

Senate, April 6, 1998. The Committee on Government Administration and Elections reported through SEN. LEBEAU, 3rd DIST., Chairman of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT PROHIBITING GOVERNMENT-SPONSORED PROMOTIONAL CAMPAIGNS FEATURING CANDIDATES FOR PUBLIC OFFICE.

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

1 Section 1. Section 9-333a of the general  
2 statutes, as amended by section 11 of public act  
3 97-5 of the June 18 special session, is amended by  
4 adding subsection (18) as follows:

5 (NEW) (18) "Public funds" means funds  
6 belonging to, or under the control of, the state  
7 or a political subdivision of the state.

8 Sec. 2. Subsection (d) of section 9-3331 of  
9 the general statutes is repealed and the following  
10 is substituted in lieu thereof:

11 (d) (1) No incumbent holding office shall,  
12 during the three months preceding an election in  
13 which he is a candidate for reelection or election  
14 to another office, use public funds to mail or  
15 print flyers or other promotional materials  
16 intended to bring about his election or  
17 reelection.

18 (2) NO OFFICIAL OR EMPLOYEE OF THE STATE OR A  
19 POLITICAL SUBDIVISION OF THE STATE SHALL AUTHORIZE  
20 THE USE OF PUBLIC FUNDS FOR A TELEVISION, RADIO,  
21 NEWSPAPER OR MAGAZINE PROMOTIONAL CAMPAIGN OR

22 ADVERTISEMENT ON BEHALF OF THE STATE OR A  
23 POLITICAL SUBDIVISION OF THE STATE, WHICH (A)  
24 FEATURES THE NAME, FACE OR VOICE OF A CANDIDATE OR  
25 (B) SEEKS TO PROMOTE THE NOMINATION OR ELECTION OF  
26 A CANDIDATE. IF THE STATE ELECTIONS ENFORCEMENT  
27 COMMISSION DETERMINES THAT THERE IS PROBABLE CAUSE  
28 THAT AN OFFICIAL OR EMPLOYEE OF THE STATE OR A  
29 POLITICAL SUBDIVISION OF THE STATE HAS VIOLATED  
30 THE PROVISIONS OF THIS SUBDIVISION, THE COMMISSION  
31 SHALL NOTIFY THE OFFICIAL OR EMPLOYEE OF SUCH  
32 VIOLATION AND ATTEMPT TO SECURE THE VOLUNTARY  
33 COMPLIANCE OF THE OFFICIAL OR EMPLOYEE WITH SUCH  
34 PROVISIONS, PURSUANT TO SUBDIVISION (5) OF SECTION  
35 9-7b. IF THE COMMISSION IS UNABLE TO SECURE SUCH  
36 COMPLIANCE, THE COMMISSION SHALL SEEK ENFORCEMENT  
37 OF THE PROVISIONS OF THIS SUBDIVISION PURSUANT TO  
38 SECTION 9-7b.

39 Sec. 3. This act shall take effect January 1,  
40 1999.

41 GAE COMMITTEE VOTE: YEA 13 NAY 4 JFS



**OLR BILL ANALYSIS**

sSB 565

**AN ACT PROHIBITING GOVERNMENT-SPONSORED PROMOTIONAL CAMPAIGNS FEATURING CANDIDATES FOR PUBLIC OFFICE**

**SUMMARY:** This bill prohibits any state or municipal official or employee from authorizing the expenditure of public funds for a TV, radio, newspaper, or magazine promotion or advertisement that features the name, face, or voice of a candidate. It also bans such an expenditure to promote the nomination or election of a candidate.

If the State Elections Enforcement Commission has probable cause to believe that an individual has violated this provision, it must notify the person and, using informal methods, attempt to secure voluntary compliance with the bill. Failing that, the commission must enforce the bill's provisions using its authority to investigate, levy a civil penalty of up to \$2,000, consult with the secretary of the state and consult with and refer the matter to the chief state's attorney or attorney general.

A candidate is any person seeking nomination or election to a public office who has received a party endorsement or become eligible to appear on a primary or election ballot (such as by qualifying through the petition process) or has received campaign contributions or spent money (or authorized others to do so) to bring about his nomination or election. A member of a slate of candidates in a primary for the position of convention delegate or anyone running in a primary for town committee member is also a candidate.

EFFECTIVE DATE: January 1, 1999

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute  
Yea 13      Nay 4