



House of Representatives

General Assembly

File No. 637

January Session, 2023

Substitute House Bill No. 6911

House of Representatives, April 17, 2023

The Committee on Government Administration and Elections reported through REP. BLUMENTHAL of the 147th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE PROHIBITION ON CERTAIN CONTRIBUTIONS OR SOLICITATIONS OF CONTRIBUTIONS BY LOBBYISTS.

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

1 Section 1. Subsection (e) of section 9-610 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2023*):

4 (e) For purposes of this subsection and subsection (f) of this section,
5 the exclusions to the term "contribution" in subsection (b) of section 9-
6 601a shall not apply; [the term] "state office" means the office of
7 Governor, Lieutenant Governor, Attorney General, State Comptroller,
8 State Treasurer or Secretary of the State; [and the term] "state officer"
9 means the Governor, Lieutenant Governor, Attorney General, State
10 Comptroller, State Treasurer or Secretary of the State; and "municipal
11 office" means an elective office for which only the electors of a single
12 town, city, borough or political subdivision, as defined in section 9-372,

13 may vote. Notwithstanding any provision of this chapter, [to the
14 contrary,] during any regular session of the General Assembly, during
15 any special session of the General Assembly held between the
16 adjournment of the regular session in an odd-numbered year and the
17 convening of the regular session in the following even-numbered year
18 or during any reconvened session of the General Assembly held in an
19 odd-numbered year to reconsider vetoed bills, (1) no lobbyist or political
20 committee established by or on behalf of a lobbyist shall make or offer
21 to make a contribution to or on behalf of, and no lobbyist shall solicit a
22 contribution on behalf of, (A) a candidate or exploratory committee
23 established by a candidate for nomination or election to the General
24 Assembly or a state office, [or] (B) a political committee (i) established
25 for an assembly or senatorial district, (ii) established by a member of the
26 General Assembly, [or] a state officer or such [member] member's or
27 officer's agent, or in consultation with, or at the request or suggestion of,
28 any such member, officer or agent, or (iii) controlled by such member,
29 officer or agent, to aid or promote the nomination or election of any
30 candidate or candidates to the General Assembly or a state office, or (C)
31 a candidate or exploratory committee established by a member of the
32 General Assembly, a state officer or such member's or officer's agent for
33 nomination or election of such member or officer to a municipal office,
34 and (2) no such candidate or political committee shall accept such a
35 contribution. The provisions of this subsection shall not apply to a
36 candidate committee established by a member of the General Assembly
37 or a candidate for nomination or election to the General Assembly, at a
38 special election for the General Assembly, from the date on which the
39 candidate or the [chairman] chairperson of the committee files the
40 designation of a treasurer and a depository institution under section 9-
41 602 with the State Elections Enforcement Commission, to the date on
42 which the special election is held, inclusive, or to an exploratory
43 committee established by a member of the General Assembly to
44 promote [his] such member's candidacy for an office other than the
45 General Assembly or other than a municipal office.

46 Sec. 2. Subsection (f) of section 9-610 of the general statutes is repealed
47 and the following is substituted in lieu thereof (*Effective October 1, 2023*):

48 (f) (1) A political committee established by two or more individuals
49 under subparagraph (B) of subdivision (3) of section 9-601, other than a
50 committee established solely for the purpose of aiding or promoting
51 [any candidate or candidates for municipal office or] the success or
52 defeat of a referendum question, shall be subject to the prohibition on
53 acceptance of lobbyist contributions under subsection (e) of this section
54 unless the treasurer of the committee has filed a registration statement
55 as described in subsection (b) of section 9-605 with the State Elections
56 Enforcement Commission, on or before November 15, 2012, for all such
57 political committees in existence on such date, or, if the committee is not
58 in existence on such date, not later than ten days after the organization
59 of the committee pursuant to subsection (a) of section 9-605, and on or
60 before November fifteenth of each even-numbered year thereafter. Such
61 statements shall be filed even if there are no changes, additions or
62 deletions to the registration statement previously filed with the
63 commission. Notwithstanding the provisions of this subdivision, if an
64 officer of the committee has changed since the last registration statement
65 filed with the commission, such registration statement shall be filed by
66 the chairperson of the committee.

67 (2) A political committee established for ongoing political activities
68 and required pursuant to subsection (a) of section 9-603 to file
69 statements with the commission shall be subject to the prohibition on
70 making contributions under subsection (e) of this section unless the
71 treasurer of the committee has filed a registration statement as described
72 in subsection (b) of section 9-605 with the commission, on forms
73 prescribed by the commission, on or before November 15, 2012, for all
74 such political committees in existence on such date, or, if the committee
75 is not in existence on such date, not later than ten days after the
76 organization of the committee pursuant to subsection (a) of section 9-
77 605, and on or before November fifteenth of each even-numbered year
78 thereafter. Such statements shall be filed even if there are no changes,
79 additions or deletions to the registration statement previously filed with
80 the commission. Notwithstanding the provisions of this subdivision, if
81 an officer of the committee has changed since the last registration
82 statement filed with the commission, such registration statement shall

83 be filed by the chairperson of the committee.

84 (3) The commission shall prepare a list of all such committees subject
85 to the prohibitions under subsection (e) of this section, based upon an
86 evaluation of registrations filed pursuant to this subsection and
87 subsection (b) of section 9-605. Such list shall be available prior to the
88 opening of each regular session of the General Assembly, and shall
89 provide a copy of the list to the president pro tempore of the Senate, the
90 speaker of the House of Representatives, the minority leader of the
91 Senate, the minority leader of the House of Representatives and each
92 state officer. During each such regular session, the commission shall
93 prepare a supplemental list of committees that register after November
94 fifteenth and are subject to such prohibitions, and the commission shall
95 provide the supplemental list to such legislative leaders and state
96 officers. The filing of the registration statement by the treasurer of the
97 committee shall not impair the authority of the commission to act under
98 section 9-7b. Any lobbyist or treasurer who acts in reliance on such lists
99 in good faith shall have an absolute defense in any action brought under
100 subsection (e) and this subsection, subsection (c) of section 9-604, and
101 subsection (f) of section 9-608, as amended by this act.

102 Sec. 3. Subsection (f) of section 9-608 of the general statutes is repealed
103 and the following is substituted in lieu thereof (*Effective October 1, 2023*):

104 (f) If an exploratory committee has been established by a candidate
105 pursuant to subsection (c) of section 9-604, the treasurer of the
106 committee shall file a notice of intent to dissolve it with the appropriate
107 authority not later than fifteen days after the candidate's declaration of
108 intent to seek nomination or election to a particular public office, except
109 that in the case of an exploratory committee established by a candidate
110 for purposes that include aiding or promoting the candidate's candidacy
111 for nomination or election to the General Assembly or a state office, the
112 treasurer of the committee shall file such notice of intent to dissolve the
113 committee not later than fifteen days after the earlier of: (1) The
114 candidate's declaration of intent to seek nomination or election to a
115 particular public office, (2) the candidate's endorsement at a convention,

116 caucus or town committee meeting, or (3) the candidate's filing of a
117 candidacy for nomination under section 9-400 or 9-405. The treasurer
118 shall also file a statement identifying all contributions received or
119 expenditures made by the exploratory committee since the previous
120 statement and the balance on hand or deficit, as the case may be. In the
121 event of a surplus, the treasurer shall, not later than the filing of the
122 statement, distribute the surplus to the candidate committee established
123 pursuant to said section, except that (A) in the case of a surplus of an
124 exploratory committee established by a candidate who intends to be a
125 participating candidate, as defined in section 9-703, in the Citizens'
126 Election Program, the treasurer may distribute to the candidate
127 committee only that portion of such surplus that is attributable to
128 contributions that meet the criteria for qualifying contributions for the
129 candidate committee under section 9-704 and shall distribute the
130 remainder of such surplus to the Citizens' Election Fund established in
131 section 9-701, and (B) in the case of a surplus of an exploratory
132 committee established for nomination or election to an office other than
133 the General Assembly, [or] a state office or a municipal office, (i) the
134 treasurer may only distribute to the candidate committee for
135 nomination or election to the General Assembly, [or] state office or
136 municipal office of such candidate that portion of such surplus which is
137 in excess of the total contributions which the exploratory committee
138 received from lobbyists or political committees established by lobbyists,
139 during any period in which the prohibitions in subsection (e) of section
140 9-610, as amended by this act, apply, and (ii) any remaining amount
141 shall be returned to all such lobbyists and political committees
142 established by or on behalf of lobbyists, on a prorated basis of
143 contribution, or distributed to any charitable organization which is a
144 tax-exempt organization under Section 501(c)(3) of the Internal Revenue
145 Code of 1986, or any subsequent corresponding internal revenue code
146 of the United States, as from time to time amended. If the candidate
147 decides not to seek nomination or election to any office, the treasurer
148 shall, [within] not later than fifteen days after such decision, comply
149 with the provisions of this subsection and distribute any surplus in the
150 manner provided by this section for political committees other than

151 those formed for ongoing political activities, except that if the surplus is
 152 from an exploratory committee established by the State Treasurer, any
 153 portion of the surplus that is received from a principal of an investment
 154 services firm or a political committee established by such firm shall be
 155 returned to such principal or committee on a prorated basis of
 156 contribution. In the event of a deficit, the treasurer shall file a statement
 157 thirty days after the decision or declaration with the proper authority
 158 and, thereafter, on the seventh day of each month following if on the last
 159 day of the previous month there was an increase or decrease in such
 160 deficit in excess of five hundred dollars from that reported on the last
 161 statement filed. The treasurer shall file supplemental statements until
 162 the deficit is eliminated. If the exploratory committee does not have a
 163 surplus or deficit, the statement filed after the candidate's declaration or
 164 decision shall be the last required statement. If a candidate certifies on
 165 the statement of organization for the exploratory committee pursuant to
 166 subsection (c) of section 9-604 that the candidate will not be a candidate
 167 for the office of state representative and subsequently establishes a
 168 candidate committee for the office of state representative, the treasurer
 169 of the candidate committee shall pay to the State Treasurer, for deposit
 170 in the General Fund, an amount equal to the portion of any contribution
 171 received by [said] such exploratory committee that exceeded two
 172 hundred fifty dollars. As used in this subsection, "principal of an
 173 investment services firm" has the meaning set forth in subsection (e) of
 174 section 9-612 and "state office" [has the same meaning] and "municipal
 175 office" have the same meanings set forth in subsection (e) of section 9-
 176 610, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	9-610(e)
Sec. 2	October 1, 2023	9-610(f)
Sec. 3	October 1, 2023	9-608(f)

Statement of Legislative Commissioners:

In Section 1(e), Subdiv. (1)(C) was rewritten for accuracy and consistency, and "chairman" was changed to "[chairman] chairperson" in Subdiv. (2) for consistency with standard drafting conventions.

GAE *Joint Favorable Subst.*

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:** None**Municipal Impact:** None**Explanation**

This bill has no fiscal impact. The purpose of the bill is to subject state officers and legislators to the existing sessional ban on contributions and solicitations by lobbyists and lobbyist political committees (known as PACs). Specifically, it prohibits (1) lobbyists from soliciting contributions for these committees and (2) lobbyists and PACs established by or for a lobbyist from making or offering to make contributions to or on behalf of these committees. The bill does not obligate the state to any further action.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sHB 6911*****AN ACT CONCERNING THE PROHIBITION ON CERTAIN CONTRIBUTIONS OR SOLICITATIONS OF CONTRIBUTIONS BY LOBBYISTS.*****SUMMARY**

This bill extends, to candidate or exploratory committees for municipal office established by a legislator or state officer (or the legislator's or officer's agent), the sessional ban on contributions and solicitations by lobbyists and lobbyist political committees (known as PACs). Specifically, it prohibits (1) lobbyists and PACs established by or for a lobbyist from making or offering to make contributions to or on behalf of these committees and (2) lobbyists from soliciting contributions for them. The bill also makes technical and conforming changes. Under current law unchanged by the bill, the sessional ban also applies to certain PACs that fail to file a biennial registration statement with the State Elections Enforcement Commission.

Under the bill, a municipal office is an elective office for which only the electors of a single town, city, borough, or political subdivision may vote. As under current law, the ban applies during regular sessions, any special session held between the end of a long session and the start of a short session, and any veto session held in an odd-numbered year. Under current law, the ban applies to contributions or solicitations for (1) candidate or exploratory committees for a legislative or statewide office and (2) PACs established by or for legislators or state officers or controlled by them.

EFFECTIVE DATE: October 1, 2023

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 18 Nay 1 (03/27/2023)