



General Assembly

Substitute Bill No. 6911

January Session, 2023



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2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 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
20 political committee established by or on behalf of a lobbyist shall make
21 or offer to make a contribution to or on behalf of, and no lobbyist shall
22 solicit a contribution on behalf of, (A) a candidate or exploratory
23 committee established by a candidate for nomination or election to the
24 General Assembly or a state office, [or] (B) a political committee (i)
25 established for an assembly or senatorial district, (ii) established by a
26 member of the General Assembly, [or] a state officer or such [member]
27 member's or officer's agent, or in consultation with, or at the request or
28 suggestion of, any such member, officer or agent, or (iii) controlled by
29 such member, officer or agent, to aid or promote the nomination or
30 election of any candidate or candidates to the General Assembly or a
31 state office, or (C) a candidate or exploratory committee established by
32 a member of the General Assembly, a state officer or such member's or
33 officer's agent for nomination or election of such member or officer to a
34 municipal office, and (2) no such candidate or political committee shall
35 accept such a contribution. The provisions of this subsection shall not
36 apply to a candidate committee established by a member of the
37 General Assembly or a candidate for nomination or election to the
38 General Assembly, at a special election for the General Assembly, from
39 the date on which the candidate or the [chairman] chairperson of the
40 committee files the designation of a treasurer and a depository
41 institution under section 9-602 with the State Elections Enforcement
42 Commission, to the date on which the special election is held,
43 inclusive, or to an exploratory committee established by a member of
44 the General Assembly to promote [his] such member's candidacy for
45 an office other than the General Assembly or other than a municipal
46 office.

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48 repealed and the following is substituted in lieu thereof (*Effective*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

50 (f) (1) A political committee established by two or more individuals
51 under subparagraph (B) of subdivision (3) of section 9-601, other than

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

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

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

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

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

119 seek nomination or election to a particular public office, (2) the
120 candidate's endorsement at a convention, caucus or town committee
121 meeting, or (3) the candidate's filing of a candidacy for nomination
122 under section 9-400 or 9-405. The treasurer shall also file a statement
123 identifying all contributions received or expenditures made by the
124 exploratory committee since the previous statement and the balance on
125 hand or deficit, as the case may be. In the event of a surplus, the
126 treasurer shall, not later than the filing of the statement, distribute the
127 surplus to the candidate committee established pursuant to said
128 section, except that (A) in the case of a surplus of an exploratory
129 committee established by a candidate who intends to be a participating
130 candidate, as defined in section 9-703, in the Citizens' Election
131 Program, the treasurer may distribute to the candidate committee only
132 that portion of such surplus that is attributable to contributions that
133 meet the criteria for qualifying contributions for the candidate
134 committee under section 9-704 and shall distribute the remainder of
135 such surplus to the Citizens' Election Fund established in section 9-701,
136 and (B) in the case of a surplus of an exploratory committee
137 established for nomination or election to an office other than the
138 General Assembly, ~~[or] a state office~~ or a municipal office, (i) the
139 treasurer may only distribute to the candidate committee for
140 nomination or election to the General Assembly, ~~[or] state office~~ or
141 municipal office of such candidate that portion of such surplus which
142 is in excess of the total contributions which the exploratory committee
143 received from lobbyists or political committees established by
144 lobbyists, during any period in which the prohibitions in subsection (e)
145 of section 9-610, ~~as amended by this act~~, apply, and (ii) any remaining
146 amount shall be returned to all such lobbyists and political committees
147 established by or on behalf of lobbyists, on a prorated basis of
148 contribution, or distributed to any charitable organization which is a
149 tax-exempt organization under Section 501(c)(3) of the Internal
150 Revenue Code of 1986, or any subsequent corresponding internal
151 revenue code of the United States, as from time to time amended. If the
152 candidate decides not to seek nomination or election to any office, the
153 treasurer shall, ~~[within]~~ not later than fifteen days after such decision,

154 comply with the provisions of this subsection and distribute any
 155 surplus in the manner provided by this section for political committees
 156 other than those formed for ongoing political activities, except that if
 157 the surplus is from an exploratory committee established by the State
 158 Treasurer, any portion of the surplus that is received from a principal
 159 of an investment services firm or a political committee established by
 160 such firm shall be returned to such principal or committee on a
 161 prorated basis of contribution. In the event of a deficit, the treasurer
 162 shall file a statement thirty days after the decision or declaration with
 163 the proper authority and, thereafter, on the seventh day of each month
 164 following if on the last day of the previous month there was an
 165 increase or decrease in such deficit in excess of five hundred dollars
 166 from that reported on the last statement filed. The treasurer shall file
 167 supplemental statements until the deficit is eliminated. If the
 168 exploratory committee does not have a surplus or deficit, the statement
 169 filed after the candidate's declaration or decision shall be the last
 170 required statement. If a candidate certifies on the statement of
 171 organization for the exploratory committee pursuant to subsection (c)
 172 of section 9-604 that the candidate will not be a candidate for the office
 173 of state representative and subsequently establishes a candidate
 174 committee for the office of state representative, the treasurer of the
 175 candidate committee shall pay to the State Treasurer, for deposit in the
 176 General Fund, an amount equal to the portion of any contribution
 177 received by [said] such exploratory committee that exceeded two
 178 hundred fifty dollars. As used in this subsection, "principal of an
 179 investment services firm" has the meaning set forth in subsection (e) of
 180 section 9-612 and "state office" [has the same meaning] and "municipal
 181 office" have the same meanings set forth in subsection (e) of section 9-
 182 610, as amended by this act.

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