
OLR Bill Analysis

sSB 263

AN ACT CONCERNING CITIZENS' ELECTION PROGRAM GRANTS FOR COURT-ORDERED PRIMARIES AND ELECTIONS AND FUNDING.

SUMMARY

This bill allows candidates participating in the Citizens' Election Program (CEP) to receive a grant from the program for a new election or primary ordered by a court or for adjourned elections and primaries (i.e., contests that result in a tie and for which the subsequent primary or election is held three weeks later between the tied candidates). To qualify, the candidate must appear on the ballot for the new or adjourned contest and have previously received a CEP grant for the original contest. Currently, adjourned election and primary grants are available only for participating legislative candidates.

The bill also clarifies that any funds deposited into the Citizens' Election Fund (CEF) based on a determination by the State Elections Enforcement Commission (SEEC) in advance of a gubernatorial election (1) are in addition to any deposits the law otherwise requires and (2) do not affect the amount deposited in other years.

EFFECTIVE DATE: July 1, 2024, except that the CEF provision is effective on July 1, 2025.

§§ 1 & 2 — CEP GRANTS FOR COURT-ORDERED AND ADJOURNED ELECTIONS AND PRIMARIES

The CEP is the state's voluntary public financing program available to candidates for legislative and statewide office. For each office, the table below lists the contests for which a CEP grant may be awarded under the bill for court-ordered and adjourned elections and primaries as well as the base grant amount. The bill requires that these base amounts be adjusted for inflation under the same schedule as other CEP

grant amounts (i.e., following changes in the consumer price index for all urban consumers (CPI-U) as published by the U.S. Department of Labor, Bureau of Labor Statistics).

Under existing law, adjourned primary grants for legislators are available only to qualified major party candidates, while adjourned election grants are available to qualified major party, minor party, and petitioning candidates. The bill applies these same requirements to the new and adjourned election and primary grants it authorizes. Additionally, like legislative candidates under existing law, an adjourned primary winner under the bill must have his or her general election grant reduced by the amount of any unused portion of the adjourned primary grant (CGS § 9-705(h)(2)).

Table: CEP Grant Amounts for Court-Ordered and Adjourned Primaries or Elections Added by the Bill

<i>Office</i>	<i>Type of Contest</i>	<i>Base Grant Amount*</i>
State Senator	New election** or primary ordered by a court***	\$15,000
State Representative	New election** or primary ordered by a court***	5,000
Governor	Adjourned election, or a new election or primary ordered by a court	250,000
Lieutenant Governor	A new primary ordered by a court, or an adjourned primary where the candidate is campaigning jointly with the governor and there is no gubernatorial primary	75,000
Attorney General, State Comptroller, Secretary of the State, and State Treasurer	Adjourned election, or a new election or primary ordered by a court	75,000

*Must be adjusted for inflation; in 2024, the inflation-adjusted amounts are \$21,900 for state senator and \$7,300 for state representative

**Under the state constitution and Connecticut Supreme Court precedent, it is unclear how courts could order new elections for legislative office

***Existing law allows grants for an adjourned election or primary in the same amounts as shown

§ 3 — CITIZENS' ELECTION FUND DEPOSITS

By law, grants to candidates participating in the CEP are made from the CEF. The CEF is funded mostly by proceeds from the state's sale of abandoned property that escheats (reverts) to it. Existing law requires

that unclaimed property funds be annually credited to the CEF in an amount equal to what was deposited in the previous fiscal year adjusted for inflation by the state treasurer using the CPI-U (e.g., the deposit was \$12.6 million in FY 22).

Beginning in FY 26, the law requires that in any fiscal year before the fiscal year of a gubernatorial election, funds be deposited in an amount deemed necessary to pay grants to CEP candidates in the election cycle for which that election is to be held. This amount must be based on SEEC's required report on this matter. (In each state election year, SEEC must determine whether the CEF has enough money to pay grants to CEP candidates.)

The bill clarifies that any deposit ahead of a gubernatorial election based on SEEC's report is in addition to the regular deposit. It likewise clarifies that any SEEC-determined deposit is not considered when determining the amount of the subsequent year's deposit of unclaimed property funds.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/26/2024)