



General Assembly

**Substitute Bill No. 253**

February Session, 2024



**AN ACT CONCERNING FOREIGN POLITICAL SPENDING.**

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

1 Section 1. Section 9-601 of the 2024 supplement to the general statutes  
2 is amended by adding subdivisions (33) to (38), inclusive, as follows  
3 (*Effective from passage*):

4 (NEW) (33) "Foreign national" means:

5 (A) A foreign principal and any agent or separate segregated fund of  
6 a foreign principal;

7 (B) An individual who is not (i) a citizen of the United States, (ii) a  
8 national of the United States, or (iii) lawfully admitted for permanent  
9 residence; or

10 (C) A firm, partnership, corporation, association, organization or  
11 other entity:

12 (i) With respect to which a foreign owner or a person described in  
13 subparagraph (A) or (B) of this subdivision holds, owns, controls or  
14 otherwise has a direct or indirect beneficial ownership of at least five  
15 per cent of such entity's total equity or outstanding voting shares;

16 (ii) With respect to which two or more, in combination, foreign

17 owners or persons described in subparagraph (A) or (B) of this  
18 subdivision hold, own, control or otherwise have a direct or indirect  
19 beneficial ownership of at least twenty per cent of such entity's total  
20 equity or outstanding voting shares, excluding interests held in a widely  
21 held, diversified fund;

22 (iii) With respect to which a foreign owner or individual described in  
23 subparagraph (A) or (B) of this subdivision, as applicable, of this  
24 subdivision participates directly or indirectly in decisions to engage in  
25 any activity subject to the provisions of chapter 155 or 157; or

26 (iv) That is exempt from taxation under Section 501(c)(4) of the  
27 Internal Revenue Code of 1986, or any subsequent corresponding  
28 internal revenue code of the United States, as amended from time to  
29 time, and with respect to which at least twenty per cent of the income  
30 received by such entity in the most recent taxable year derives from one  
31 or more foreign owners.

32 (NEW) (34) "Foreign principal" has the same meaning as provided in  
33 22 USC 611(b), as amended from time to time.

34 (NEW) (35) "National of the United States" has the same meaning as  
35 provided in 8 USC 1101(a)(22), as amended from time to time.

36 (NEW) (36) "Lawfully admitted for permanent residence" has the  
37 same meaning as provided in 8 USC 1101(a)(20), as amended from time  
38 to time.

39 (NEW) (37) "Foreign owner" means a firm, partnership, corporation,  
40 association, organization or other entity with respect to which a person  
41 described in subparagraph (A) or (B) of subdivision (33) of this section  
42 holds, owns, controls or otherwise has a direct or indirect beneficial  
43 ownership of at least fifty per cent of such entity's total equity or  
44 outstanding voting shares, excluding interests held in a widely held,  
45 diversified fund.

46 (NEW) (38) "Widely held, diversified fund" means a pooled

47 investment, including a common trust fund of a financial institution,  
48 mutual fund or limited partnership, (A) that has more than one hundred  
49 investors, (B) that invests not more than five per cent of its value in the  
50 securities of a single issuer, other than the federal government, (C) that  
51 invests not more than twenty per cent of its value in any one economic  
52 or geographic sector, and (D) for which no investor, and no immediate  
53 family member of an investor, is able to exercise control over the  
54 financial interests held by the pooled investment, including by  
55 exercising the pooled investment's authority as the holder of corporate  
56 securities.

57 Sec. 2. Section 9-622 of the general statutes is repealed and the  
58 following is substituted in lieu thereof (*Effective from passage*):

59 The following persons shall be guilty of illegal practices and shall be  
60 punished in accordance with the provisions of section 9-623:

61 (1) Any person who, directly or indirectly, individually or by another  
62 person, gives or offers or promises to any person any money, gift,  
63 advantage, preferment, entertainment, aid, emolument or other  
64 valuable thing for the purpose of inducing or procuring any person to  
65 sign a nominating, primary or referendum petition or to vote or refrain  
66 from voting for or against any person or for or against any measure at  
67 any election, caucus, convention, primary or referendum;

68 (2) Any person who, directly or indirectly, receives, accepts, requests  
69 or solicits from any person, committee, association, organization or  
70 corporation, any money, gift, advantage, preferment, aid, emolument or  
71 other valuable thing for the purpose of inducing or procuring any  
72 person to sign a nominating, primary or referendum petition or to vote  
73 or refrain from voting for or against any person or for or against any  
74 measure at any such election, caucus, primary or referendum;

75 (3) Any person who, in consideration of any money, gift, advantage,  
76 preferment, aid, emolument or other valuable thing paid, received,  
77 accepted or promised to the person's advantage or any other person's  
78 advantage, votes or refrains from voting for or against any person or for

79 or against any measure at any such election, caucus, primary or  
80 referendum;

81 (4) Any person who solicits from any candidate any money, gift,  
82 contribution, emolument or other valuable thing for the purpose of  
83 using the same for the support, assistance, benefit or expenses of any  
84 club, company or organization, or for the purpose of defraying the cost  
85 or expenses of any political campaign, primary, referendum or election;

86 (5) Any person who, directly or indirectly, pays, gives, contributes or  
87 promises any money or other valuable thing to defray or towards  
88 defraying the cost or expenses of any campaign, primary, referendum  
89 or election to any person, committee, company, club, organization or  
90 association, other than to a treasurer, except that this subdivision shall  
91 not apply to any expenses for postage, telegrams, telephoning,  
92 stationery, express charges, traveling, meals, lodging or photocopying  
93 incurred by any candidate for office or for nomination to office, so far as  
94 may be permitted under the provisions of this chapter;

95 (6) Any person who, in order to secure or promote the person's own  
96 nomination or election as a candidate, or that of any other person,  
97 directly or indirectly, promises to appoint, or promises to secure or  
98 assist in securing the appointment, nomination or election of any other  
99 person to any public position, or to any position of honor, trust or  
100 emolument; but any person may publicly announce the person's own  
101 choice or purpose in relation to any appointment, nomination or  
102 election in which the person may be called to take part, if the person is  
103 nominated for or elected to such office;

104 (7) Any person who, directly or indirectly, individually or through  
105 another person, makes a payment or promise of payment to a treasurer  
106 in a name other than the person's own, and any treasurer who  
107 knowingly receives a payment or promise of payment, or enters or  
108 causes the same to be entered in the person's accounts in any other name  
109 than that of the person by whom such payment or promise of payment  
110 is made;

111 (8) Any person who knowingly and wilfully violates any provision  
112 of this chapter;

113 (9) Any person who offers or receives a cash contribution in excess of  
114 one hundred dollars to promote the success or defeat of any political  
115 party, candidate or referendum question;

116 (10) Any person who solicits, makes or receives a contribution that is  
117 otherwise prohibited by any provision of this chapter;

118 (11) Any department head or deputy department head of a state  
119 department who solicits a contribution on behalf of, or for the benefit of,  
120 any candidate for state, district or municipal office or any political party;

121 (12) Any municipal employee who solicits a contribution on behalf  
122 of, or for the benefit of, any candidate for state, district or municipal  
123 office, any political committee or any political party, from (A) an  
124 individual under the supervision of such employee, or (B) the spouse or  
125 a dependent child of such individual;

126 (13) Any person who makes an expenditure, that is not an  
127 independent expenditure, for a candidate without the knowledge of  
128 such candidate. No candidate shall be civilly or criminally liable with  
129 regard to any such expenditure;

130 (14) Any chief of staff of a legislative caucus who solicits a  
131 contribution on behalf of or for the benefit of any candidate for state,  
132 district or municipal office from an employee of the legislative caucus;

133 (15) Any chief of staff for a state-wide elected official who solicits a  
134 contribution on behalf of or for the benefit of any candidate for state,  
135 district or municipal office from a member of such official's staff; [or]

136 (16) Any chief of staff for the Governor or Lieutenant Governor who  
137 solicits a contribution on behalf of or for the benefit of any candidate for  
138 state, district or municipal office from a member of the staff of the  
139 Governor or Lieutenant Governor, or from any commissioner or deputy  
140 commissioner of any state agency;

141     (17) Any foreign national that makes, directly or indirectly, (A) any  
142 contribution or any express or implied promise to make a contribution,  
143 or (B) any expenditure; or

144     (18) Any person who solicits, accepts or receives any contribution or  
145 covered transfer from a foreign national.

146     Sec. 3. Subsection (c) of section 9-601d of the general statutes is  
147 repealed and the following is substituted in lieu thereof (*Effective from*  
148 *passage*):

149     (c) The independent expenditure long-form report shall identify: (1)  
150 The name of the person making or obligating to make such independent  
151 expenditure or expenditures and, in the case of a person other than an  
152 individual, provide a certification that the person making such  
153 independent expenditure is not a foreign national; (2) the tax exempt  
154 status of such person, if applicable; (3) the mailing address of such  
155 person; (4) the principal business address of the person, if different from  
156 the mailing address; (5) the address, telephone number and electronic  
157 mail address of the agent for service of process in this state of such  
158 person; (6) the date of the primary or election for which the independent  
159 expenditure or expenditures were made or obligated to be made; (7) the  
160 name of any candidate who was the subject of any independent  
161 expenditure or expenditures and whether the independent expenditure  
162 or expenditures were in support of or in opposition to such candidate;  
163 and (8) the name, telephone number and electronic mail address for the  
164 individual filing such report. Such individual filing such report shall  
165 affirm that the expenditure reported is an independent expenditure  
166 under penalty of false statement.

167     Sec. 4. Subsection (b) of section 9-605 of the general statutes is  
168 repealed and the following is substituted in lieu thereof (*Effective from*  
169 *passage*):

170     (b) The registration statement shall include: (1) The name and address  
171 of the committee; (2) a statement of the purpose of the committee; (3) the  
172 name and address of its treasurer, and deputy treasurer if applicable; (4)

173 the name, address and position of its [chairman] chairperson, and other  
174 principal officers if applicable; (5) the name and address of the  
175 depository institution for its funds; (6) the name of each person, other  
176 than an individual, that is a member of the committee; (7) the name and  
177 party affiliation of each candidate whom the committee is supporting  
178 and the office or position sought by each candidate; (8) if the committee  
179 is supporting the entire ticket of any party, a statement to that effect and  
180 the name of the party; (9) if the committee is supporting or opposing  
181 any referendum question, a brief statement identifying the substance of  
182 the question; (10) if the committee is established by a business entity or  
183 organization, the name of the business entity or organization and, if the  
184 committee is established by a person other than a human being, a  
185 certification that the person making the expenditure is not a foreign  
186 national; (11) if the committee is established by an organization, whether  
187 it will receive its funds from the organization's treasury or from  
188 voluntary contributions; (12) if the committee files reports with the  
189 Federal Elections Commission or any out-of-state agency, a statement to  
190 that effect including the name of the agency; (13) a statement indicating  
191 whether the committee is established for a single primary, election or  
192 referendum or for ongoing political activities; (14) if the committee is  
193 established or controlled by a lobbyist, a statement to that effect and the  
194 name of the lobbyist; (15) the name and address of the person making  
195 the initial contribution or disbursement, if any, to the committee; and  
196 (16) any information that the State Elections Enforcement Commission  
197 requires to facilitate compliance with the provisions of this chapter or  
198 chapter 157. If no such initial contribution or disbursement has been  
199 made at the time of the filing of such statement, the treasurer of the  
200 committee shall, not later than forty-eight hours after receipt of such  
201 contribution or disbursement, file a report with the State Elections  
202 Enforcement Commission. The report shall be in the same form as  
203 statements filed under section 9-608.

204       Sec. 5. Subdivision (1) of subsection (g) of section 9-7a of the general  
205 statutes is repealed and the following is substituted in lieu thereof  
206 (*Effective from passage*):

207 (g) (1) (A) In the case of a written complaint filed with the commission  
208 pursuant to section 9-7b, commission staff shall conduct and complete a  
209 preliminary examination of such complaint by the fourteenth day  
210 following its receipt, at which time such staff shall, at its discretion, [(A)]  
211 (i) dismiss the complaint for failure to allege any substantial violation of  
212 state election law supported by evidence, [(B)] (ii) engage the  
213 respondent in discussions in an effort to speedily resolve any matter  
214 pertaining to a de minimis violation, or [(C)] (iii) investigate and docket  
215 the complaint for a determination by the commission that probable  
216 cause or no probable cause exists for any such violation. If commission  
217 staff dismisses a complaint pursuant to subparagraph [(A)] (A)(i) of this  
218 subdivision, such staff shall provide a brief written statement concisely  
219 setting forth the reasons for such dismissal. If commission staff engages  
220 a respondent pursuant to subparagraph [(B)] (A)(ii) of this subdivision  
221 but is unable to speedily resolve any such matter described in said  
222 subparagraph by the forty-fifth day following receipt of the complaint,  
223 such staff shall docket such complaint for a determination by the  
224 commission that probable cause or no probable cause exists for any  
225 violation of state election law. If the commission does not, by the sixtieth  
226 day following receipt of the complaint, either issue a decision or render  
227 its determination that probable cause or no probable cause exists for any  
228 violation of state election laws, the complainant or respondent may  
229 apply to the superior court for the judicial district of Hartford for an  
230 order to show cause why the commission has not acted upon the  
231 complaint and to provide evidence that the commission has  
232 unreasonably delayed action.

233 (B) (i) For any complaint received on or after January 1, 2018, if the  
234 commission does not, by one year following receipt of such complaint,  
235 issue a decision thereon, the commission shall dismiss such complaint,  
236 provided the length of time of any delay caused by [(i)] (I) the  
237 commission or commission staff granting any extension or continuance  
238 to a respondent prior to the issuance of any such decision, [(ii)] (II) any  
239 subpoena issued in connection with such complaint, [(iii)] (III) any  
240 litigation in state or federal court related to such complaint, or [(iv)] (IV)



241 any investigation by, or consultation of the commission or commission  
242 staff with, the Chief State's Attorney, the Attorney General, the United  
243 States Department of Justice or the United States Attorney for  
244 Connecticut related to such complaint, shall be added to such one year.

245 (ii) The provisions of subparagraph (B)(i) of this subdivision shall not  
246 apply to any complaint received on or after July 1, 2024, that relates to a  
247 potential violation of state election law by a foreign national.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-601(33) to (38)
Sec. 2	<i>from passage</i>	9-622
Sec. 3	<i>from passage</i>	9-601d(c)
Sec. 4	<i>from passage</i>	9-605(b)
Sec. 5	<i>from passage</i>	9-7a(g)(1)

**GAE**      *Joint Favorable Subst.*

**JUD**      *Joint Favorable*