or party committee, such communication shall not be required to bear
39 upon its face any disclaimer described in subdivision (1) of this
40 subsection, provided such communication shall not promote the success
41 of such candidate's campaign for nomination or election or promote the
42 defeat of the campaign for nomination or election of any opponent of
43 such candidate.

44 (b) [In addition to the requirements of subsection (a) of this section:]

45 (1) No candidate or candidate committee or exploratory committee
46 established by a candidate shall make or incur any expenditure for
47 television advertising or Internet video advertising, which promotes the

48 success of such candidate's campaign for nomination at a primary or
49 election or the defeat of another candidate's campaign for nomination at
50 a primary or election, unless, as a disclaimer, (A) at the end of such
51 advertising there appears simultaneously, for a period of not less than
52 four seconds, except as provided in subdivision (2) of this subsection, (i)
53 a clearly identifiable photographic or similar image of the candidate
54 making such expenditure, (ii) a clearly readable printed statement
55 identifying such candidate, and indicating that such candidate has
56 approved the advertising, and (iii) a simultaneous, personal audio
57 message, in the following form: "I am (candidate's name) and I
58 approved this message", and (B) the candidate's name and image appear
59 in, and the candidate's voice is contained in, the narrative of the
60 advertising, before the end of such advertising;

61 (2) In the case of any expenditure for television advertising or Internet
62 video advertising described in subdivision (1) of this subsection, if such
63 advertising is less than thirty seconds in duration, the disclaimer
64 required under said subdivision may appear for a period of not less than
65 two seconds.

66 (c) (1) In addition to the requirements of subsection (a) of this section:

67 [(2)] (A) No candidate or candidate committee or exploratory
68 committee established by a candidate shall make or incur any
69 expenditure for radio advertising or Internet audio advertising, which
70 promotes the success of such candidate's campaign for nomination at a
71 primary or election or the defeat of another candidate's campaign for
72 nomination at a primary or election, unless, as a disclaimer, [(A)] (i) the
73 advertising ends with a personal audio statement by the candidate
74 making such expenditure [(i)] (I) identifying such candidate and the
75 office such candidate is seeking, and [(ii)] (II) indicating that such
76 candidate has approved the advertising in the following form: "I am
77 (candidate's name) and I approved this message", and [(B)] (ii) the
78 candidate's name and voice are contained in the narrative of the
79 advertising, before the end of such advertising; and

80 [(3)] (B) No candidate or candidate committee or exploratory
81 committee established by a candidate shall make or incur any
82 expenditure for automated telephone calls which promote the success
83 of such candidate's campaign for nomination at a primary or election or
84 the defeat of another candidate's campaign for nomination at a primary
85 or election, unless the candidate's name and voice are contained in the
86 narrative of the call, before the end of such call.

87 (2) Notwithstanding the provisions of this subsection, in the case of
88 any expenditure made or incurred by a candidate or candidate
89 committee or exploratory committee established by a candidate, which
90 expenditure (A) is for any telephone communication other than a call,
91 and (B) promotes the success of such candidate's campaign for
92 nomination at a primary or election or the defeat of another candidate's
93 campaign for nomination at a primary or election, such candidate or
94 committee may list the name of such candidate and provide a link to an
95 Internet web site that displays all information otherwise required to be
96 included in any disclaimer under this subsection in lieu of displaying
97 any such disclaimer upon such communication.

98 [(c)] (d) No business entity, organization, association, committee, or
99 group of two or more individuals who have joined solely to promote the
100 success or defeat of a referendum question shall make or incur any
101 expenditure for any written, typed or other printed communication
102 which promotes the success or defeat of any referendum question unless
103 such communication bears upon its face, as a disclaimer, the words
104 "paid for by" and the following: (1) In the case of a business entity,
105 organization or association, the name of the business entity,
106 organization or association and the name of its chief executive officer or
107 equivalent, and in the case such communication is made during the
108 ninety-day period immediately prior to the referendum, such
109 communication shall also bear on its face the names of the five persons
110 who made the five largest aggregate covered transfers to such business
111 entity, organization or association during the twelve-month period
112 immediately prior to such referendum. The communication shall also
113 state that additional information about the business entity, organization

114 or association making such communication may be found on the State
115 Elections Enforcement Commission's Internet web site; (2) in the case of
116 a political committee, the name of the committee and the name of its
117 treasurer; (3) in the case of a party committee, the name of the
118 committee; or (4) in the case of such a group of two or more individuals,
119 the name of the group and the name and address of its agent.

120 ~~[(d)]~~ (e) The provisions of subsections (a) ~~], (b) and (c)]~~ to (d),
121 inclusive, of this section do not apply to (1) any editorial, news story, or
122 commentary published in any newspaper, magazine or journal on its
123 own behalf and upon its own responsibility and for which it does not
124 charge or receive any compensation whatsoever, (2) any banner, (3)
125 political paraphernalia including pins, buttons, badges, emblems, hats,
126 bumper stickers or other similar materials, or (4) signs with a surface
127 area of not more than thirty-two square feet.

128 ~~[(e)]~~ (f) The treasurer of a candidate committee which sponsors any
129 written, typed or other printed communication for the purpose of
130 raising funds to eliminate a campaign deficit of that committee shall
131 include in such communication a statement that the funds are sought to
132 eliminate such a deficit.

133 ~~[(f)]~~ (g) The treasurer of an exploratory committee or candidate
134 committee established by a candidate for nomination or election to the
135 office of Treasurer which committee sponsors any written, typed or
136 other printed communication for the purpose of raising funds shall
137 include in such communication a statement concerning the prohibitions
138 set forth in subsection (n) of section 1-84, subsection (e) of section 9-612
139 and subsection (f) of section 9-613.

140 ~~[(g)]~~ (h) In the event a treasurer of a candidate committee is replaced
141 pursuant to subsection (c) of section 9-602, nothing in this section shall
142 be construed to prohibit the candidate committee from distributing any
143 printed communication subject to the provisions of this section that has
144 already been printed or otherwise produced, even though such
145 communication does not accurately designate the successor treasurer of

146 such candidate committee.

147 [(h)] (i) (1) No person shall make or incur an independent
148 expenditure for any written, typed or other printed communication,
149 including on a billboard, or any web-based, written communication,
150 unless such communication bears upon its face, as a disclaimer, the
151 words "Paid for by" and the name of such person and the following
152 statement: "This message was made independent of any candidate or
153 political party.". In the case of a person making or incurring such an
154 independent expenditure during the ninety-day period immediately
155 prior to the primary or election for which the independent expenditure
156 is made, such communication shall also bear upon its face the names of
157 the five persons who made the five largest aggregate covered transfers
158 to the person making such communication during the twelve-month
159 period immediately prior to such primary or election, as applicable. The
160 communication shall also state that additional information about the
161 person making such communication may be found on the State
162 Elections Enforcement Commission's Internet web site.

163 (2) In addition to the requirements of subdivision (1) of this
164 subsection, no person shall make or incur an independent expenditure
165 for a video broadcast by television, satellite or Internet, unless at the end
166 of such advertising there appears for a period of not less than four
167 seconds as a disclaimer, the following as an audio message and a written
168 statement: "This message was paid for by (person making the
169 communication) and made independent of any candidate or political
170 party.". In the case of a person making or incurring such an independent
171 expenditure during the ninety-day period immediately prior to the
172 primary or election for which the independent expenditure is made,
173 such communication shall also list the names of the five persons who
174 made the five largest aggregate covered transfers to the person making
175 such communication during the twelve-month period immediately
176 prior to such primary or election, as applicable. The communication
177 shall also state that additional information about the person making
178 such communication may be found on the State Elections Enforcement
179 Commission's Internet web site.

180 (3) In addition to the requirements of subdivision (1) of this
181 subsection, no person shall make or incur an independent expenditure
182 for an audio communication broadcast by radio, satellite or Internet,
183 unless the advertising ends with a disclaimer that is a personal audio
184 statement by such person's agent (A) identifying the person paying for
185 the expenditure, and (B) indicating that the message was made
186 independent of any candidate or political party, using the following
187 form: "I am (name of the person's agent), (title), of (the person).
188 This message was made independent of any candidate or political
189 party.". In the case of a person making or incurring such an independent
190 expenditure during the ninety-day period immediately prior to the
191 primary or election for which the independent expenditure is made,
192 such communication shall state the names of the five persons who made
193 the five largest aggregate covered transfers to the person making such
194 communication during the twelve-month period immediately prior to
195 such primary or election, as applicable. The communication shall also
196 state that additional information about the person making such
197 communication may be found on the State Elections Enforcement
198 Commission's Internet web site.

199 (4) In addition to the requirements of subdivision (1) of this
200 subsection, no person shall make or incur an independent expenditure
201 for telephone calls, unless the narrative of the telephone call identifies
202 the person making the expenditure and during the ninety-day period
203 immediately prior to the primary or election for which the independent
204 expenditure is made, such communication shall state the names of the
205 five persons who made the five largest aggregate covered transfers to
206 the person making such communication during the twelve-month
207 period immediately prior to such primary or election, as applicable. The
208 communication shall also state that additional information about the
209 person making such communication may be found on the State
210 Elections Enforcement Commission's Internet web site.

211 [(i)] (j) In any print, television or social media promotion of a slate of
212 candidates by a party committee, the party committee shall use
213 applicable disclaimers pursuant to the provisions of this section for such

214 promotion, and no individual candidate disclaimers shall be required.

215 [(j)] (k) (1) Except as provided in subdivisions (2) and (3) of this
216 subsection, if any person whose name is included on a disclaimer of a
217 communication pursuant to the provisions of this section, as a person
218 who made a covered transfer to the maker of the communication, is also
219 a recipient of a covered transfer, the maker of the communication, as
220 part of any report filed pursuant to section 9-601d associated with the
221 making of such communication, shall include the names of the five
222 persons who made the top five largest aggregate covered transfers to
223 such recipient during the twelve-month period immediately prior to the
224 primary or election, as applicable.

225 (2) The name of any person who made a covered transfer to a tax-
226 exempt organization recognized under Section 501(c)(4) of the Internal
227 Revenue Code of 1986, or any subsequent corresponding internal
228 revenue code of the United States, as amended from time to time, that
229 has not had its tax exempt status revoked, shall not be disclosed
230 pursuant to the provisions of subdivision (1) of this subsection.

231 (3) The name of any person who made a covered transfer to a person
232 whose name is included on a disclaimer pursuant to the provisions of
233 this section shall not be disclosed pursuant to the provisions of
234 subdivision (1) of this subsection if the recipient of such covered transfer
235 accepts covered transfers from at least one hundred different sources,
236 provided no such source accounts for ten per cent or more of the total
237 amount of covered transfers accepted by the recipient during the
238 twelve-month period immediately prior to the primary or election, as
239 applicable.

240 [(k)] (l) Any disclaimer required to be on the face of a written, typed
241 or other printed communication pursuant to the provisions of this
242 section shall be printed in no smaller than eight-point type of uniform
243 font when such disclaimer is on a communication contained in a flyer or
244 leaflet, newspaper, magazine or similar literature, or that is delivered by
245 mail.

246 [(l)] (m) Notwithstanding the provisions of this section, no person
 247 making an independent expenditure for a communication shall be
 248 required to list as part of any disclaimer pursuant to this section any
 249 person whose covered transfers to the maker of the communication are
 250 not in an aggregate amount of five thousand dollars or more during the
 251 twelve-month period immediately prior to the primary or election, as
 252 applicable, for which such independent expenditure is made.

253 [(m)] (n) (1) Notwithstanding the provisions of this section, any
 254 disclaimer required to be on the face of any Internet text advertisement
 255 communication [(1)] (A) that appears based on the result of a search
 256 conducted by a user of an Internet search engine, and [(2)] (B) the text of
 257 which contains two hundred or fewer characters, shall not be required
 258 to list the names of the five persons who made the top five largest
 259 aggregate covered transfers to the maker of such communication, as
 260 otherwise required by this section, if such disclaimer [(A)] (i) includes a
 261 link to an Internet web site that discloses the names of such five persons,
 262 and [(B)] (ii) otherwise contains any statement required pursuant to the
 263 provisions of this section.

264 (2) Notwithstanding the provisions of this section, in the case of any
 265 expenditure made or incurred by a candidate, candidate committee,
 266 exploratory committee established by a candidate, party committee,
 267 legislative caucus committee or legislative leadership committee, which
 268 expenditure (A) is for any image featured on social media, and (B)
 269 promotes the success or defeat of any candidate's campaign for
 270 nomination at a primary or election, such candidate or committee may
 271 provide a link to an Internet web site that displays all information
 272 otherwise required to be included in any disclaimer under this section
 273 in lieu of displaying any such disclaimer on the face of such image.

274 Sec. 2. Subsection (b) of section 9-603 of the general statutes is
 275 repealed and the following is substituted in lieu thereof (*Effective July 1,*
 276 *2020*):

277 (b) [Statements] (1) Except as provided in subdivision (2) of this

278 subsection, statements filed by political committees formed solely to aid
279 or promote the success or defeat of a referendum question to be voted
280 upon by the electors of a single municipality and those political
281 committees or candidate committees formed to aid or promote the
282 success or defeat of any candidate for public office, other than those
283 enumerated in subsection (a) of this section, or the position of town
284 committee member shall be filed only with the town clerk of the
285 municipality in which the election or referendum is to be held. Each
286 unsalaried town clerk shall be entitled to receive ten cents from the town
287 for the filing of each such statement.

288 (2) In the case of a municipality with a population of not less than
289 seventy-five thousand, statements filed by the candidate committee of a
290 candidate for chief executive officer of such municipality shall be filed
291 with the State Elections Enforcement Commission.

292 Sec. 3. Subsection (b) of section 9-601a of the general statutes is
293 repealed and the following is substituted in lieu thereof (*Effective July 1,*
294 *2020*):

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

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

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

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

306 (4) Uncompensated services provided by individuals volunteering
307 their time on behalf of a party committee, political committee, slate

308 committee or candidate committee, including any services provided for
309 the benefit of nonparticipating and participating candidates under the
310 Citizens' Election Program and any unreimbursed travel expenses made
311 by an individual who volunteers the individual's personal services to
312 any such committee. For purposes of this subdivision, an individual is
313 a volunteer if such individual is not receiving compensation for such
314 services regardless of whether such individual received compensation
315 in the past or may receive compensation for similar services that may be
316 performed in the future;

317 (5) The use of real or personal property, a portion or all of the cost of
318 invitations and the cost of food or beverages, voluntarily provided by
319 an individual to a candidate, including a nonparticipating or
320 participating candidate under the Citizens' Election Program, or to a
321 party, political or slate committee, in rendering voluntary personal
322 services at the individual's residential premises or a community room
323 in the individual's residence facility, to the extent that the cumulative
324 value of the invitations, food or beverages provided by an individual on
325 behalf of any candidate or committee does not exceed four hundred
326 dollars with respect to any single event or does not exceed eight
327 hundred dollars for any such event hosted by two or more individuals,
328 provided at least one such individual owns or resides at the residential
329 premises, and further provided the cumulative value of the invitations,
330 food or beverages provided by an individual on behalf of any such
331 candidate or committee does not exceed eight hundred dollars with
332 respect to a calendar year or single election, as the case may be;

333 (6) The sale of food or beverage for use by a party, political, slate or
334 candidate committee, including those for a participating or
335 nonparticipating candidate, at a discount, if the charge is not less than
336 the cost to the vendor, to the extent that the cumulative value of the
337 discount given to or on behalf of any single candidate committee does
338 not exceed four hundred dollars with respect to any single primary or
339 election, or to or on behalf of any party, political or slate committee, does
340 not exceed six hundred dollars in a calendar year;

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

342 (8) The payment, by a party committee or slate committee of the costs
343 of preparation, display, mailing or other distribution incurred by the
344 committee or individual with respect to any printed slate card, sample
345 ballot or other printed list containing the names of three or more
346 candidates;

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

352 (10) (A) The purchase of advertising space which clearly identifies the
353 purchaser, in a program for a fund-raising affair sponsored by the
354 candidate committee of a candidate for an office of a municipality,
355 provided the cumulative purchase of such space does not exceed two
356 hundred fifty dollars from any single such candidate or the candidate's
357 committee with respect to any single election campaign if the purchaser
358 is a business entity or fifty dollars for purchases by any other person;

359 (B) The purchase of advertising space which clearly identifies the
360 purchaser, in a program for a fund-raising affair or on signs at a fund-
361 raising affair sponsored by a party committee or a political committee,
362 other than an exploratory committee, provided the cumulative purchase
363 of such space does not exceed two hundred fifty dollars from any single
364 party committee or a political committee, other than an exploratory
365 committee, in any calendar year if the purchaser is a business entity or
366 fifty dollars for purchases by any other person. Notwithstanding the
367 provisions of this subparagraph, the following may not purchase
368 advertising space in a program for a fund-raising affair or on signs at a
369 fund-raising affair sponsored by a party committee or a political
370 committee, other than an exploratory committee: (i) A communicator
371 lobbyist, (ii) a member of the immediate family of a communicator
372 lobbyist, (iii) a state contractor, (iv) a prospective state contractor, or (v)

373 a principal of a state contractor or prospective state contractor. As used
374 in this subparagraph, "state contractor", "prospective state contractor"
375 and "principal of a state contractor or prospective state contractor" have
376 the same meanings as provided in subsection (f) of section 9-612;

377 (11) The payment of money by a candidate to the candidate's
378 candidate committee, provided the committee is for a nonparticipating
379 candidate;

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

384 (13) The advance of a security deposit by an individual to a telephone
385 company, as defined in section 16-1, for telecommunications service for
386 a committee or to another utility company, such as an electric
387 distribution company, provided the security deposit is refunded to the
388 individual;

389 (14) The provision of facilities, equipment, technical and managerial
390 support, and broadcast time by a community antenna television
391 company, as defined in section 16-1, for community access
392 programming pursuant to section 16-331a, unless (A) the major purpose
393 of providing such facilities, equipment, support and time is to influence
394 the nomination or election of a candidate, or (B) such facilities,
395 equipment, support and time are provided on behalf of a political party;

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

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

403 (17) The donation of food or beverage by an individual for
404 consumption at a slate, candidate, political committee or party
405 committee meeting, event or activity that is not a fund-raising affair to
406 the extent that the cumulative value of the food or beverages donated
407 by an individual for a single meeting or event does not exceed fifty
408 dollars;

409 (18) The value associated with the de minimis activity on behalf of a
410 party committee, political committee, slate committee or candidate
411 committee, including for activities including, but not limited to, (A) the
412 creation of electronic or written communications or digital photos or
413 video as part of an electronic file created on a voluntary basis without
414 compensation, including, but not limited to, the creation and ongoing
415 content development and delivery of social media on the Internet or
416 telephone, including, but not limited to, the sending or receiving of
417 electronic mail or messages, (B) the posting or display of a candidate's
418 name or group of candidates' names at a town fair, county fair, local
419 festival or similar mass gathering by a party committee, (C) the use of
420 personal property or a service that is customarily attendant to the
421 occupancy of a residential dwelling, or the donation of an item or items
422 of personal property that are customarily used for campaign purposes,
423 by an individual, to a candidate committee, provided the cumulative
424 fair market value of such use of personal property or service or items of
425 personal property does not exceed one hundred dollars in the aggregate
426 for any single election or calendar year, as the case may be;

427 (19) The use of offices, telephones, computers and similar equipment
428 provided by a party committee, legislative caucus committee or
429 legislative leadership committee that serve as headquarters for or are
430 used by such party committee, legislative caucus committee or
431 legislative leadership committee;

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

434 (21) An independent expenditure, as defined in section 9-601c;

435 (22) A communication containing an endorsement on behalf of a
436 candidate for nomination or election to the office of Governor,
437 Lieutenant Governor, Secretary of the State, State Treasurer, State
438 Comptroller, Attorney General, state senator or state representative,
439 from a candidate for the office of Governor, Lieutenant Governor,
440 Secretary of the State, State Treasurer, State Comptroller, Attorney
441 General, state senator or state representative, provided the candidate
442 (A) making the endorsement is unopposed at the time of the
443 communication, and (B) being endorsed paid for such communication;

444 (23) A communication that is sent by mail to addresses in the district
445 for which a candidate being endorsed by another candidate pursuant to
446 this subdivision is seeking nomination or election to the office of state
447 senator or state representative, containing an endorsement on behalf of
448 such candidate for such nomination or election from a candidate for the
449 office of state senator or state representative, provided the candidate (A)
450 making the endorsement is not seeking election to the office of state
451 senator or state representative for a district that contains any
452 geographical area shared by the district for the office to which the
453 endorsed candidate is seeking nomination or election, and (B) being
454 endorsed paid for such communication; or

455 (24) Campaign training events provided to multiple individuals by a
456 legislative caucus committee or party committee and any associated
457 materials, provided the cumulative value of such events and materials
458 does not exceed six thousand dollars in the aggregate for a calendar
459 year.

460 Sec. 4. Subsection (b) of section 9-601b of the general statutes is
461 repealed and the following is substituted in lieu thereof (*Effective July 1,*
462 *2020*):

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

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

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

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

473 (4) Uncompensated services provided by individuals volunteering
474 their time on behalf of a party committee, political committee, slate
475 committee or candidate committee, including any services provided for
476 the benefit of nonparticipating and participating candidates under the
477 Citizens' Election Program and any unreimbursed travel expenses made
478 by an individual who volunteers the individual's personal services to
479 any such committee. For purposes of this subdivision, an individual is
480 a volunteer if such individual is not receiving compensation for such
481 services regardless of whether such individual received compensation
482 in the past or may receive compensation for similar services that may be
483 performed in the future;

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

488 (6) The use of real or personal property, a portion or all of the cost of
489 invitations and the cost of food or beverages, voluntarily provided by
490 an individual to a candidate, including a nonparticipating or
491 participating candidate under the Citizens' Election Program, or to a
492 party, political or slate committee, in rendering voluntary personal
493 services at the individual's residential premises or a community room
494 in the individual's residence facility, to the extent that the cumulative
495 value of the invitations, food or beverages provided by an individual on
496 behalf of any candidate or committee does not exceed four hundred
497 dollars with respect to any single event or does not exceed eight

498 hundred dollars for any such event hosted by two or more individuals,
499 provided at least one such individual owns or resides at the residential
500 premises, and further provided the cumulative value of the invitations,
501 food or beverages provided by an individual on behalf of any such
502 candidate or committee does not exceed eight hundred dollars with
503 respect to a calendar year or single election, as the case may be;

504 (7) A communication described in subdivision (2) of subsection (a) of
505 this section that includes speech or expression made (A) prior to the
506 ninety-day period preceding the date of a primary or an election at
507 which the clearly identified candidate or candidates are seeking
508 nomination to public office or position, that is made for the purpose of
509 influencing any legislative or administrative action, as defined in section
510 1-91, or executive action, or (B) during a legislative session for the
511 purpose of influencing legislative action;

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

514 (9) A commercial advertisement that refers to an owner, director or
515 officer of a business entity who is also a candidate and that had
516 previously been broadcast or appeared when the owner, director or
517 officer was not a candidate;

518 (10) (A) A communication containing an endorsement on behalf of a
519 candidate for nomination or election to the office of Governor,
520 Lieutenant Governor, Secretary of the State, State Treasurer, State
521 Comptroller, Attorney General, state senator or state representative,
522 from a candidate for the office of Governor, Lieutenant Governor,
523 Secretary of the State, State Treasurer, State Comptroller, Attorney
524 General, state senator or state representative, [shall not be an
525 expenditure attributable to the endorsing candidate, if] provided (i) the
526 candidate making the endorsement is unopposed at the time of the
527 communication, [;] and (ii) the communication is paid for by the
528 candidate or the committee of the candidate being endorsed.

529 (B) Notwithstanding the provisions of subparagraph (A) of this

530 subdivision, a communication described in said subparagraph shall be
531 an expenditure on behalf of the candidate or committee paying for the
532 communication;

533 (11) (A) A communication that is sent by mail to addresses in the
534 district for which a candidate being endorsed by another candidate
535 pursuant to the provisions of this subdivision is seeking nomination or
536 election to the office of state senator or state representative, containing
537 an endorsement on behalf of such candidate for such nomination or
538 election, from a candidate for the office of state senator or state
539 representative, [shall not be an expenditure attributable to the endorsing
540 candidate, if] provided (i) the candidate making the endorsement is not
541 seeking election to the office of state senator or state representative for
542 a district that contains any geographical area shared by the district for
543 the office to which the endorsed candidate is seeking nomination or
544 election, [;] and (ii) the communication is paid for by the candidate or
545 the committee of the candidate being endorsed.

546 (B) Notwithstanding the provisions of subparagraph (A) of this
547 subdivision, a communication described in said subparagraph shall be
548 an expenditure on behalf of the candidate or committee paying for the
549 communication;

550 (12) Campaign training events provided to multiple individuals and
551 paid for by a legislative caucus committee or party committee, and any
552 associated materials, provided the cumulative value of such events and
553 materials does not exceed six thousand dollars in the aggregate for a
554 calendar year;

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

559 (14) The use of offices, telephones, computers and similar equipment
560 provided by a party committee, legislative caucus committee or
561 legislative leadership committee that serve as headquarters for or are

562 used by such party committee, legislative caucus committee or
563 legislative leadership committee; [or]

564 (15) An expense or expenses incurred by a human being acting alone
565 in an amount that is two hundred dollars or less, in the aggregate, that
566 benefits a candidate for a single election; or

567 (16) A solicitation via the Internet for a contribution to any committee,
568 provided any such contribution described in this subdivision shall be
569 construed to be an expenditure.

570 Sec. 5. Subsection (g) of section 9-7a of the general statutes is repealed
571 and the following is substituted in lieu thereof (*Effective July 1, 2020*):

572 (g) (1) In the case of a written complaint filed with the commission
573 pursuant to section 9-7b, as amended by this act, commission staff shall
574 conduct and complete a preliminary examination of such complaint by
575 the fourteenth day following its receipt, at which time such staff shall,
576 at its discretion, (A) dismiss the complaint for failure to allege any
577 substantial violation of state election law supported by evidence, (B)
578 engage the respondent in discussions in an effort to speedily resolve any
579 matter pertaining to a de minimis violation, or (C) investigate and
580 docket the complaint, prioritized in the order received, for a
581 determination by the commission that probable cause or no probable
582 cause exists for any such violation. If commission staff dismisses a
583 complaint pursuant to subparagraph (A) of this subdivision, such staff
584 shall provide a brief written statement concisely setting forth the
585 reasons for such dismissal to the complainant and respondent, and such
586 statement shall remain confidential, except upon the request of the
587 respondent. If commission staff engages a respondent pursuant to
588 subparagraph (B) of this subdivision but is unable to speedily resolve
589 any such matter described in said subparagraph by the forty-fifth day
590 following receipt of the complaint, such staff shall docket such
591 complaint, prioritized in the order received, for a determination by the
592 commission that probable cause or no probable cause exists for any
593 violation of state election law. If the commission does not, by the sixtieth

594 day following receipt of the complaint, either issue a decision or render
595 its determination that probable cause or no probable cause exists for any
596 violation of state election laws, the complainant or respondent may
597 apply to the superior court for the judicial district of Hartford for an
598 order to show cause why the commission has not acted upon the
599 complaint and to provide evidence that the commission has
600 unreasonably delayed action. For any complaint received on or after
601 January 1, 2018, if the commission does not, by one year following
602 receipt of such complaint, issue a decision thereon, the commission shall
603 dismiss such complaint, provided the length of time of any delay caused
604 by (i) the commission or commission staff granting any extension or
605 continuance to a respondent prior to the issuance of any such decision,
606 (ii) any subpoena issued in connection with such complaint, (iii) any
607 litigation in state or federal court related to such complaint, or (iv) any
608 investigation by, or consultation of the commission or commission staff
609 with, the Chief State's Attorney, the Attorney General, the United States
610 Department of Justice or the United States Attorney for Connecticut
611 related to such complaint, shall be added to such one year.

612 (2) In the case of a statement filed by the Secretary of the State with
613 the commission pursuant to section 9-7b, as amended by this act, on or
614 after July 1, 2015, if the commission does not, by the thirtieth day
615 following such filing, make a determination to investigate such
616 statement and, by the ninetieth day following such filing, complete any
617 investigation of such statement and issue a decision, the Secretary may
618 apply to the superior court for the judicial district of Hartford for an
619 order to show cause why the commission has not acted upon the
620 statement and to provide evidence that the commission has
621 unreasonably delayed action.

622 (3) Any judicial proceeding pursuant to subdivision (1) or (2) of this
623 subsection shall be privileged with respect to assignment for trial. The
624 commission shall appear and give appropriate explanation in the
625 matter. The court may, in its discretion, order the commission to: (A)
626 Continue to proceed pursuant to section 9-7b, as amended by this act,
627 (B) act by a date certain, or (C) refer the complaint or statement to the

628 Chief State's Attorney. Nothing in this subsection shall require the
629 commission, in any proceeding brought pursuant to this subsection, to
630 disclose records or documents which are not required to be disclosed
631 pursuant to subsection (b) of section 1-210. Nothing in this subsection
632 shall preclude the commission from continuing its investigation or
633 taking any action permitted by section 9-7b, as amended by this act,
634 unless otherwise ordered by the court. The commission or any other
635 party may, within seven days after a decision by the court under this
636 subsection, file an appeal of the decision with the Appellate Court.

637 Sec. 6. Subdivision (5) of subsection (a) of section 9-7b of the general
638 statutes is repealed and the following is substituted in lieu thereof
639 (*Effective July 1, 2020*):

640 (5) (A) To inspect or audit at any reasonable time and upon
641 reasonable notice the accounts or records of any treasurer or principal
642 treasurer, except as provided for in subparagraph (B) of this
643 subdivision, as required by chapter 155 or 157 and to audit any such
644 election, primary or referendum held within the state; provided, (i) (I)
645 not later than two months preceding the day of an election at which a
646 candidate is seeking election, the commission shall complete any audit
647 it has initiated in the absence of a complaint that involves a committee
648 of the same candidate from a previous election, and (II) during the two-
649 month period preceding the day of an election at which a candidate is
650 seeking election, the commission shall not initiate an audit in the
651 absence of a complaint that involves a committee of the same candidate
652 from a previous election, and (ii) the commission shall not audit any
653 caucus, as defined in subdivision (1) of section 9-372.

654 (B) When conducting an audit after an election or primary, the
655 commission shall randomly audit not more than fifty per cent of
656 candidate committees, which shall be selected through the process of a
657 weighted lottery conducted by the commission that takes into account
658 the selection frequency of a district served by the office of state senator
659 or state representative, as applicable, for the immediately preceding
660 three regular elections for such office and increases or decreases the

661 likelihood that such district will be selected for audit based on such
662 selection frequency, except that the commissioner shall audit all
663 candidate committees for candidates for a state-wide office.

664 (C) The commission shall notify, in writing, any committee of a
665 candidate for an office in the general election, or of any candidate who
666 had a primary for nomination to any such office not later than May
667 thirty-first of the year immediately following such election. In no case
668 shall the commission audit any such candidate committee that the
669 commission fails to provide notice to in accordance with this
670 subparagraph.

671 (D) Any audit conducted under this subdivision shall be limited to
672 the financial records necessary to demonstrate that vendor payments
673 were properly made, including books, financial statements, invoices
674 and checks;

675 Sec. 7. Subdivision (16) of section 4-166 of the general statutes is
676 repealed and the following is substituted in lieu thereof (*Effective October*
677 *1, 2020*):

678 (16) "Regulation" means each agency statement of general
679 applicability, without regard to its designation, that implements,
680 interprets, or prescribes law or policy, or describes the organization,
681 procedure, or practice requirements of any agency. The term includes
682 the amendment or repeal of a prior regulation, but does not include (A)
683 statements concerning only the internal management of any agency and
684 not affecting private rights or procedures available to the public, (B)
685 declaratory rulings issued pursuant to section 4-176, as amended by this
686 act, other than declaratory rulings issued pursuant to section 9 of this
687 act, or (C) intra-agency or interagency memoranda;

688 Sec. 8. Section 4-176 of the general statutes is repealed and the
689 following is substituted in lieu thereof (*Effective October 1, 2020*):

690 (a) Any person may petition an agency, or an agency may on its own
691 motion initiate a proceeding, for a declaratory ruling as to the validity

692 of any regulation, or the applicability to specified circumstances of a
693 provision of the general statutes, a regulation, or a final decision on a
694 matter within the jurisdiction of the agency.

695 (b) Each agency shall adopt regulations, in accordance with the
696 provisions of this chapter, that provide for (1) the form and content of
697 petitions for declaratory rulings, (2) the filing procedure for such
698 petitions and (3) the procedural rights of persons with respect to the
699 petitions.

700 (c) Within thirty days after receipt of a petition for a declaratory
701 ruling, an agency shall give notice of the petition to all persons to whom
702 notice is required by any provision of law and to all persons who have
703 requested notice of declaratory ruling petitions on the subject matter of
704 the petition.

705 (d) If the agency finds that a timely petition to become a party or to
706 intervene has been filed according to the regulations adopted under
707 subsection (b) of this section, the agency: (1) May grant a person status
708 as a party if the agency finds that the petition states facts demonstrating
709 that the petitioner's legal rights, duties or privileges shall be specifically
710 affected by the agency proceeding; and (2) may grant a person status as
711 an intervenor if the agency finds that the petition states facts
712 demonstrating that the petitioner's participation is in the interests of
713 justice and will not impair the orderly conduct of the proceedings. The
714 agency may define an intervenor's participation in the manner set forth
715 in subsection (d) of section 4-177a.

716 (e) Within sixty days after receipt of a petition for a declaratory
717 ruling, an agency in writing shall: (1) Issue a ruling declaring the
718 validity of a regulation or the applicability of the provision of the
719 general statutes, the regulation, or the final decision in question to the
720 specified circumstances, (2) order the matter set for specified
721 proceedings, (3) agree to issue a declaratory ruling by a specified date,
722 (4) decide not to issue a declaratory ruling and initiate regulation-
723 making proceedings, under section 4-168, on the subject, [or] (5) decide

724 not to issue a declaratory ruling, stating the reasons for its action, or (6)
725 in the case of a declaratory ruling issued under section 9 of this act,
726 publish notice of intent to adopt regulations concerning such
727 declaratory ruling.

728 (f) A copy of all rulings issued and any actions taken under
729 subsection (e) of this section shall be promptly delivered to the
730 petitioner and other parties personally or by United States mail, certified
731 or registered, postage prepaid, return receipt requested.

732 (g) If the agency conducts a hearing in a proceeding for a declaratory
733 ruling, the provisions of subsection (b) of section 4-177c, section 4-178
734 and section 4-179 shall apply to the hearing.

735 (h) [A] Except as provided in section 9 of this act, a declaratory ruling
736 shall be effective when personally delivered or mailed or on such later
737 date specified by the agency in the ruling, shall have the same status and
738 binding effect as an order issued in a contested case and shall be a final
739 decision for purposes of appeal in accordance with the provisions of
740 section 4-183. A declaratory ruling shall contain the names of all parties
741 to the proceeding, the particular facts on which it is based and the
742 reasons for its conclusion.

743 (i) If an agency does not issue a declaratory ruling, other than a
744 declaratory ruling issued under section 9 of this act, within one hundred
745 eighty days after the filing of a petition therefor, or within such longer
746 period as may be agreed by the parties, the agency shall be deemed to
747 have decided not to issue such ruling.

748 (j) The agency shall keep a record of the proceeding as provided in
749 section 4-177.

750 Sec. 9. (NEW) (*Effective October 1, 2020*) Prior to issuing a declaratory
751 ruling pursuant to section 4-176 of the general statutes, as amended by
752 this act, the State Elections Enforcement Commission shall adopt such
753 declaratory ruling as a regulation, in accordance with the provisions of
754 chapter 54 of the general statutes. The commission shall publish on the

755 eRegulations System a notice of intent to adopt such declaratory ruling
756 as a regulation not later than sixty days after receipt of a petition for a
757 declaratory ruling. Such declaratory ruling shall be effective when the
758 regulation is posted on the eRegulations System by the Secretary of the
759 State under section 4-172 of the general statutes.

760 Sec. 10. Subsection (a) of section 9-706 of the general statutes is
761 repealed and the following is substituted in lieu thereof (*Effective July 1,*
762 *2020*):

763 (a) (1) [A] Except as provided in subdivision (6) of this subsection, a
764 participating candidate for nomination to the office of state senator or
765 state representative in 2008, or thereafter, or the office of Governor,
766 Lieutenant Governor, Attorney General, State Comptroller, Secretary of
767 the State or State Treasurer in 2010, or thereafter, may apply to the State
768 Elections Enforcement Commission for a grant from the fund under the
769 Citizens' Election Program for a primary campaign, after the close of the
770 state convention of the candidate's party that is called for the purpose of
771 choosing candidates for nomination for the office that the candidate is
772 seeking, if a primary is required under chapter 153, and (A) said party
773 endorses the candidate for the office that the candidate is seeking, (B)
774 the candidate is seeking nomination to the office of Governor,
775 Lieutenant Governor, Attorney General, State Comptroller, State
776 Treasurer or Secretary of the State or the district office of state senator
777 or state representative and receives at least fifteen per cent of the votes
778 of the convention delegates present and voting on any roll-call vote
779 taken on the endorsement or proposed endorsement of a candidate for
780 the office the candidate is seeking, or (C) the candidate circulates a
781 petition and obtains the required number of signatures for filing a
782 candidacy for nomination for (i) the office of Governor, Lieutenant
783 Governor, Attorney General, State Comptroller, State Treasurer or
784 Secretary of the State or the district office of state senator or state
785 representative, pursuant to section 9-400, or (ii) the municipal office of
786 state senator or state representative, pursuant to section 9-406,
787 whichever is applicable. The State Elections Enforcement Commission
788 shall make any such grants to participating candidates in accordance

789 with the provisions of subsections (d) to (g), inclusive, of this section.

790 (2) [A] Except as provided in subdivision (6) of this subsection, a
791 participating candidate for nomination to the office of state senator or
792 state representative in 2008, or thereafter, or the office of Governor,
793 Attorney General, State Comptroller, Secretary of the State or State
794 Treasurer in 2010, or thereafter, may apply to the State Elections
795 Enforcement Commission for a grant from the fund under the Citizens'
796 Election Program for a general election campaign:

797 (A) After the close of the state or district convention or municipal
798 caucus, convention or town committee meeting, whichever is
799 applicable, of the candidate's party that is called for the purpose of
800 choosing candidates for nomination for the office that the candidate is
801 seeking, if (i) said party endorses said candidate for the office that the
802 candidate is seeking and no other candidate of said party files a
803 candidacy with the Secretary of the State in accordance with the
804 provisions of section 9-400 or 9-406, whichever is applicable, (ii) the
805 candidate is seeking election to the office of Governor, Lieutenant
806 Governor, Attorney General, State Comptroller, State Treasurer or
807 Secretary of the State or the district office of state senator or state
808 representative and receives at least fifteen per cent of the votes of the
809 convention delegates present and voting on any roll-call vote taken on
810 the endorsement or proposed endorsement of a candidate for the office
811 the candidate is seeking, no other candidate for said office at such
812 convention either receives the party endorsement or said percentage of
813 said votes for said endorsement or files a certificate of endorsement with
814 the Secretary of the State in accordance with the provisions of section 9-
815 388 or a candidacy with the Secretary of the State in accordance with the
816 provisions of section 9-400, and no other candidate for said office
817 circulates a petition and obtains the required number of signatures for
818 filing a candidacy for nomination for said office pursuant to section 9-
819 400, (iii) the candidate is seeking election to the office of Governor,
820 Lieutenant Governor, Attorney General, State Comptroller, State
821 Treasurer or Secretary of the State or the district office of state senator
822 or state representative, circulates a petition and obtains the required

823 number of signatures for filing a candidacy for nomination for said
824 office pursuant to section 9-400 and no other candidate for said office at
825 the state or district convention either receives the party endorsement or
826 said percentage of said votes for said endorsement or files a certificate
827 of endorsement with the Secretary of the State in accordance with the
828 provisions of section 9-388 or a candidacy with the Secretary of the State
829 in accordance with the provisions of section 9-400, or (iv) the candidate
830 is seeking election to the municipal office of state senator or state
831 representative, circulates a petition and obtains the required number of
832 signatures for filing a candidacy for nomination for the office the
833 candidate is seeking pursuant to section 9-406 and no other candidate
834 for said office at the caucus, convention or town committee meeting
835 either receives the party endorsement or files a certification of
836 endorsement with the town clerk in accordance with the provisions of
837 section 9-391;

838 (B) After any primary held by such party for nomination for said
839 office, if the Secretary of the State declares that the candidate is the party
840 nominee in accordance with the provisions of section 9-440;

841 (C) In the case of a minor party candidate, after the nomination of
842 such candidate is certified and filed with the Secretary of the State
843 pursuant to section 9-452; or

844 (D) In the case of a petitioning party candidate, after approval by the
845 Secretary of the State of such candidate's nominating petition pursuant
846 to section 9-453o.

847 (3) A participating candidate for nomination to the office of state
848 senator or state representative at a special election in 2008, or thereafter,
849 may apply to the State Elections Enforcement Commission for a grant
850 from the fund under the Citizens' Election Program for a general
851 election campaign after the close of the district convention or municipal
852 caucus, convention or town committee meeting of the candidate's party
853 that is called for the purpose of choosing candidates for nomination for
854 the office that the candidate is seeking.

855 (4) Notwithstanding the provisions of subdivisions (1) and (2) of this
856 subsection, no participating candidate for nomination or election who
857 changes the candidate's status as a major party, minor party or
858 petitioning party candidate or becomes a candidate of a different party,
859 after filing the affidavit required under section 9-703, shall be eligible to
860 apply for a grant under the Citizens' Election Program for such
861 candidate's primary campaign for such nomination or general election
862 campaign for such election. The provisions of this subdivision shall not
863 apply in the case of a candidate who is nominated by more than one
864 party and does not otherwise change the candidate's status as a major
865 party, minor party or petitioning party candidate.

866 (5) Notwithstanding the provisions of this subsection, no candidate
867 may apply to the State Elections Enforcement Commission for a grant
868 from the fund under the Citizens' Election Program if such candidate
869 has been convicted of or pled guilty or nolo contendere to, in a court of
870 competent jurisdiction, any (A) criminal offense under this title unless
871 at least eight years have elapsed from the date of the conviction or plea
872 or the completion of any sentence, whichever date is later, without a
873 subsequent conviction of or plea to another such offense, or (B) a felony
874 related to the individual's public office, other than an offense under this
875 title in accordance with subparagraph (A) of this subdivision.

876 (6) A participating candidate may apply to the State Elections
877 Enforcement Commission for a grant from the fund for a primary
878 campaign or general election campaign, as applicable, in advance of the
879 schedule prescribed in subdivision (1) of subsection (g) of this section
880 for the purpose of receiving preapproval of such application as a
881 prospective participating candidate.

882 Sec. 11. Subsection (g) of section 9-706 of the general statutes is
883 repealed and the following is substituted in lieu thereof (*Effective July 1,*
884 *2020*):

885 (g) (1) Any application submitted pursuant to this section for a
886 primary or general election shall be submitted in accordance with the

887 following schedule: (A) By five o'clock p.m. on either the [third] first
888 Wednesday, Thursday or Friday in May of the year that the primary or
889 election will be held at which such participating candidate will seek
890 nomination or election, or (B) by five o'clock p.m. on any subsequent
891 Wednesday, Thursday or Friday of such year, provided no application
892 shall be accepted by the commission after five o'clock p.m. on or after
893 the fourth to last Friday prior to the primary or election at which such
894 participating candidate will seek nomination or election. Not later than
895 five business days following any such Wednesday, Thursday or Friday,
896 as applicable, for participating candidates seeking nomination or
897 election to the office of state senator or state representative, or ten
898 business days following any such Wednesday, Thursday or Friday, as
899 applicable, for participating candidates seeking nomination or election
900 to the office of Governor, Lieutenant Governor, Attorney General, State
901 Comptroller, State Treasurer or Secretary of the State or, in the event of
902 a national, regional or local emergency or local natural disaster, as soon
903 thereafter as is practicable, the commission shall review any application
904 received by such Wednesday, Thursday or Friday, in accordance with
905 the provisions of subsection (d) of this section and prioritized in the
906 order received, and [determine whether such application shall be
907 approved or disapproved] shall approve or disapprove such
908 application. Notwithstanding the provisions of this subsection, if an
909 application for a general election grant is received during the period
910 beginning at five o'clock p.m. on the Wednesday of the week preceding
911 the week of the last primary application deadline and ending five
912 o'clock p.m. on the last primary application deadline, as set forth in this
913 subsection, the commission shall review such application in accordance
914 with the provisions of subsection (d) of this section and [determine
915 whether it shall be approved or disapproved] prioritized in the order
916 received, and shall approve or disapprove such application not later
917 than five business days or ten business days, as applicable, after the first
918 application deadline following the last primary application deadline.
919 For any such application that is approved, any disbursement of funds
920 by the commission shall be made not later than twelve business days
921 prior to any such primary or general election. From the third week of

922 June in even-numbered years until the third week in July, the
923 commission shall meet [twice] three times weekly to determine whether
924 or not to approve applications for grants if there are pending grant
925 applications. Nothing in this subdivision shall be construed to prohibit
926 the commission or any member thereof from conducting a review of
927 such applications remotely, including, but not limited to, telephonically
928 or via Internet-based means. Nothing in this subdivision shall be
929 construed to prohibit the commission from reviewing grant applications
930 in advance of the schedule prescribed in this subdivision for the purpose
931 of preapproving any such application for a prospective participating
932 candidate, provided payment of any such grant resulting from any such
933 preapproved application shall remain contingent upon the occurrence
934 of the events set forth in subdivision (1) or (2), as applicable, of
935 subsection (a) of this section.

936 (2) Notwithstanding the provisions of subdivision (1) of this
937 subsection, no application for a special election shall be accepted by the
938 commission after five o'clock p.m. on or after ten business days prior to
939 the special election at which such participating candidate will seek
940 election. Not later than three business days following such deadline, or,
941 in the event of a national, regional or local emergency or local natural
942 disaster, as soon thereafter as practicable, the commission shall review
943 any such application received by such deadline, in accordance with the
944 provisions of subsection (d) of this section, and determine whether such
945 application shall be approved or disapproved. For any such application
946 that is approved, any disbursement of funds by the commission shall be
947 made not later than seven business days prior to any such special
948 election.

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

952 Sec. 12. Subdivision (3) of subsection (c) of section 9-608 of the general
953 statutes is repealed and the following is substituted in lieu thereof
954 (*Effective July 1, 2020*):

955 (3) In addition to the requirements of subdivision (2) of this
956 subsection, each contributor who makes a contribution to a candidate or
957 exploratory committee for Governor, Lieutenant Governor, Attorney
958 General, State Comptroller, Secretary of the State, State Treasurer, state
959 senator or state representative, any political committee authorized to
960 make contributions to such candidates or committees, and any party
961 committee that separately, or in the aggregate, exceeds fifty dollars shall
962 provide with the contribution: (A) The name of the contributor's
963 employer, if any; (B) the contributor's status as a communicator lobbyist,
964 as defined in section 1-91, a member of the immediate family of a
965 communicator lobbyist, a state contractor, a prospective state contractor
966 or a principal of a state contractor or prospective state contractor, as
967 defined in section 9-612; and (C) a certification that the contributor is not
968 prohibited from making a contribution to such candidate or committee,
969 which certification shall constitute prima facie evidence of such fact. The
970 State Elections Enforcement Commission shall prepare a sample form
971 for such certification by the contributor and shall make it available to
972 treasurers and contributors. Such sample form shall include an
973 explanation of the terms "communicator lobbyist", "principal of a state
974 contractor or prospective state contractor", "immediate family", "state
975 contractor" and "prospective state contractor". The information on such
976 sample form shall be included in any written solicitation conducted by
977 any such committee. If a treasurer receives such a contribution and the
978 contributor has not provided such certification, the treasurer shall: (i)
979 Not later than three business days after receiving the contribution, send
980 a request for the certification to the contributor by certified mail, return
981 receipt requested; (ii) not deposit the contribution until the treasurer
982 obtains the certification from the contributor, notwithstanding the
983 provisions of section 9-606; and (iii) return the contribution to the
984 contributor if the contributor does not provide the certification not later
985 than fourteen days after the treasurer's written request or at the end of
986 the reporting period in which the contribution was received, whichever
987 is later. No treasurer shall be required to obtain and keep more than one
988 certification from each contributor, unless information certified to by the
989 contributor, other than the amount contributed, changes. If a treasurer

990 deposits a contribution based on a certification that is later determined
991 to be false, the treasurer shall have a complete defense to any action,
992 including but not limited to, any complaint investigated by the State
993 Elections Enforcement Commission or any other investigation initiated
994 by said commission, against such treasurer for the receipt of such
995 contribution.

996 Sec. 13. Subsection (c) of section 9-712 of the general statutes is
997 repealed and the following is substituted in lieu thereof (*Effective July 1,*
998 *2020*):

999 (c) The commission shall not impose a penalty for the first failure of
1000 a treasurer to file any statement or declaration required by this section
1001 within the time required. If a treasurer fails to so file any such statement
1002 or declaration [required by this section within the time required] a
1003 second time, said treasurer shall be subject to a civil penalty, imposed
1004 by the commission, of not more than one thousand dollars. [for the first
1005 failure to file the statement within the time required and] After such
1006 second failure, said treasurer shall be subject to a civil penalty, imposed
1007 by the commission, of not more than five thousand dollars for any
1008 subsequent such failure.

1009 Sec. 14. Subsection (d) of section 9-7a of the general statutes is
1010 repealed and the following is substituted in lieu thereof (*Effective July 1,*
1011 *2020*):

1012 (d) (1) The commission shall, subject to the provisions of chapter 67,
1013 employ an executive director and such other employees as may be
1014 necessary to carry out the provisions of this section, section 9-7b, as
1015 amended by this act, and section 9-623 and may apply to the
1016 Commissioner of Emergency Services and Public Protection or to the
1017 Chief State's Attorney for necessary investigatory personnel, which the
1018 same are hereby authorized to provide.

1019 (2) Beginning January 15, 2021, the commission shall employ an
1020 executive director to serve as such for a four-year term. At the
1021 conclusion of such term, the commission may reemploy such person for

1022 additional four-year terms. Not later than thirty days after each
1023 employment or reemployment, as applicable, of an executive director,
1024 the commission shall submit a report to the joint standing committee of
1025 the General Assembly having cognizance of matters relating to
1026 elections, in accordance with section 11-4a, on the performance of the
1027 commission during the immediately preceding term of such executive
1028 director.

1029 Sec. 15. Subsection (a) of section 9-610 of the general statutes is
1030 repealed and the following is substituted in lieu thereof (*Effective July 1,*
1031 *2020*):

1032 (a) (1) Any provision of this chapter to the contrary notwithstanding,
1033 a candidate committee may join with one or more candidate committees
1034 to establish a political committee for the purpose of sponsoring one or
1035 more fund-raising events for those candidates. Any individual, other
1036 than a candidate benefited, who is eligible and qualifies to serve in
1037 accordance with the provisions of subsection (d) of section 9-606 may
1038 serve as the treasurer or deputy treasurer of such a political committee.
1039 The statements required to be filed by a political committee under this
1040 chapter shall apply to any political committee established pursuant to
1041 this subsection. After all expenses of the political committee have been
1042 paid by its treasurer for each event, he shall distribute all remaining
1043 funds from such event to the treasurers of each of the candidate
1044 committees which established the political committee. The distribution
1045 to each candidate committee shall be made not later than fourteen days
1046 after the event, either in accordance with a prior agreement of the
1047 candidates or, if no prior agreement was made, in equal proportions to
1048 each candidate committee. Any contribution which is made to such
1049 political committee shall, for purposes of determining compliance with
1050 the limitations imposed by this chapter, be deemed to have been made
1051 in equal proportions to each candidate's campaign unless [(1)] (A) a
1052 prior agreement was made by the candidates as to the disposition of
1053 remaining funds, and [(2)] (B) those who contributed to the political
1054 committee were notified of such disposition, in which case the
1055 contribution shall be deemed to have been made to each candidate's

1056 campaign in accordance with the agreement.

1057 (2) Any provision of this chapter to the contrary notwithstanding, in
 1058 the case of a candidate who appears on any written, typed or other
 1059 printed communication, or any web-based written communication,
 1060 which solicits contributions to benefit any political committee or party
 1061 committee, the candidate committee of such candidate shall not be
 1062 required to pay or reimburse such political committee or party
 1063 committee for its pro rata share of the expenses of such communication,
 1064 provided such communication shall not promote the success of such
 1065 candidate's campaign for nomination or election or promote the defeat
 1066 of the campaign for nomination or election of any opponent of such
 1067 candidate.

1068 Sec. 16. Subsection (e) of section 9-706 of the general statutes is
 1069 repealed and the following is substituted in lieu thereof (*Effective July 1,*
 1070 *2020*):

1071 (e) (1) The State Elections Enforcement Commission shall adopt
 1072 regulations, in accordance with the provisions of chapter 54, on
 1073 permissible expenditures under subsection (g) of section 9-607 for
 1074 qualified candidate committees receiving grants from the fund under
 1075 sections 9-700 to 9-716, inclusive.

1076 (2) Notwithstanding any regulation adopted pursuant to subdivision
 1077 (1) of this subsection, the qualified candidate committee of a
 1078 participating candidate may make de minimis expenditures for the use
 1079 of any social media account, Internet web site or electronic mail or
 1080 message account, system, program or contact list of such committee to
 1081 solicit contributions for the benefit of a legislative caucus committee,
 1082 legislative leadership committee or party committee.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>July 1, 2020</i> | 9-621 |
| Sec. 2 | <i>July 1, 2020</i> | 9-603(b) |
| Sec. 3 | <i>July 1, 2020</i> | 9-601a(b) |

| | | |
|---------|------------------------|-------------|
| Sec. 4 | <i>July 1, 2020</i> | 9-601b(b) |
| Sec. 5 | <i>July 1, 2020</i> | 9-7a(g) |
| Sec. 6 | <i>July 1, 2020</i> | 9-7b(a)(5) |
| Sec. 7 | <i>October 1, 2020</i> | 4-166(16) |
| Sec. 8 | <i>October 1, 2020</i> | 4-176 |
| Sec. 9 | <i>October 1, 2020</i> | New section |
| Sec. 10 | <i>July 1, 2020</i> | 9-706(a) |
| Sec. 11 | <i>July 1, 2020</i> | 9-706(g) |
| Sec. 12 | <i>July 1, 2020</i> | 9-608(c)(3) |
| Sec. 13 | <i>July 1, 2020</i> | 9-712(c) |
| Sec. 14 | <i>July 1, 2020</i> | 9-7a(d) |
| Sec. 15 | <i>July 1, 2020</i> | 9-610(a) |
| Sec. 16 | <i>July 1, 2020</i> | 9-706(e) |

Statement of Purpose:

To (1) modify attribution requirements for certain political communications, (2) require certain campaign finance filings to be made with the State Elections Enforcement Commission instead of the town clerk, (3) exempt certain uses of funds for political purposes from the definitions of "contribution" and "exemption", (4) make several adjustments to such program's application submission and application review procedures, (5) prohibit the commission from imposing a penalty for a first-time failure to meet a certain deadline, (6) permit candidates participating in such program to make certain de minimis expenditures, (7) adjust certain procedures regarding complaints filed with the commission, (8) limit the scope of the commission's post-election audits, (9) require the commission to adopt, as a regulation, any declaratory ruling it issues before such ruling takes effect, (10) provide that contributor certifications are prima facie evidence that the person certified thereon is not prohibited from making the contribution, (11) modify the manner in which the commission's executive director is employed, and (12) provide an exception for the requirement that candidates or committees share expenses for certain communications.

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