

General Assembly

Raised Bill No. 5410

February Session, 2020

LCO No. 2221



Referred to Committee on GOVERNMENT ADMINISTRATION AND ELECTIONS

Introduced by: (GAE)

AN ACT CONCERNING CERTAIN CHANGES TO CAMPAIGN FINANCE LAWS.

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

- Section 1. Section 9-601 of the general statutes is amended by adding subdivisions (32) to (37), inclusive, as follows (*Effective from passage*):
- 3 (NEW) (32) "Dependent care services" means services rendered to a
- 4 candidate for the care of (A) any child who is under thirteen years of age
- 5 and for whom such candidate is the parent or legal guardian, or (B) such
- 6 candidate's spouse, or any individual residing in such candidate's
- 7 household, who is incapable of self-care because of a mental or physical
- 8 disability and for whom such candidate is the primary caregiver, which
- 9 services are necessary as a direct result of campaign activity that would
- 10 not exist but for such candidate's campaign.
- 11 (NEW) (33) "Consultant" means any person (A) that provides (i)
- 12 campaign strategy, (ii) design or management of campaign
- 13 communications, literature or advertising, or (iii) fundraising or
- 14 management services, or (B) with duties that include identifying, hiring

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15 or paying subvendors for goods or services on behalf of a committee or 16

- person required to file a report pursuant to section 9-601d, as amended
- 17 by this act, or 9-608, as amended by this act, as applicable.
- 18 (NEW) (34) (A) "Subvendor" means any person that provides goods 19 or services to a consultant or that contracts with a consultant or other 20 subvendor to provide goods or services to a committee or person
- 21 required to file a report pursuant to section 9-601d, as amended by this
- 22 act, or 9-608, as amended by this act, as applicable.

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- 23 (B) The term "subvendor" does not include a person who is an 24 employee of a consultant if such person has been an employee of such 25 consultant for three or more consecutive months prior to any month in which a committee or person is required to file a report accounting for 26 27 any expenditure to such consultant or any subvendor for such 28 consultant.
- 29 (NEW) (35) "Foreign national" has the same meaning as provided in 30 52 USC 30121(b), as amended from time to time.
 - (NEW) (36) "Foreign owner" means (A) a foreign national, or (B) an entity of which a foreign national holds, owns, controls or otherwise has directly or indirectly acquired beneficial ownership of equity or voting shares in an amount equal to or greater than fifty per cent of total equity or outstanding shares of voting stock.
 - (NEW) (37) "Foreign-influenced entity" means any entity of which (A) one foreign owner holds, owns, controls or otherwise has directly or indirectly acquired beneficial ownership of equity or voting shares in an amount equal to or greater than five per cent of total equity or outstanding shares of voting stock, (B) multiple foreign owners hold, own, control or otherwise have directly or indirectly acquired beneficial ownership of equity or voting shares in an amount equal to or greater than twenty per cent of total equity or outstanding shares of voting stock, or (C) any foreign owner participates in any way, directly or indirectly, in the process of making decisions with regard to the making of expenditures of contributions by such entity.

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- Sec. 2. Subsection (b) of section 9-601a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2020, and applicable to actions pending on or filed on or after July 1, 2020):
- 50 (b) As used in this chapter and chapter 157, "contribution" does not mean:
- 52 (1) A loan of money made in the ordinary course of business by a national or state bank;
- 54 (2) Any communication made by a corporation, organization or 55 association solely to its members, owners, stockholders, executive or 56 administrative personnel, or their families;

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- (3) Nonpartisan voter registration and get-out-the-vote campaigns by any corporation, organization or association aimed at its members, owners, stockholders, executive or administrative personnel, or their families;
- (4) Uncompensated services provided by individuals volunteering their time on behalf of a party committee, political committee, slate committee or candidate committee, including any services provided for the benefit of nonparticipating and participating candidates under the Citizens' Election Program and any unreimbursed travel expenses made by an individual who volunteers the individual's personal services to any such committee. For purposes of this subdivision, an individual is a volunteer if such individual is not receiving compensation for such services regardless of whether such individual received compensation in the past or may receive compensation for similar services that may be performed in the future;
- (5) The use of real or personal property, a portion or all of the cost of invitations and the cost of food or beverages, voluntarily provided by an individual to a candidate, including a nonparticipating or participating candidate under the Citizens' Election Program, or to a party, political or slate committee, in rendering voluntary personal services at the individual's residential premises or a community room

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in the individual's residence facility, to the extent that the cumulative value of the invitations, food or beverages provided by an individual on behalf of any candidate or committee does not exceed four hundred dollars with respect to any single event or does not exceed eight hundred dollars for any such event hosted by two or more individuals, provided at least one such individual owns or resides at the residential premises, and further provided the cumulative value of the invitations, food or beverages provided by an individual on behalf of any such candidate or committee does not exceed eight hundred dollars with respect to a calendar year or single election, as the case may be;

- (6) The sale of food or beverage for use by a party, political, slate or candidate committee, including those for a participating or nonparticipating candidate, at a discount, if the charge is not less than the cost to the vendor, to the extent that the cumulative value of the discount given to or on behalf of any single candidate committee does not exceed four hundred dollars with respect to any single primary or election, or to or on behalf of any party, political or slate committee, does not exceed six hundred dollars in a calendar year;
 - (7) The display of a lawn sign by a human being or on real property;
- (8) The payment, by a party committee or slate committee of the costs of preparation, display, mailing or other distribution incurred by the committee or individual with respect to any printed slate card, sample ballot or other printed list containing the names of three or more candidates;
- (9) The donation of any item of personal property by an individual to a committee for a fund-raising affair, including a tag sale or auction, or the purchase by an individual of any such item at such an affair, to the extent that the cumulative value donated or purchased does not exceed one hundred dollars;
- (10) (A) The purchase of advertising space which clearly identifies the purchaser, in a program for a fund-raising affair sponsored by the candidate committee of a candidate for an office of a municipality,

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provided the cumulative purchase of such space does not exceed two hundred fifty dollars from any single such candidate or the candidate's committee with respect to any single election campaign if the purchaser is a business entity or fifty dollars for purchases by any other person;

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- (B) The purchase of advertising space which clearly identifies the purchaser, in a program for a fund-raising affair or on signs at a fundraising affair sponsored by a party committee or a political committee, other than an exploratory committee, provided the cumulative purchase of such space does not exceed two hundred fifty dollars from any single party committee or a political committee, other than an exploratory committee, in any calendar year if the purchaser is a business entity or fifty dollars for purchases by any other person. Notwithstanding the provisions of this subparagraph, the following may not purchase advertising space in a program for a fund-raising affair or on signs at a fund-raising affair sponsored by a party committee or a political committee, other than an exploratory committee: (i) A communicator lobbyist, (ii) a member of the immediate family of a communicator lobbyist, (iii) a state contractor, (iv) a prospective state contractor, or (v) a principal of a state contractor or prospective state contractor. As used in this subparagraph, "state contractor", "prospective state contractor" and "principal of a state contractor or prospective state contractor" have the same meanings as provided in subsection (f) of section 9-612;
- (11) The payment of money by a candidate to the candidate's candidate committee, provided the committee is for a nonparticipating candidate;
- 135 (12) The donation of goods or services by a business entity to a 136 committee for a fund-raising affair, including a tag sale or auction, to 137 the extent that the cumulative value donated does not exceed two 138 hundred dollars;
 - (13) The advance of a security deposit by an individual to a telephone company, as defined in section 16-1, for telecommunications service for a committee or to another utility company, such as an electric

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distribution company, provided the security deposit is refunded to the individual;

- (14) The provision of facilities, equipment, technical and managerial support, and broadcast time by a community antenna television company, as defined in section 16-1, for community access programming pursuant to section 16-331a, unless (A) the major purpose of providing such facilities, equipment, support and time is to influence the nomination or election of a candidate, or (B) such facilities, equipment, support and time are provided on behalf of a political party;
- 151 (15) The sale of food or beverage by a town committee to an individual at a town fair, county fair, local festival or similar mass gathering held within the state, to the extent that the cumulative payment made by any one individual for such items does not exceed fifty dollars;
- 156 (16) An organization expenditure by a party committee, legislative 157 caucus committee or legislative leadership committee;
 - (17) The donation of food or beverage by an individual for consumption at a slate, candidate, political committee or party committee meeting, event or activity that is not a fund-raising affair to the extent that the cumulative value of the food or beverages donated by an individual for a single meeting or event does not exceed fifty dollars;
 - (18) The value associated with the de minimis activity on behalf of a party committee, political committee, slate committee or candidate committee, including for activities including, but not limited to, (A) the creation of electronic or written communications or digital photos or video as part of an electronic file created on a voluntary basis without compensation, including, but not limited to, the creation and ongoing content development and delivery of social media on the Internet or telephone, including, but not limited to, the sending or receiving of electronic mail or messages, (B) the posting or display of a candidate's name or group of candidates' names at a town fair, county fair, local

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- 174 festival or similar mass gathering by a party committee, (C) the use of
- 175 personal property or a service that is customarily attendant to the
- occupancy of a residential dwelling, or the donation of an item or items
- of personal property that are customarily used for campaign purposes,
- by an individual, to a candidate committee, provided the cumulative
- fair market value of such use of personal property or service or items of
- personal property does not exceed one hundred dollars in the aggregate
- 181 for any single election or calendar year, as the case may be;
- 182 (19) The use of offices, telephones, computers and similar equipment
- 183 provided by a party committee, legislative caucus committee or
- legislative leadership committee that serve as headquarters for or are
- 185 used by such party committee, legislative caucus committee or
- 186 legislative leadership committee;
- 187 (20) A communication, as described in subdivision (7) of subsection
- 188 (b) of section 9-601b, as amended by this act;
- 189 (21) An independent expenditure, as defined in section 9-601c, as
- 190 <u>amended by this act;</u>
- 191 (22) A communication containing an endorsement on behalf of a
- 192 candidate for nomination or election to the office of Governor,
- 193 Lieutenant Governor, Secretary of the State, State Treasurer, State
- 194 Comptroller, Attorney General, state senator or state representative,
- 195 from a candidate for the office of Governor, Lieutenant Governor,
- 196 Secretary of the State, State Treasurer, State Comptroller, Attorney
- 197 General, state senator or state representative, provided the candidate
- 198 (A) making the endorsement is unopposed at the time of the
- 199 communication, and (B) being endorsed paid for such communication;
- 200 (23) A communication that is sent by mail to addresses in the district
- 201 for which a candidate being endorsed by another candidate pursuant to
- 202 this subdivision is seeking nomination or election to the office of state
- senator or state representative, containing an endorsement on behalf of
- such candidate for such nomination or election from a candidate for the
- 205 office of state senator or state representative, provided the candidate (A)

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- making the endorsement is not seeking election to the office of state senator or state representative for a district that contains any geographical area shared by the district for the office to which the endorsed candidate is seeking nomination or election, and (B) being endorsed paid for such communication; [or]
- 211 (24) A communication described in subdivision (2) of subsection (a)
 212 of section 9-601b that refers to a clearly identified candidate for
 213 Governor or President of the United States, which communication is
 214 paid for by a candidate for nomination or election to any other office or
 215 by any committee of such candidate, provided such communication
 216 shall only not be a contribution to any candidate for Governor or
- 217 <u>President of the United States; or</u>
- [(24)] (25) Campaign training events provided to multiple individuals by a legislative caucus committee <u>or party committee</u> and any associated materials, provided the cumulative value of such events and materials does not exceed six thousand dollars in the aggregate for a calendar year.
- Sec. 3. Subsection (b) of section 9-601b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2020, and applicable to actions pending on or filed on or after July 1, 2020):
- (b) The term "expenditure" does not mean:
- 227 (1) A loan of money, made in the ordinary course of business, by a 228 state or national bank;
- 229 (2) A communication made by any corporation, organization or 230 association solely to its members, owners, stockholders, executive or 231 administrative personnel, or their families;
- 232 (3) Nonpartisan voter registration and get-out-the-vote campaigns by 233 any corporation, organization or association aimed at its members, 234 owners, stockholders, executive or administrative personnel, or their 235 families;

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(4) Uncompensated services provided by individuals volunteering their time on behalf of a party committee, political committee, slate committee or candidate committee, including any services provided for the benefit of nonparticipating and participating candidates under the Citizens' Election Program and any unreimbursed travel expenses made by an individual who volunteers the individual's personal services to any such committee. For purposes of this subdivision, an individual is a volunteer if such individual is not receiving compensation for such services regardless of whether such individual received compensation in the past or may receive compensation for similar services that may be performed in the future;

- (5) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine or other periodical, unless such facilities are owned or controlled by any political party, committee or candidate;
- (6) The use of real or personal property, a portion or all of the cost of invitations and the cost of food or beverages, voluntarily provided by an individual to a candidate, including a nonparticipating or participating candidate under the Citizens' Election Program, or to a party, political or slate committee, in rendering voluntary personal services at the individual's residential premises or a community room in the individual's residence facility, to the extent that the cumulative value of the invitations, food or beverages provided by an individual on behalf of any candidate or committee does not exceed four hundred dollars with respect to any single event or does not exceed eight hundred dollars for any such event hosted by two or more individuals, provided at least one such individual owns or resides at the residential premises, and further provided the cumulative value of the invitations, food or beverages provided by an individual on behalf of any such candidate or committee does not exceed eight hundred dollars with respect to a calendar year or single election, as the case may be;
- (7) A communication described in subdivision (2) of subsection (a) of this section that includes speech or expression made (A) prior to the

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ninety-day period preceding the date of a primary or an election at which the clearly identified candidate or candidates are seeking nomination to public office or position, that is made for the purpose of influencing any legislative or administrative action, as defined in section 1-91, or executive action, or (B) during a legislative session for the purpose of influencing legislative action;

(8) An organization expenditure by a party committee, legislative caucus committee or legislative leadership committee;

- (9) A commercial advertisement that refers to an owner, director or officer of a business entity who is also a candidate and that had previously been broadcast or appeared when the owner, director or officer was not a candidate;
- (10) (A) A communication containing an endorsement on behalf of a candidate for nomination or election to the office of Governor, Lieutenant Governor, Secretary of the State, State Treasurer, State Comptroller, Attorney General, state senator or state representative, from a candidate for the office of Governor, Lieutenant Governor, Secretary of the State, State Treasurer, State Comptroller, Attorney General, state senator or state representative, [shall not be an expenditure attributable to the endorsing candidate, if] provided (i) the candidate making the endorsement is unopposed at the time of the communication, [;] and (ii) the communication is paid for by the candidate or the committee of the candidate being endorsed.
- (B) Notwithstanding the provisions of subparagraph (A) of this subdivision, a communication described in said subparagraph shall be an expenditure on behalf of the candidate or committee paying for the communication;
- (11) (A) A communication that is sent by mail to addresses in the district for which a candidate being endorsed by another candidate pursuant to the provisions of this subdivision is seeking nomination or election to the office of state senator or state representative, containing an endorsement on behalf of such candidate for such nomination or

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election, from a candidate for the office of state senator or state representative, [shall not be an expenditure attributable to the endorsing candidate, if provided (i) the candidate making the endorsement is not seeking election to the office of state senator or state representative for a district that contains any geographical area shared by the district for the office to which the endorsed candidate is seeking nomination or election, [;] and (ii) the communication is paid for by the candidate or the committee of the candidate being endorsed.

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- (B) Notwithstanding the provisions of subparagraph (A) of this subdivision, a communication described in said subparagraph shall be an expenditure on behalf of the candidate or committee paying for the communication;
- 313 (12) A communication described in subdivision (2) of subsection (a) 314 of this section that refers to a clearly identified candidate for Governor 315 or President of the United States, which communication is paid for by a 316 candidate for nomination or election to any other office or by any 317 committee of such candidate, provided such communication shall only not be an expenditure to the extent it refers to any candidate for 318 Governor or President of the United States; 319
- 320 [(12)] (13) Campaign training events provided to multiple individuals by a legislative caucus committee and any associated materials, 322 provided the cumulative value of such events and materials does not 323 exceed six thousand dollars in the aggregate for a calendar year;
- 324 (14) Payment by a person from his or her personal funds for the 325 purpose of such person receiving campaign training prior to becoming 326 a candidate;
 - [(13)] (15) A lawful communication by any charitable organization which is a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended;

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[(14)] (16) The use of offices, telephones, computers and similar equipment provided by a party committee, legislative caucus committee or legislative leadership committee that serve as headquarters for or are used by such party committee, legislative caucus committee or legislative leadership committee; or

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- [(15)] (17) An expense or expenses incurred by a human being acting alone in an amount that is two hundred dollars or less, in the aggregate, that benefits a candidate for a single election.
- Sec. 4. Subdivision (2) of subsection (g) of section 9-607 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (2) Unless otherwise provided by this chapter, any treasurer, in accomplishing the lawful purposes of the committee, may pay the expenses of: (A) Advertising in electronic and print media; (B) any other form of printed advertising or communications including "thank you" advertising after the election; (C) campaign items, including, but not limited to, brochures, leaflets, flyers, invitations, stationery, envelopes, reply cards, return envelopes, campaign business cards, direct mailings, postcards, palm cards, "thank you" notes, sample ballots and other similar items; (D) political banners and billboards; (E) political paraphernalia, which is customarily given or sold to supporters including, but not limited to, campaign buttons, stickers, pins, pencils, pens, matchbooks, balloons, pads, calendars, magnets, key chains, hats, tee shirts, sweatshirts, frisbees, pot holders, jar openers and other similar items; (F) purchasing office supplies for campaign or political purposes, campaign photographs, raffle or other fund-raising permits required by law, fund-raiser prizes, postage, express mail delivery services, bulk mail permits, and computer supplies and services; (G) banking service charges to maintain campaign and political accounts; (H) subscriptions to newspapers and periodicals which enhance the candidacy of the candidate or party; (I) lease or rental of office space for campaign or political purposes and expenses in connection therewith including, but not limited to, furniture, parking, storage space, utilities

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and maintenance, provided a party committee or political committee organized for ongoing political activities may purchase such office space; (J) lease or rental of vehicles for campaign use only; (K) lease, rental or use charges of any ordinary and necessary campaign office equipment including, but not limited to, copy machines, telephones, postage meters, facsimile machines, computer hardware, software and printers, provided a party committee or political committee organized for ongoing political activities may purchase office equipment, and provided further that a candidate committee or a political committee, other than a political committee formed for ongoing political activities or an exploratory committee, may purchase computer equipment; (L) compensation for campaign or committee staff, fringe benefits, [and] payroll taxes and dependent care services, provided (i) the candidate and any member of his immediate family shall not receive compensation, and (ii) compensation for dependent care services is reasonable and customary for the services rendered; (M) travel, meals and lodging expenses of speakers, campaign or committee workers, the candidate and the candidate's spouse for political and campaign purposes; (N) fund raising; (O) reimbursements to candidates and campaign or committee workers made in accordance with the provisions of this section for campaign-related expenses for which a receipt is received by the treasurer; (P) campaign or committee services of attorneys, accountants, consultants or other professional persons for campaign activities, obtaining or contesting ballot status, nomination, or election, and compliance with this chapter; (Q) purchasing campaign finance reports; (R) repaying permissible campaign loans made to the committee that are properly reported and refunding contributions received from an impermissible source or in excess of the limitations set forth in this chapter; (S) conducting polls concerning any political party, issue, candidate or individual; (T) gifts to campaign or committee workers or purchasing flowers or other commemorative items for political purposes not to exceed one hundred dollars to any one recipient in a calendar year or for the campaign, as the case may be; (U) purchasing tickets or advertising from charities, inaugural committees, or other civic organizations if for a political purpose, for any candidate,

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400 a candidate's spouse, a member of a candidate's campaign staff, or 401 members of committees; (V) the inauguration of an elected candidate by 402 that candidate's candidate committee; (W) hiring of halls, rooms, music 403 and other entertainment for political meetings and events; (X) 404 reasonable compensation for public speakers hired by the committee; 405 (Y) transporting electors to the polls and other get-out-the-vote activities 406 on election day; and (Z) any other necessary campaign or political 407 expense.

- Sec. 5. Subsection (k) of section 9-607 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 411 (k) A candidate shall report to his treasurer each campaign 412 expenditure of more than fifty dollars which he has made directly from 413 his own personal funds, except those expenditures for his own 414 telephone calls, travel, [and] meals and dependent care services for 415 which the candidate does not seek reimbursement from his committee, 416 by the close of the reporting period in which the expenditures were made. The candidate shall indicate whether or not he expects 417 418 reimbursement by the committee. The treasurer shall report all such 419 reimbursed and nonreimbursed expenditures as "campaign expenses 420 paid by the candidate" on the sworn financial statements he is required 421 to file in accordance with section 9-608, as amended by this act, and in 422 the same manner as committee expenditures.
- Sec. 6. Subsection (e) of section 9-706 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(e) (1) The State Elections Enforcement Commission shall adopt regulations, in accordance with the provisions of chapter 54, on permissible expenditures under subsection (g) of section 9-607, as amended by this act, for qualified candidate committees receiving grants from the fund under sections 9-700 to 9-716, inclusive, as amended by this act.

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(2) Expenditures for dependent care services made by the qualified candidate committee of a participating candidate shall be deemed permissible if expenditures for dependent care services (A) are, in the aggregate, not more than the amount of qualifying contributions permitted under section 9-704, as amended by this act, and (B) otherwise comply with all other regulations adopted pursuant to subdivision (1) of this subsection.

- Sec. 7. Subsection (c) of section 9-710 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 442 (c) A candidate who intends to participate in the Citizens' Election 443 Program may provide personal funds for such candidate's campaign for 444 nomination or election in an amount not exceeding: (1) For a candidate 445 for the office of Governor, twenty thousand dollars; (2) for a candidate 446 for the office of Lieutenant Governor, Attorney General, State 447 Comptroller, State Treasurer or Secretary of the State, ten thousand dollars; (3) for a candidate for the office of state senator, two thousand 448 449 dollars; or (4) for a candidate for the office of state representative, one 450 thousand dollars. Such personal funds shall not constitute a qualifying 451 contribution under section 9-704, as amended by this act. For the 452 purposes of this section, expenditures for dependent care services made 453 directly from any such candidate's personal funds and for which such 454 candidate does not seek reimbursement from his or her candidate 455 committee, as provided in subsection (k) of section 9-607, as amended 456 by this act, shall not count toward the amounts provided in subdivisions 457 (1) to (4), inclusive, as applicable, of this subsection.
- Sec. 8. Section 9-622 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- The following persons shall be guilty of illegal practices and shall be punished in accordance with the provisions of section 9-623:
- 462 (1) Any person who, directly or indirectly, individually or by another 463 person, gives or offers or promises to any person any money, gift,

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advantage, preferment, entertainment, aid, emolument or other valuable thing for the purpose of inducing or procuring any person to sign a nominating, primary or referendum petition or to vote or refrain from voting for or against any person or for or against any measure at any election, caucus, convention, primary or referendum;

- (2) Any person who, directly or indirectly, receives, accepts, requests or solicits from any person, committee, association, organization or corporation, any money, gift, advantage, preferment, aid, emolument or other valuable thing for the purpose of inducing or procuring any person to sign a nominating, primary or referendum petition or to vote or refrain from voting for or against any person or for or against any measure at any such election, caucus, primary or referendum;
- (3) Any person who, in consideration of any money, gift, advantage, preferment, aid, emolument or other valuable thing paid, received, accepted or promised to the person's advantage or any other person's advantage, votes or refrains from voting for or against any person or for or against any measure at any such election, caucus, primary or referendum;
- (4) Any person who solicits from any candidate any money, gift, contribution, emolument or other valuable thing for the purpose of using the same for the support, assistance, benefit or expenses of any club, company or organization, or for the purpose of defraying the cost or expenses of any political campaign, primary, referendum or election;
- (5) Any person who, directly or indirectly, pays, gives, contributes or promises any money or other valuable thing to defray or towards defraying the cost or expenses of any campaign, primary, referendum or election to any person, committee, company, club, organization or association, other than to a treasurer, except that this subdivision shall not apply to any expenses for postage, telegrams, telephoning, stationery, express charges, traveling, meals, lodging or photocopying incurred by any candidate for office or for nomination to office, so far as may be permitted under the provisions of this chapter;

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

- (7) Any person who, directly or indirectly, individually or through another person, makes a payment or promise of payment to a treasurer in a name other than the person's own, and any treasurer who knowingly receives a payment or promise of payment, or enters or causes the same to be entered in the person's accounts in any other name than that of the person by whom such payment or promise of payment is made;
- 512 (8) Any person who knowingly and wilfully violates any provision 513 of this chapter;
 - (9) Any person who offers or receives a cash contribution in excess of one hundred dollars to promote the success or defeat of any political party, candidate or referendum question;
- 517 (10) Any person who solicits, makes or receives a contribution that is 518 otherwise prohibited by any provision of this chapter;
 - (11) Any department head or deputy department head of a state department who solicits a contribution on behalf of, or for the benefit of, any candidate for state, district or municipal office or any political party;
 - (12) Any municipal employee who solicits a contribution on behalf of, or for the benefit of, any candidate for state, district or municipal office, any political committee or any political party, from (A) an individual under the supervision of such employee, or (B) the spouse or a dependent child of such individual;

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

- (14) Any chief of staff of a legislative caucus who solicits a contribution on behalf of or for the benefit of any candidate for state, district or municipal office from an employee of the legislative caucus;
- (15) Any chief of staff for a state-wide elected official who solicits a contribution on behalf of or for the benefit of any candidate for state, district or municipal office from a member of such official's staff; [or]
- (16) Any chief of staff for the Governor or Lieutenant Governor who solicits a contribution on behalf of or for the benefit of any candidate for state, district or municipal office from a member of the staff of the Governor or Lieutenant Governor, or from any commissioner or deputy commissioner of any state agency;
- (17) Any consultant that fails to provide complete information to a committee or person required to file any disclosure statement or report pursuant to section 9-601d or 9-608, as amended by this act, as applicable, which complete information is necessary for such committee or person to file such statement or report;
 - (18) Any consultant that (A) except for such consultant's overhead or normal operating expenses, makes or obligates to make an expenditure, or directly or indirectly authorizes any subvendor to make or obligate to make such an expenditure, on behalf of a candidate, committee or other person, and (B) does so without the knowledge of such candidate, committee or other person;
 - (19) Any person that structures or assists in structuring, or attempts to structure or assist in structuring, any solicitation, contribution, expenditure, disbursement or other transaction for the purpose of evading the requirements of chapters 155 to 157, inclusive.

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Sec. 9. (NEW) (Effective from passage) (a) (1) A consultant that receives or agrees to receive payment from a candidate or committee and that makes or obligates to make any expenditure, including any payment to a subvendor, for or on behalf of a person or committee required to file a report pursuant to section 9-601d or 9-608 of the general statutes, as amended by this act, as applicable, shall, once such consultant has made or obligated to make any such expenditure to a subvendor, provide to such person or committee a statement with a detailed account of such expenditure, including, but not limited to, (A) the amount and date of such expenditure and the person who received such payment, (B) the full name and street address of such subvendor, (C) the purpose of such payment and a description of such purpose, (D) the name of any candidate or text of any referendum question supported or opposed by such expenditure, and (E) if applicable, the date of any event with which such payment is associated, including, but not limited to, any expenditure directly or indirectly made by a consultant to a subvendor for any (i) written, typed or other printed communication, or any webbased written communication, that (I) promotes the success or defeat of any candidate's campaign for nomination or election or any referendum question, or (II) solicits funds to benefit any candidate or committee, (ii) advertising time or space, including, but not limited to, television or Internet video, radio or Internet audio, telephone call or web-based or social media communication, (iii) wages incurred as a result of work for any candidate or committee, (iv) survey, poll, signature gathering or door-to-door solicitation of voters, (v) facilities, invitations or entertainment for fundraising or other campaign events, or (vi) printing of mass campaign mailings or postage for such mailings. Such consultant shall provide the information described in this subdivision to such person or committee not later than five days after making or obligating to make such expenditure. As used in this section, "consultant", "expenditure", "subvendor", "committee" and "person" have the same meanings as provided in section 9-601 of the general statutes, as amended by this act.

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(2) Notwithstanding the provisions of subdivision (1) of this

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subsection, if a consultant makes or obligates to make payment for an expenditure for which a person or committee is required to file a report pursuant to section 9-601d or 9-608 of the general statutes, as amended by this act, as applicable, such consultant shall, concomitant with making or obligating to make such payment, provide to such person or committee complete information necessary to file such report.

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- (b) (1) Any person or committee that makes or obligates to make payment for an expenditure to a consultant, which consultant is required to provide to such person or committee the information described in subsection (a) of this section, shall include in any statement or report required to be filed by such person or committee pursuant to section 9-601d or 9-608 of the general statutes, as amended by this act, as applicable, (A) the full name and street address of each subvendor to which payment was made or obligated to be made during the period covered by the such filing, (B) the amount and date of such payment, (C) the purpose of such payment and a description of such purpose, (D) the name of any candidate or text of any referendum question supported or opposed by such expenditure, and (E) if applicable, the date of any event with which such payment is associated. The contents of such statement or report shall include any other information that the State Elections Enforcement Commission may require to facilitate compliance with the provisions of chapters 155 to 157, inclusive, of the general statutes, and shall be submitted on a form prescribed by the commission.
- (2) Except for such consultant's overhead or normal operating expenses, a consultant shall not make any expenditure for or on behalf of a candidate or committee, including, but not limited to, any expenditure described in subdivision (1) of subsection (a) of this section, unless complete information of such expenditure is provided to the person required to file a report under section 9-601d or 9-608 of the general statutes, as amended by this act, as applicable, or the committee on whose behalf or for whose benefit such consultant is acting.
- (c) Each consultant shall keep a detailed account of each expenditure

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made or obligated to be made for or on behalf of any person or committee required to file a report under section 9-601d or 9-608 of the general statutes, as amended by this act, as applicable, and shall retail 627 all records of each transaction required to be included in any statement 628 or report filed pursuant to section 9-601d or 9-608 of the general statutes, 629 as amended by this act, as applicable, for a period of four years after the 630 date of the statement or report in which such transaction was included. Such records shall include, but need not be limited to, any invoice, 632 receipt, bill, statement, itinerary or other written or documentary 633 evidence demonstrating the campaign or other lawful purpose of such 634 expenditure.

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- (d) If a subvendor makes or obligates to make any payment described in subsection (a) of this section, such subvendor shall be deemed a consultant and shall comply with the requirements for a consultant in accordance with this section.
- (e) Notwithstanding the provisions of subsections (a) to (d), inclusive, of this section, a financial obligation shall not be made or incurred for or on behalf of a committee unless authorized by the treasurer of such committee pursuant to section 9-607 of the general statutes, as amended by this act.
- Sec. 10. Section 9-703 of the general statutes is amended by adding subsection (d) as follows (*Effective from passage*):
 - (NEW) (d) If the treasurer of the candidate committee of a participating candidate spends or obligates to spend fifteen per cent or more, in the aggregate, of the moneys received from the Citizens' Election Fund on the services of a consultant, as defined in section 9-601, as amended by this act, or other professional person as provided in subparagraph (P) of subdivision (2) of subsection (g) of section 9-607, as amended by this act, such consultant or professional person shall register with the State Elections Enforcement Commission as such for such candidate committee and file an affidavit with the commission, which affidavit shall include written certifications that such consultant

LCO No. 2221 21 of 86 656 or professional person shall (1) expend any moneys for or on behalf of a 657 participating candidate committee in accordance with the provisions of subsection (g) of section 9-607, as amended by this act, and regulations 659 adopted by the commission under subsection (e) of section 9-706, as 660 amended by this act, (2) comply with the provisions of chapter 155 and this chapter, and (3) maintain and furnish all records required pursuant 662 to chapter 155 and this chapter and any regulation adopted pursuant to 663 said chapters. The commission shall prepare a list of each such 664 consultant or professional person for the candidate committee of a 665 participating candidate and shall make such list available for public 666 inspection.

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- Sec. 11. Subsections (c) to (i), inclusive, of section 9-601d of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 670 (c) The independent expenditure long-form report shall identify: (1) The name of the person making or obligating to make such <u>independent</u> 671 expenditure or expenditures and, in the case of a person other than an 672 individual, the name of a human being who had direct, extensive and 673 substantive decision-making authority over such independent 674 675 expenditure or expenditures; (2) the tax exempt status of such person 676 and, if [applicable] such person files a report with the Federal Election Commission, the Internal Revenue Service or any similar out-of-state 677 678 agency, identifying information under which any such filing is made; 679 (3) the mailing address, and street address if different, of such person; 680 (4) the principal business address of the person, if different from <u>either</u> 681 the mailing address or street address; (5) the mailing address, and street address if different, telephone number and electronic mail address of 682 683 the agent for service of process in this state of such person and for the 684 individual described in subdivision (1) of this subsection as having 685 direct, extensive and substantive decision-making authority over such 686 independent expenditure or expenditures; (6) the date of the primary, [or] election or referendum for which [the] such independent 687 expenditure or expenditures were made or obligated to be made; (7) (A) 688 689 the name of any candidate who, or the text of any referendum question

LCO No. 2221 **22** of 86 that, was the subject of any independent expenditure or expenditures, [and whether the] (B) whether such independent expenditure or expenditures were in support of or in opposition to such candidate [; and (8)] or referendum question, and (C) any other information required under subsection (d) of this section; (8) whether such person is a foreign-influenced entity and, if so, a description of the facts establishing such person as such an entity; and (9) the name, telephone number and electronic mail address for the individual filing such report. Such individual filing such report shall, under penalty of false statement, affirm that the expenditure reported is an independent expenditure [under penalty of false statement] and certify that due inquiry has been made by the chief executive or chief financial officer, or equivalent, of such person to determine that such person is not a foreign national on the date such independent expenditure was made or obligated to be made.

(d) As part of any filing made pursuant to subsection (c) of this section and for each subsequent independent expenditure made or obligated to be made by a person with respect to the primary, [or] election or referendum for which a long-form report pursuant to subsection (c) of this section has been filed on behalf of such person, an individual shall file [, electronically,] a short-form report for each such independent expenditure. [, not later than twenty-four hours after such person makes a payment for an independent expenditure or obligates to make such an independent expenditure.] Such short-form report shall identify: (1) The name of the person making or obligating to make such independent expenditure; (2) the amount of the independent expenditure; (3) whether the independent expenditure was in support of or in opposition to a candidate or referendum question, and the name of such candidate or text of such referendum question; (4) a brief description of the expenditure made, including the type of communication, based on categories determined by the State Elections Enforcement Commission, and the allocation of such expenditure in support of or in opposition to each such candidate or referendum question, if such expenditure was made in support of or in opposition

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to more than one candidate [; and] <u>or question;</u> (5) the name, telephone number and electronic mail address for the individual filing such report; and (6) any other information that the State Elections Enforcement Commission may require to facilitate compliance with the provisions of chapters 155 to 157, inclusive. Such individual filing such report shall, <u>under penalty of false statement</u>, affirm that the expenditure reported is an independent expenditure. [under penalty of false statement.]

- (e) No person reporting an independent expenditure pursuant to the provisions of subsection (c) or (d) of this section shall be required to file a statement pursuant to section 9-608, as amended by this act, for such independent expenditure.
- (f) (1) Except as provided in subdivision (2) of this subsection, as part of any statement filed pursuant to this section, if a person who makes or obligates to make an independent expenditure (A) has received a covered transfer during the twelve-month period prior to a primary, [or] election or referendum, as applicable to the reported expenditure, [for an office that a candidate described in subdivision (7) of subsection (c) of this section is seeking,] and (B) such independent expenditure is made or obligated to be made on or after the date that is one hundred eighty days prior to such primary, [or] election or referendum, such person shall disclose the source and the amount of any such covered transfer such person received that is in an amount that is five thousand dollars or more, in the aggregate, during the twelve-month period prior to such primary or election, as applicable to the reported expenditure.
- (2) The provisions of subdivision (1) of this subsection shall not apply to any person who discloses the source and amount of a covered transfer described in subdivision (1) of this subsection as part of any report to the Federal Election Commission, [or] the Internal Revenue Service or any similar out-of-state agency, provided such person includes a copy of, or information sufficient to find, any such report as part of the report of each applicable independent expenditure filed pursuant to this section. If a source and amount of a covered transfer is not included as part of any such report, the maker of the independent expenditure shall

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disclose the source and amount of such covered transfer pursuant to subdivision (1) of this subsection, if applicable.

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- (g) (1) A person may, unless otherwise restricted or prohibited by law, including, but not limited to, any provision of this chapter or chapter 157, establish a dedicated independent expenditure account [, for the purpose of engaging in that may be used to make independent expenditures, [that] provided such account is segregated from all other accounts controlled by such person. Such dedicated independent expenditure account may receive covered transfers directly from persons other than the person establishing the dedicated account and may not receive transfers from another account controlled by the person establishing the dedicated account, except as provided in subdivision (2) of this subsection. If an independent expenditure is made from such segregated account, any report required pursuant to this section or disclaimer required pursuant to section 9-621, as amended by this act, [may include only] shall include at least those persons who made covered transfers directly to the dedicated independent expenditure account.
- (2) If a person who has made a covered transfer to another account controlled by the person establishing a dedicated independent expenditure account requests that such covered transfer be used for the purposes of making an independent expenditure from the dedicated independent expenditure account, the amount of such covered transfer may be transferred to the dedicated independent expenditure account and shall be treated as a covered transfer directly to the dedicated independent expenditure account.
- (h) Any person may file a complaint with the commission upon the belief that (1) any such independent expenditure report or statement is false, or (2) any person who is required to file an independent expenditure report under this [subsection] section has failed to do so. The commission shall make a prompt determination on such a complaint.

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(i) (1) [If] Notwithstanding the provisions of section 9-623, if (A) a person fails to file a report in accordance with the provisions of this section or section 9-608, as amended by this act, for an independent expenditure or expenditures made or obligated to be made more than ninety days before the day of a primary, [or election, the] election or referendum, such person shall be subject to a civil penalty, imposed by the State Elections Enforcement Commission, of not more than ten thousand dollars, [. If] and (B) a person fails to file a report required in accordance with the provisions of this section for an independent expenditure or expenditures made or obligated to be made ninety days or less before the day of a primary, [or] election or referendum, such person shall be subject to a civil penalty, imposed by the [State Elections Enforcement Commission] commission, of not more than twenty thousand dollars or twice the amount of such independent expenditure or expenditures, whichever is greater.

(2) [If] Notwithstanding the provisions of section 9-623, if the State Elections Enforcement Commission finds that any such failure is knowing and wilful, the person responsible for [the failure shall also be fined] such failure shall be subject to an additional civil penalty, imposed by the commission, of not more than fifty thousand dollars or ten times the amount of such independent expenditure or expenditures, and the commission may refer the matter to the office of the Chief State's Attorney.

(3) If the State Elections Enforcement Commission finds that a person is subject to a civil penalty under this subsection, (A) in the case of a committee, (i) the chairman, and (ii) any officer, or (B) in the case of a person other than a committee, (i) the chief executive or chief financial officer, or equivalent, (ii) any other officer, and (iii) any manager who had direct, extensive and substantive decision-making authority over the independent expenditure or expenditures made or obligated to be made by such person, shall be liable for paying any amount of such civil penalty imposed that is not paid by such person within one year after the latter of (I) the date on which the commission imposed such civil penalty, or (II) the date of the final judgment following any judicial

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Sec. 12. Subsections (a) and (b) of section 9-605 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

- (a) [The] Except as provided in subsection (d) of this section, the chairperson of each political committee shall be an individual who has direct, extensive and substantive decision-making authority over the committee's activities with respect to raising and spending funds, and shall designate a treasurer and may designate a deputy treasurer. The treasurer and any deputy treasurer so designated shall sign a statement accepting the designation. The chairperson of each political committee shall file a registration statement described in subsection (b) of this section along with the statement signed by the designated treasurer and deputy treasurer with the proper authority [, within ten days after its organization not later than ten days after receiving contributions, or making or incurring expenditures, in excess of one thousand dollars, in the aggregate, provided [that] the chairperson of any political committee organized [within] ten or fewer days prior to any primary, election or referendum in connection with which it intends to make any contributions or expenditures, shall immediately file a registration statement.
- (b) The registration statement shall include: (1) The name and address of the committee; (2) a statement of the purpose of the committee; (3) the name and address of its treasurer, and deputy treasurer if applicable; (4) the name, address and position of its [chairman] chairperson, and other principal officers if applicable; (5) the name and address of the depository institution for its funds; (6) the name of each person, other than an individual, that is a member of the committee; (7) the name and party affiliation of each candidate whom the committee is supporting and the office or position sought by each candidate; (8) if the committee is supporting the entire ticket of any party, a statement to that effect and the name of the party; (9) if the committee is supporting or opposing any referendum question, a brief statement identifying the substance of

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the question; (10) if the committee is established or controlled by a [business entity or organization] person or an individual acting as the agent of a person, the name of the [entity or organization] person and, if the committee is established or controlled by a person other than a human being, the name of its chief executive officer or equivalent; (11) if the committee is established by an organization, a statement of whether it will receive its funds from the organization's treasury or from voluntary contributions; (12) if the committee files reports with the Federal Elections Commission, the Internal Revenue Service or any similar out-of-state agency, a statement to that effect including the name of the commission or agency and identifying information under which any such filings are made; (13) a statement indicating whether the committee is established for a single primary, election or referendum or for ongoing political activities; (14) if the committee is established or controlled by a lobbyist, a statement to that effect and the name of the lobbyist; (15) the name and address of the person making the initial contribution or disbursement, if any, to the committee; and (16) any information that the State Elections Enforcement Commission requires to facilitate compliance with the provisions of this chapter or chapter 157. If no such initial contribution or disbursement, as described in subdivision (15) of this subsection, has been made at the time of the filing of such statement, the treasurer of the committee shall, not later than forty-eight hours after receipt of such contribution or disbursement, file a report with the State Elections Enforcement Commission. The report shall be in the same form as statements filed under section 9-608, as amended by this act. As used in this subsection, "principal officer" means any individual who (A) occupies a title, office or position, other than chairperson, treasurer or deputy treasurer, of a political committee, (B) serves on an advisory panel of a political committee, including, but not limited to, a steering committee, executive committee or similar body, for the purpose of influencing or authorizing decisions regarding fundraising, solicitation or expenditure of such committee's funds to other committees, or (C) participates in the selection of a political committee's chairperson, treasurer or deputy treasurer, or any replacement thereof.

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Sec. 13. Subsection (c) of section 9-608 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(c) (1) Each statement filed under subsection (a), (e) or (f) of this section shall include, but not be limited to: (A) An itemized accounting of each contribution, if any, including the full name and complete address of each contributor and the amount of the contribution; (B) an itemized accounting of each expenditure, if any, including the full name and complete address of each payee, including secondary payees whenever the primary or principal payee is known to include charges which the primary payee has already paid or will pay directly to another person, vendor or entity, the amount and the purpose of the expenditure, the candidate supported or opposed by the expenditure, whether the expenditure is made independently of the candidate supported or is an in-kind contribution to the candidate, and a statement of the balance on hand or deficit, as the case may be; (C) an itemized accounting of each expense incurred but not paid, provided if the expense is incurred by use of a credit card, the accounting shall include secondary payees, and the amount owed to each such payee; (D) the name and address of any person who is the guarantor of a loan to, or the cosigner of a note with, the candidate on whose behalf the committee was formed, or the treasurer in the case of a party committee or a political committee or who has advanced a security deposit to a telephone company, as defined in section 16-1, for telecommunications service for a committee; (E) for each business entity or person purchasing advertising space in a program for a fund-raising affair or on signs at a fund-raising affair, the name and address of the business entity or the name and address of the person, and the amount and aggregate amounts of such purchases; (F) for each individual who contributes in excess of one hundred dollars but not more than one thousand dollars, in the aggregate, to the extent known, the principal occupation of such individual and the name of the individual's employer, if any; (G) for each individual who contributes in excess of one thousand dollars in the aggregate, the principal occupation of such

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individual and the name of the individual's employer, if any; (H) for each itemized contribution made by a lobbyist, the spouse of a lobbyist or any dependent child of a lobbyist who resides in the lobbyist's household, a statement to that effect; and (I) for each individual who contributes in excess of four hundred dollars in the aggregate to or for the benefit of any candidate's campaign for nomination at a primary or election to the office of chief executive officer or a slate or town committee financing the nomination or election or a candidate for chief executive officer of a town, city or borough, a statement indicating whether the individual or a business with which he is associated has a contract with said municipality that is valued at more than five thousand dollars. Each treasurer shall include in such statement (i) an itemized accounting of the receipts and expenditures relative to any testimonial affair held under the provisions of section 9-609 or any other fund-raising affair, which is referred to in subsection (b) of section 9-601a, as amended by this act, and (ii) the date, location and a description of the affair, except that a treasurer shall not be required to include the name of any individual who has purchased items at a fund-raising affair or food at a town fair, county fair or similar mass gathering, if the cumulative value of items purchased by such individual does not exceed one hundred dollars, or the name of any individual who has donated food or beverages for a meeting. A treasurer shall not be required to report or retain any receipts or expenditures related to any de minimis donations described in subdivision (17) of subsection (b) of section 9-601a, as amended by this act.

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(2) Each contributor described in subparagraph (F), (G), (H) or (I) of subdivision (1) of this subsection shall, at the time the contributor makes such a contribution, provide the information that the treasurer is required to include under said subparagraph in the statement filed under subsection (a), (e) or (f) of this section. Notwithstanding any provision of subdivision (2) of section 9-7b, any contributor described in subparagraph (F) of subdivision (1) of this subsection who does not provide such information at the time the contributor makes such a contribution and any treasurer shall not be subject to the provisions of

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subdivision (2) of section 9-7b. If a treasurer receives a contribution from an individual which separately, or in the aggregate, is in excess of one thousand dollars and the contributor has not provided the information required by said subparagraph (G) or if a treasurer receives a contribution from an individual to or for the benefit of any candidate's campaign for nomination at a primary or election to the office of chief executive officer of a town, city or borough, which separately, or in the aggregate, is in excess of four hundred dollars and the contributor has not provided the information required by said subparagraph (I), the treasurer: [(i)] (A) Not later than three business days after receiving the contribution, shall send a request for such information to the contributor by certified mail, return receipt requested; [(ii)] (B) shall not deposit the contribution until the treasurer obtains such information from the contributor, notwithstanding the provisions of section 9-606; and [(iii)] (C) shall return the contribution to the contributor if the contributor does not provide the required information [not later than] within fourteen days after the treasurer's written request or the end of the reporting period in which the contribution was received, whichever is later. Any failure of a contributor to provide the information which the treasurer is required to include under said subparagraph (F) or (H), which results in noncompliance by the treasurer with the provisions of said subparagraph (F) or (H), shall be a complete defense to any action against the treasurer for failure to disclose such information.

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(3) In addition to the requirements of subdivision (2) of this subsection, each contributor who makes a contribution to a candidate or exploratory committee for Governor, Lieutenant Governor, Attorney General, State Comptroller, Secretary of the State, State Treasurer, state senator or state representative, any political committee authorized to make contributions to such candidates or committees, and any party committee that separately, or in the aggregate, exceeds fifty dollars shall provide with the contribution: (A) The name of the contributor's employer, if any; (B) the contributor's status as a communicator lobbyist, as defined in section 1-91, a member of the immediate family of a communicator lobbyist, a state contractor, a prospective state contractor

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or a principal of a state contractor or prospective state contractor, as defined in section 9-612; and (C) a certification that the contributor is not prohibited from making a contribution to such candidate or committee. The State Elections Enforcement Commission shall prepare a sample form for such certification by the contributor and shall make [it] such sample form available to treasurers and contributors. Such sample form shall include an explanation of the terms "communicator lobbyist", "principal of a state contractor or prospective state contractor", "immediate family", "state contractor" and "prospective state contractor". The information on such sample form shall be included in any written solicitation conducted by any such committee. If a treasurer receives such a contribution and the contributor has not provided such certification, the treasurer shall: (i) Not later than three business days after receiving the contribution, send a request for the certification to the contributor by certified mail, return receipt requested; (ii) not deposit the contribution until the treasurer obtains the certification from the contributor, notwithstanding the provisions of section 9-606; and (iii) return the contribution to the contributor if the contributor does not provide the certification [not later than] within fourteen days after the treasurer's written request or at the end of the reporting period in which the contribution was received, whichever is later. No treasurer shall be required to obtain and keep more than one certification from each contributor, unless information certified to by the contributor, other than the amount contributed, changes. If a treasurer deposits a contribution based on a certification that is later determined to be false, the treasurer shall have a complete defense to any action, including but not limited to, any complaint investigated by the State Elections Enforcement Commission or any other investigation initiated by [said] the commission, against such treasurer for the receipt of such contribution.

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(4) When an independent expenditure political committee discloses a contribution or contributions pursuant to subparagraph (A) of subdivision (1) of this subsection in excess of one thousand dollars, in the aggregate, and the contributor is also a recipient of a covered

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transfer, the independent expenditure political committee shall include for any covered transfer or transfers in excess of five thousand dollars, in the aggregate, the source and the amount of such covered transfer or transfers to such contributor during the twelve-month period immediately prior to the primary or election, as applicable.

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(5) (A) If a person makes a contribution or contributions in excess of one thousand dollars, in the aggregate, to an independent expenditure political committee and such person derives all funds of such contribution or contributions from a dedicated independent expenditure account established by such person that is segregated from all other accounts controlled by such person, such person shall provide to the treasurer of such committee the source and the amount of each donation, transfer or payment that is in excess of five thousand dollars, in the aggregate, to such dedicated account. Such dedicated independent expenditure account may receive covered transfers directly from persons other than the person who established such dedicated account and shall not receive covered transfers from any other account controlled by the person who established such dedicated account, except as provided in subparagraph (B) of this subdivision. The treasurer of such independent expenditure political committee shall include the information so provided under this subdivision with the disclosure of such contribution or contributions.

(B) If a person who made a covered transfer to any other account controlled by the person who established a dedicated independent expenditure account requests that such covered transfer be used for the purpose of making an independent expenditure or expenditures from such dedicated account, the amount of such covered transfer may be transferred to such dedicated account and shall be treated as a covered transfer directly to such dedicated account.

(6) If a person makes a contribution or contributions in excess of one thousand dollars, in the aggregate, to an independent expenditure political committee and such person derives any funds of such contribution or contributions from any source other than a dedicated

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independent expenditure account established by such person that is segregated from all other accounts controlled by such person, such person shall provide to the treasurer of such committee the source and the amount of each donation, transfer or payment to such person that is in excess of five thousand dollars, in the aggregate, during the twelvemonth period prior to the primary or election, as applicable, for which an independent expenditure is made. The treasurer of such independent expenditure political committee shall include the information so provided under this subdivision with the disclosure of such contribution or contributions.

- (7) (A) The treasurer of an independent expenditure political committee shall not accept a contribution or contributions in excess of one thousand dollars, in the aggregate, unless the information required to be provided under subdivision (8) of this subsection is so provided.
- (B) The recipient of a covered transfer or transfers in excess of five thousand dollars, in the aggregate, shall not knowingly make any contribution to an independent expenditure political committee unless the information required to be disclosed or provided, as applicable, under subdivision (4), (5) or (6) of this subsection is so disclosed or provided.
 - (8) In addition to the requirements of subdivision (2) of this subsection, each contributor who is the recipient of any covered transfer or transfers that, in the aggregate, exceed five thousand dollars and who makes a contribution to an independent expenditure political committee that separately, or in the aggregate, exceeds one thousand dollars per calendar year shall provide with the contribution a statement signed under penalty of false statement, which statement shall include:

 (A) If the contributor is a human being, the name of the contributor's employer or employers, if any; (B) the contributor's status as a client lobbyist or communicator lobbyist, as defined in section 1-91, or a member of the immediate family of a communicator lobbyist; (C) a certification that the contributor is not a state contractor, a principal of a state contractor, a foreign national or otherwise prohibited from making

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such contribution; and (D) the name of any person required to be disclosed or provided, as applicable, under subdivision (4), (5) or (6) of this subsection and the amounts of the covered transfers of any such person. The State Elections Enforcement Commission shall prepare a form for such certification by the contributor and shall make such form available to treasurers and contributors. Such form shall include an explanation of the term "covered transfer" as it is defined in section 9-601, as amended by this act. The information on such form shall be included in any written solicitation conducted by such independent expenditure political committee. If a treasurer receives a contribution and the contributor has not provided such certification, the treasurer shall: (i) Not later than three business days after receiving the contribution, send a request for the certification to the contributor by certified mail, return receipt requested; (ii) not deposit the contribution until the treasurer obtains the certification from the contributor, notwithstanding the provisions of section 9-606; and (iii) return the contribution to the contributor if the contributor does not provide the certification within fourteen days after the treasurer's written request or at the end of the reporting period in which the contribution was received, whichever is later. If a treasurer deposits a contribution based on a certification signed under penalty of false statement that is later determined to be false, the treasurer shall have a complete defense to any action, including, but not limited to, any complaint investigated by the State Elections Enforcement Commission or any other investigation initiated by the commission, against such treasurer for the receipt of such contribution.

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[(4)] (9) Contributions from a single individual to a treasurer in the aggregate totaling fifty dollars or less need not be individually identified in the statement, but a sum representing the total amount of all such contributions made by all such individuals during the period to be covered by such statement shall be a separate entry, identified only by the words "total contributions from small contributors".

[(5)] (10) Each statement filed by the treasurer of a party committee, a legislative caucus committee or a legislative leadership committee

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shall include an itemized accounting of each organization expenditure made by the committee. Concomitant with the filing of any such statement containing an accounting of an organization expenditure made by the committee for the benefit of any candidate for the office of state senator, state representative, Governor, Lieutenant Governor, Attorney General, Secretary of the State, State Comptroller or State Treasurer such treasurer shall provide notice of the organization expenditure to the candidate committee of such candidate.

- [(6)] (11) The commission shall post a link on the home page of the commission's Internet web site to a listing of all organizational expenditures reported by a party, legislative leadership or caucus committee under subdivision [(5)] (10) of this subsection. Such information shall include reported information on the committee making the expenditure, the committee receiving the expenditure and the date and purpose for the expenditure.
- [(7)] (12) Statements filed in accordance with this section shall remain public records of the state for five years from the date such statements are filed.
- Sec. 14. Subsection (d) of section 9-617 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (d) [A] (1) No party committee may receive contributions in excess of one hundred thousand dollars, in the aggregate, in any calendar year from [a] any federal account of a national committee of a political party, [but may not] and no party committee may receive contributions from any other account of a national committee of a political party or from a committee of a candidate for federal or out-of-state office, for use in the election of candidates subject to the provisions of this chapter.
 - (2) Notwithstanding the provisions of subdivision (1) of this subsection, a federal account of a national committee of a political party may provide to a party committee documentation in printed or electronic form, such as a party platform, a copy of an issue paper, a list

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- 1159 of registered voters or voter identification information, which
- documentation is or was created or maintained by the federal account
- of the national committee of a political party.
- Sec. 15. Subsection (e) of section 9-618 of the general statutes is
- repealed and the following is substituted in lieu thereof (*Effective from*
- 1164 *passage*):
- (e) A political committee organized for ongoing political activities
- 1166 [may receive contributions from the federal account of a national
- 1167 committee of a political party, but] may not receive contributions from
- any [other] account of a national committee of a political party or from
- 1169 a committee of a candidate for federal or out-of-state office.
- 1170 Sec. 16. (NEW) (Effective from passage) (a) A foreign-influenced entity,
- as defined in section 9-601 of the general statutes, as amended by this
- act, shall not make, directly or indirectly, (1) any contribution, as defined
- in section 9-601a of the general statutes, as amended by this act, or any
- express or implied promise to make any such contribution, or (2) any
- expenditure, as defined in section 9-601b of the general statutes, as
- amended by this act.
- (b) A person shall not solicit, accept or receive a contribution from a
- 1178 foreign-influenced entity.
- 1179 Sec. 17. Subsections (h) to (m), inclusive, of section 9-621 of the
- general statutes are repealed and the following is substituted in lieu
- 1181 thereof (*Effective from passage*):
- (h) (1) No person shall make or incur an independent expenditure for
- any written, typed or other printed communication, including on a
- billboard, or any web-based, written communication, unless such
- 1185 communication bears upon its face, as a disclaimer, (A) the words "Paid
- for by", [and] (B) the name of such person and, in the case of a person
- other than a human being, the name of an individual who had direct,
- 1188 extensive and substantive decision-making authority over such
- 1189 independent expenditure, and (C) the following statement: "This

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message was made independent of any candidate or political party.". In the case of a person making or incurring such an independent expenditure during the ninety-day period immediately prior to the primary or election for which the independent expenditure is made, such communication shall also bear upon its face the names of the five persons who made the five largest aggregate covered transfers to the person making such communication during the twelve-month period immediately prior to such primary or election, as applicable. The communication shall also state that additional information about the person making such communication may be found on the State Elections Enforcement Commission's Internet web site.

(2) In addition to the requirements of subdivision (1) of this subsection, no person shall make or incur an independent expenditure for a video broadcast by television, satellite or Internet, unless at the end of such advertising there appears for a period of not less than four seconds as a disclaimer, the following as an audio message and a written statement: "This message was paid for by (person making the communication) and made independent of any candidate or political party.". In the case of a person making or incurring such an independent expenditure during the ninety-day period immediately prior to the primary or election for which the independent expenditure is made, such communication shall also list the names of the five persons who made the five largest aggregate covered transfers to the person making such communication during the twelve-month period immediately prior to such primary or election, as applicable. The communication shall also state that additional information about the person making such communication may be found on the State Elections Enforcement Commission's Internet web site.

(3) In addition to the requirements of subdivision (1) of this subsection, no person shall make or incur an independent expenditure for an audio communication broadcast by radio, satellite or Internet, unless the advertising ends with a disclaimer that is a personal audio statement by such person's agent (A) identifying the person paying for the expenditure, and (B) indicating that the message was made

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independent of any candidate or political party, using the following form: "I am (name of the person's agent), (title), of (the person). This message was made independent of any candidate or political party.". In the case of a person making or incurring such an independent expenditure during the ninety-day period immediately prior to the primary or election for which the independent expenditure is made, such communication shall state the names of the five persons who made the five largest aggregate covered transfers to the person making such communication during the twelve-month period immediately prior to such primary or election, as applicable. The communication shall also state that additional information about the person making such communication may be found on the State Elections Enforcement Commission's Internet web site.

- (4) In addition to the requirements of subdivision (1) of this subsection, no person shall make or incur an independent expenditure for telephone calls, unless the narrative of the telephone call identifies the person making the expenditure and during the ninety-day period immediately prior to the primary or election for which the independent expenditure is made, such communication shall state the names of the five persons who made the five largest aggregate covered transfers to the person making such communication during the twelve-month period immediately prior to such primary or election, as applicable. The communication shall also state that additional information about the person making such communication may be found on the State Elections Enforcement Commission's Internet web site.
- (i) In any [print, television or social media promotion of a slate of] organization expenditure for a party candidate listing of a candidate or candidates by a party committee, [the party] legislative caucus committee or legislative leadership committee, such committee shall use applicable disclaimers pursuant to the provisions of this section for such promotion, and no individual candidate disclaimers shall be required.
- (j) **[**(1) Except as provided in subdivisions (2) and (3) of this subsection, if] **If** any person whose name is included on a disclaimer of

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a communication pursuant to the provisions of this section, as a person who made a covered transfer to the maker of the communication, is also a recipient of a covered transfer, the maker of the communication, as part of any report filed pursuant to section 9-601d, as amended by this act, associated with the making of such communication, shall include the names of the five persons who made the top five largest aggregate covered transfers to such recipient during the twelve-month period immediately prior to the primary or election, as applicable.

- [(2) The name of any person who made a covered transfer to a taxexempt organization recognized under Section 501(c)(4) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended from time to time, that has not had its tax exempt status revoked, shall not be disclosed pursuant to the provisions of subdivision (1) of this subsection.
- (3) The name of any person who made a covered transfer to a person whose name is included on a disclaimer pursuant to the provisions of this section shall not be disclosed pursuant to the provisions of subdivision (1) of this subsection if the recipient of such covered transfer accepts covered transfers from at least one hundred different sources, provided no such source accounts for ten per cent or more of the total amount of covered transfers accepted by the recipient during the twelve-month period immediately prior to the primary or election, as applicable.]
- (k) Any disclaimer required to be on the face of a written, typed or other printed communication pursuant to the provisions of this section shall be printed in no smaller than eight-point type of uniform font when such disclaimer is on a communication contained in a flyer or leaflet, newspaper, magazine or similar literature, or that is delivered by mail.
- (l) Notwithstanding the provisions of this section, no person making an independent expenditure for a communication shall be required to list as part of any disclaimer pursuant to this section any person whose

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covered transfers to the maker of the communication are not in an aggregate amount of five thousand dollars or more during the twelvemonth period immediately prior to the primary, [or] election or referendum, as applicable, for which such independent expenditure is made.

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(m) Notwithstanding the provisions of this section, any disclaimer required to be on the face of any Internet [text advertisement communication (1) that appears based on the result of a search conducted by a user of an Internet search engine, and (2) the text of which contains two hundred or fewer characters, shall not be required to list the names of the five persons who made the top five largest aggregate covered transfers to the maker of such communication, as otherwise required by this section, if such disclaimer (A) includes a link to an Internet web site that discloses the names of such five persons, and (B) otherwise contains any statement required pursuant to the provisions of this section communication, which communication is disseminated through a medium in which the provision of all information required to be provided pursuant to this section is not possible, shall, in a clear and conspicuous manner, (1) state the name of the person who paid for such communication, and (2) provide a means for any recipient of such communication to obtain, with minimal effort and without receiving or viewing any additional material, the remainder of the information required to be provided pursuant to this section.

Sec. 18. Subdivision (1) of subsection (g) of section 9-7a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(g) (1) In the case of a written complaint filed with the commission pursuant to section 9-7b, commission staff shall conduct and complete a preliminary examination of such complaint by the fourteenth day following its receipt, at which time such staff shall, at its discretion, (A) dismiss the complaint for failure to allege any substantial violation of state election law supported by evidence, (B) engage the respondent in

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discussions in an effort to speedily resolve any matter pertaining to a de minimis violation, or (C) investigate and docket the complaint for a determination by the commission that probable cause or no probable cause exists for any such violation. If commission staff dismisses a complaint pursuant to subparagraph (A) of this subdivision, such staff shall provide a brief written statement concisely setting forth the reasons for such dismissal. If commission staff engages a respondent pursuant to subparagraph (B) of this subdivision but is unable to speedily resolve any such matter described in said subparagraph by the forty-fifth day following receipt of the complaint, such staff shall docket such complaint for a determination by the commission that probable cause or no probable cause exists for any violation of state election law. If the commission does not, by the sixtieth day following receipt of the complaint, either issue a decision or render its determination that probable cause or no probable cause exists for any violation of state election laws, the complainant or respondent may apply to the superior court for the judicial district of Hartford for an order to show cause why the commission has not acted upon the complaint and to provide evidence that the commission has unreasonably delayed action. For any complaint received on or after January 1, 2018, if the commission does not, by one year following receipt of such complaint, [issue a decision thereon, find reason to believe, pursuant to section 9-7b-35 of the regulations of Connecticut state agencies, that a violation of state election law has been committed, the commission shall dismiss such complaint, provided the length of time of any delay caused by (i) the commission or commission staff granting any extension or continuance to a respondent prior to the issuance of any such decision, (ii) any subpoena issued in connection with such complaint, (iii) any litigation in state or federal court related to such complaint, [or] (iv) any investigation by the commission or commission staff (I) involving a potential violation of section 9-601c or 9-601d, as amended by this act, or (II) involving a potential violation of state election law by any foreign national or foreign-influenced entity, or (v) any investigation by, or consultation of the commission or commission staff with, the Chief State's Attorney, the Attorney General, the United States Department of

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- Justice or the United States Attorney for Connecticut related to such complaint, shall be added to such one year.
- 1359 Sec. 19. (NEW) (Effective January 1, 2021) (a) As used in this section:
- 1360 (1) "Online platform" means any public-facing Internet web site or 1361 application or digital application, including, but not limited to, a social 1362 network, advertisement network or search engine, that sells qualified 1363 political advertisements and (A) has four hundred thousand or more 1364 unique monthly visitors or users, which visitors or users have an 1365 assigned Internet protocol address within the United States, for seven of 1366 the preceding twelve months, and (B) sells qualified political 1367 advertisements: and

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- (2) "Qualified political advertisement" means any advertisement, including, but not limited to, sponsorships, display advertisements, video advertisements, native advertisements and search engine marketing, that is an expenditure, as defined in section 9-601b of the general statutes, as amended by this act.
- (b) An online platform shall maintain, and make available for online public inspection in machine-readable format, a complete record of any request to purchase on such online platform a qualified political advertisement, which request is made by a person whose aggregate requests to purchase qualified political advertisements on such online platform during the calendar year exceeds two hundred dollars.
- (c) Any person who requests to purchase a qualified political advertisement on an online platform shall provide to the online platform all information necessary for such online platform to comply with the requirements of subsection (b) of this section.
- 1383 (d) A record maintained pursuant to subsection (b) of this section shall contain the following:
- 1385 (1) A digital copy of the qualified political advertisement;
- 1386 (2) A description of the audience targeted by such advertisement, the

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number of views generated from such advertisement and the date and time that such advertisement is both first and last displayed; and

- (3) Information regarding (A) the average rate charged for such advertisement, (B) as applicable, (i) the name of any candidate to whom such advertisement refers and the office to which such candidate is seeking nomination or election, (ii) the primary or election to which such advertisement refers, or (iii) the referendum question to which such advertisement refers, and (C) (i) for a request by or on behalf of a candidate to make such purchase, (I) the name of such candidate, (II) the name of the authorized candidate committee of such candidate, and (III) the name of the treasurer of such candidate committee, or (ii) for any other request to make such purchase, (I) the name of the person making such request, (II) the name, street address and phone number of a contact individual for such person, and (III) in the case of a person other than a human being, the name of an individual who had direct, extensive and substantive decision-making authority over the request to make such purchase.
- (e) The information required to be provided or maintained, as applicable, pursuant to this section shall be made available as soon as possible and retained by an online platform for a period of not less than four years.
- (f) (1) Notwithstanding the provisions of section 9-623 of the general statutes, if (A) an online platform fails to maintain a complete record of any request to purchase on such online platform a qualified political advertisement, in accordance with subsection (b) of this section, such online platform shall be subject to a civil penalty, imposed by the State Elections Enforcement Commission, of not more than ten thousand dollars, and (B) such online platform so fails for a qualified political advertisement made or obligated to be made ninety days or less before the day of a primary, election or referendum, such online platform shall be subject to a civil penalty, imposed by the commission, of not more than twenty thousand dollars or twice the amount of the total of all such qualified political advertisements not maintained as part of such record,

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1420 whichever is greater.

- (2) Notwithstanding the provisions of section 9-623 of the general statutes, (A) if the State Elections Enforcement Commission finds that any such failure is knowing and wilful, the online platform shall be subject to an additional civil penalty, imposed by the commission, of not more than fifty thousand dollars or ten times the amount of the total of all such qualified political advertisements not maintained as part of such record, whichever is greater, and the commission may refer the matter to the office of the Chief State's Attorney.
- Sec. 20. Section 9-750 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (a) (1) If, [(1)] for the fiscal year ending June 30, 2006, or any fiscal year thereafter, the amount of funds available under section 3-69a for deposit in the Citizens' Election Fund established in section 9-701, as amended by this act, is less than the amount of funds required under [said] section 3-69a and subdivision (2) of this subsection to be deposited in said fund, resulting in an insufficiency in the amount of the deposit, [or (2) during an election cycle the amount of funds in the Citizens' Election Fund is less than the amount of funds required to provide grants to each qualified candidate committee pursuant to the provisions of this chapter, resulting in an insufficiency in said fund,] a portion of the revenues from the tax imposed under chapter 208, equal to the amount of any insufficiency described in this subdivision, [(1) or (2) of this section,] shall be deposited in said fund to allow for the payment of grants pursuant to the provisions of this chapter.
 - (2) If, during an election cycle, the amount of funds in the Citizens' Election Fund is less than the amount of funds required to provide grants to each qualified candidate committee pursuant to the provisions of this chapter, resulting in an insufficiency in said fund, the cash portion of funds received under chapter 32 equal to the amount of any insufficiency described in this subdivision shall be deposited in said fund to allow for the payment of grants pursuant to the provisions of

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1452 this chapter.

- (b) Notwithstanding the provisions of section 3-69a, if funds are deposited into the Citizens' Election Fund pursuant to the provisions of subdivision [(2)] (1) of subsection (a) of this section, the aggregate amount of any such deposits shall be deducted from the amount deposited into said fund under section 3-69a for the following fiscal year.
- Sec. 21. Section 9-601c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2021*):
- (a) (1) As used in this chapter and chapter 157, [the term] "independent expenditure" means an expenditure, as defined in section 9-601b, as amended by this act, that is made entirely without the consent, coordination [,] or consultation of [,] a candidate or agent of [the] such candidate, candidate committee, political committee or party committee.
 - (2) For the purposes of this section, a payment shall not be considered to be made by a person with the consent, coordination or consultation of, or at the request or suggestion of, a candidate or committee solely on the grounds that such person or the agent of such person engaged in discussion with such candidate or committee, or any agent of such candidate or committee, regarding such person's position on a legislative or policy matter, including urging the candidate or committee to adopt such person's position, provided any such discussion between such person and such candidate or committee, or any agent of such candidate or committee, shall not regard the campaign advertising, message, strategy, policy, polling, fund-raising, campaign operations or allocation of resources of such candidate, committee or person.
 - (b) As used in this section, (1) "candidate" includes any person who, during an election cycle, becomes a candidate later in such election cycle and benefits from any expenditure, (2) "election cycle" means, with respect to an office to which a person seeks nomination or election, the

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- period beginning the day after a regular election for such office and ending the day of the next regular election for such office, and (3) "member of the family" means (A) a spouse, (B) any sibling, parent, child, grandparent, grandchild, aunt or uncle, (C) any sibling, parent, child, grandparent, grandchild, aunt or uncle of such spouse, or (D) the spouse of any child of any such individual described in subparagraph (B) or (C) of this subdivision. (c) As used in this section, "coordinated spender" means, with respect
- (c) As used in this section, "coordinated spender" means, with respect to a candidate or committee:
- (1) Any person directly or indirectly formed, controlled or established in an election cycle or the immediately preceding election cycle by, at the request or suggestion of, or with the encouragement or approval of, such candidate or committee, or any agent of such candidate or committee;

- (2) Except as otherwise provided in this subdivision, any person on whose behalf during an election cycle such candidate or committee, or any agent of such candidate or committee, solicits funds or engages in fund-raising activity, including the provision to such person of the name of any potential donor or other list to be used by such person in engaging in fund-raising activity, regardless of whether such person pays fair market value for any such name or list. Such person shall not be considered a coordinated spender under this subdivision if any funds raised by such candidate or committee, or any agent of such candidate or committee, are (A) segregated from each other account controlled by such person, and (B) not used to make (i) any independent expenditure that benefits such candidate or committee, or (ii) any contribution or covered transfer to another person who later in such election cycle makes any independent expenditure, contribution or covered transfer that benefits such candidate or committee;
 - (3) Any person established, directed or managed by another person who during an election cycle (A) served in such election cycle as a political, media or fund-raising advisor or consultant for such candidate

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1516	or committee, or for any entity controlled by such candidate or
1517	committee, or (B) held in such election cycle a formal position with a
1518	title for such candidate or committee;
1519	(4) Any person who is a member of the family of such candidate or
1520	who is established, directed or managed by any member of the family
1521	of such candidate; or
1522	(5) Any person, or any officer or agent of such person, who has had
1523	more than incidental discussion with a member of the family of such
1524	candidate regarding campaign advertising, message, strategy, policy,
1525	polling, fund-raising, campaign operations or allocation of resources of
1526	such candidate, committee or person.
1527	(d) Any expenditure made by a coordinated spender, as described in
1528	subsection (c) of this section, shall be deemed to have been made with
1529	the consent, coordination or consultation of, or at the request of
1530	suggestion of, a candidate or committee, or any agent of such candidate
1531	or committee.
1532	[(b)] (e) When the State Elections Enforcement Commission evaluates
1533	an expenditure, other than an expenditure described in subsection (d)
1534	of this section, to determine whether such expenditure is an
1535	independent expenditure, there shall be a rebuttable presumption that
1536	the following expenditures are not independent expenditures:
1537	(1) An expenditure made by a person [in cooperation, consultation or
1538	in concert with, at the request, suggestion or direction of, or] pursuant
1539	to a general or [particular] tacit understanding with (A) a candidate,
1540	candidate committee, political committee or party committee, or (B) a
1541	consultant or other agent acting on behalf of a candidate, candidate
1542	committee, political committee or party committee;
1543	(2) An expenditure made by a person for the production,
1544	dissemination, distribution or publication, in whole or in substantial
1545	part, of any broadcast or any written, graphic or other form of political
1546	advertising or campaign communication prepared by (A) a candidate,

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candidate committee, political committee or party committee, or (B) a consultant or other agent acting on behalf of a candidate, candidate committee, political committee or party committee;

- (3) An expenditure made by a person based on information about a candidate's, political committee's, or party committee's plans, projects or needs, provided by (A) a candidate, candidate committee, political committee or party committee, or (B) a consultant or other agent acting on behalf of a candidate, candidate committee, political committee or party committee, with the intent that such expenditure be made;
- (4) An expenditure made by an individual who [, in the same] <u>during</u> <u>an</u> election cycle [,] is serving or has served <u>in such election cycle (A)</u> as the campaign chairperson, treasurer or deputy treasurer of a candidate committee, political committee or party committee benefiting from such expenditure, or <u>(B)</u> in any other executive or policymaking position, including as a member, employee, fundraiser, consultant or other agent, of a <u>candidate</u>, candidate committee, political committee or party committee;
- (5) An expenditure made by a person or an entity on or after January first in the year of an election in which a candidate is seeking public office that benefits such candidate when such person or entity has hired an individual as an employee or consultant and such individual was an employee of or consultant to <u>such candidate</u>, such candidate's candidate committee or such candidate's opponent's candidate committee during [any part of the eighteen-month period preceding such expenditure] <u>an</u> election cycle or the immediately preceding election cycle;
- (6) An expenditure made by a person for fundraising activities (A) for a candidate, candidate committee, political committee or party committee, or a consultant or other agent acting on behalf of a candidate, candidate committee, political committee or party committee, or (B) for the solicitation or receipt of contributions on behalf of a candidate, candidate committee, political committee or party committee, or a consultant or other agent acting on behalf of a candidate, candidate

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committee, political committee or party committee;

- (7) An expenditure made by a person based on information about a candidate's campaign plans, projects or needs, that is directly or indirectly provided by a candidate, the candidate's candidate committee, a political committee or a party committee, or a consultant or other agent acting on behalf of such candidate, candidate committee, political committee or party committee, to the person making the expenditure or such person's agent, with an express or tacit understanding that such person is considering making the expenditure;
- (8) An expenditure made by a person for a communication that clearly identifies a candidate during an election campaign, if the person making the expenditure, or such person's agent, has informed the candidate who benefits from the expenditure, [that] <u>such</u> candidate's candidate committee, a political committee or a party committee, or a consultant or other agent acting on behalf of the benefiting candidate or candidate committee, political committee, or party committee, concerning the communication's contents, or of the intended audience, timing, location or mode or frequency of dissemination. [As used in] <u>For the purposes of</u> this subdivision, a communication clearly identifies a candidate when that communication contains the name, nickname, initials, photograph or drawing of the candidate or an unambiguous reference to [that] <u>such</u> candidate, which includes, but is not limited to, a reference that can only mean [that] <u>such</u> candidate; [and]
- (9) An expenditure made by a person or an entity for consultant or creative services, including, but not limited to, services related to communications strategy or design or campaign strategy or to engage a campaign-related vendor, to be used to promote or oppose a candidate's election to office if the provider of such services is <u>providing</u> or has provided consultant or creative services to such candidate, such candidate's candidate committee or an agent of such candidate committee, or to any opposing candidate's candidate committee or an agent of such <u>opposing candidate's</u> candidate committee after January first of the year in which the expenditure occurs. For <u>the</u> purposes of this

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subdivision, [communications strategy or design] "communications strategy or design" does not include the costs of printing or costs for the use of a medium for the purpose of communications. For the purposes of this subdivision, [campaign-related vendor] "campaign-related vendor" includes, but is not limited to, a vendor that provides any of the following services: Polling, mail design, mail strategy, political strategy, general campaign advice or telephone banking; [.] and

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(10) An expenditure made by any person directly or indirectly formed, controlled or established in an election cycle or the immediately preceding election cycle by, at the request or suggestion of, or with the encouragement of, another person deemed to be a coordinated spender, or any agent of such coordinated spender, including with the express or tacit approval of any such coordinated spender or agent.

[(c) When the State Elections Enforcement Commission evaluates an expenditure to determine whether an expenditure by entity is an independent expenditure, the following shall not be presumed to constitute evidence of consent, coordination or consultation within the meaning of subsection (a) of this section: (1) Participation by a candidate or an agent of the candidate in an event sponsored by the entity, unless such event promotes the success of the candidate's candidacy or the defeat of the candidate's opponent, or unless the event is during the period that is forty-five days prior to the primary for which the candidate is seeking nomination for election or election to office; (2) membership of the candidate or agent of the candidate in the entity, unless the candidate or agent of the candidate holds an executive or policymaking position within the entity after the candidate becomes a candidate; or (3) financial support for, or solicitation or fundraising on behalf of the entity by a candidate or an agent of the candidate, unless the entity has made or obligated to make independent expenditures in support of such candidate in the election or primary for which the candidate is a candidate.]

[(d)] (f) When the State Elections Enforcement Commission evaluates an expenditure to determine whether such expenditure is an

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independent expenditure, the commission shall consider, as an effective rebuttal to the presumptions provided in subsection [(b)] (e) of this section, the establishment by the person making the expenditure of a firewall policy designed and implemented to prohibit the flow of information between (1) employees, consultants or other individuals providing services to the person paying for the expenditure, and (2) the candidate or agents of the candidate.

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Sec. 22. Subdivision (2) of subsection (a) of section 9-7a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) On and after July 1, 2011, but before July 1, 2020, members shall be appointed for terms of three years from July first in the year of their appointment and shall be appointed by the person holding the same office as was held by the person making the original appointment, provided any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he or she shall succeed. On and after [July 1, 2011, no] July 1, 2020, any member may serve more than two consecutive terms, [except that] and any member serving on said date [,] may serve until a successor is appointed and has qualified. All appointments shall be made with the consent of the state Senate and House of Representatives. No person who has served during any part of the three-year period prior to the appointment as a political party officer, shall be appointed to membership on the commission. For purposes of this subsection, "political party officer" means an officer of a national committee of a political party, state central or town committee. The commission shall elect one of its members to serve as chairperson and another member to serve as vice-chairperson. Each member of the commission shall be compensated at the rate of two hundred dollars per day for any day on which he or she participates in a regular commission meeting or hearing, and shall be paid by the state for his reasonable expenses, including necessary stenographic and clerical help.

Sec. 23. Section 9-700 of the general statutes is repealed and the

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- 1678 following is substituted in lieu thereof (*Effective January 1, 2021*):
- 1679 As used in [sections 9-700 to 9-716, inclusive] this chapter and section 1680 23 of this act:
- 1681 (1) "Commission" means the State Elections Enforcement 1682 Commission.
- (2) "Depository account" means the single checking account at the depository institution designated as the depository for the candidate committee's moneys in accordance with the provisions of subsection (a) of section 9-604.
- 1687 (3) "District office" has the same meaning as provided in section 9-1688 372.
- (4) "Eligible minor party candidate" means a candidate for election to an office who is nominated by a minor party pursuant to subpart B of part III of chapter 153.
- (5) "Eligible petitioning party candidate" means a candidate for election to an office pursuant to subpart C of part III of chapter 153 whose nominating petition has been approved by the Secretary of the State pursuant to section 9-453o.
- 1696 (6) "Fund" means the Citizens' Election Fund established in section 9-1697 701, as amended by this act.
- 1698 (7) "General election campaign" means (A) in the case of a candidate 1699 nominated at a primary, the period beginning on the day following the 1700 primary and ending on the date the treasurer files the final statement for 1701 such campaign pursuant to section 9-608, as amended by this act, or (B) 1702 in the case of a candidate nominated without a primary, the period 1703 beginning on the day following the day on which the candidate is 1704 nominated and ending on the date the treasurer files the final statement 1705 for such campaign pursuant to section 9-608, as amended by this act.
 - (8) "Major party" has the same meaning as provided in section 9-372.

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- 1707 (9) "Minor party" has the same meaning as provided in section 9-372.
- 1708 (10) "Municipal office" has the same meaning as provided in section 1709 9-372.
- 1710 (11) "Primary campaign" means the period beginning on the day 1711 following the close of (A) a convention held pursuant to section 9-382 1712 for the purpose of endorsing a candidate for nomination to the office of 1713 Governor, Lieutenant Governor, Attorney General, State Comptroller, 1714 State Treasurer or Secretary of the State or the district office of state 1715 senator or state representative, or (B) a caucus, convention or town 1716 committee meeting held pursuant to section 9-390 for the purpose of 1717 endorsing a candidate for the municipal office of state senator or state 1718 representative, whichever is applicable, and ending on the day of a 1719 primary held for the purpose of nominating a candidate for such office.

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- (12) "Qualified candidate committee" means a candidate committee (A) established to aid or promote the success of any candidate for nomination or election to the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, State Treasurer, Secretary of the State, state senator or state representative, and (B) approved by the commission to receive a grant from the Citizens' Election Fund under section 9-706, as amended by this act.
- 1727 (13) "Qualifying contribution" means a contribution that is applied 1728 toward the amount required to receive a grant under section 9-705, as 1729 amended by this act.
- 1730 (14) "Supplemental qualifying contribution" means a contribution
 1731 received in order to qualify for a supplemental grant under section 23 of
 1732 this act or received in accordance with subdivision (3) of subsection (c)
 1733 of section 9-702, as amended by this act.
- Sec. 24. (NEW) (*Effective January 1, 2021*) (a) (1) (A) The qualified candidate committee of a major party candidate for the office of Governor who has a primary for nomination to said office may be eligible, in accordance with the provisions of this section, to receive a

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supplemental grant from the Citizens' Election Fund for the primary campaign in addition to a grant received pursuant to subdivision (1) of subsection (a) of section 9-705 of the general statutes.

- (B) The amount of a supplemental grant for the primary campaign pursuant to this subdivision shall be determined pursuant to subsection (b) of this section, but in no case shall exceed the maximum amount provided for in this subparagraph. In the case of a primary held in 2022, the maximum amount of such supplemental grant for the primary campaign shall be seventy-five per cent of the grant for the primary campaign authorized under subdivision (1) of subsection (a) of section 9-705 of the general statutes.
- (2) (A) The qualified candidate committee of a candidate for the office of Governor that received a grant from the Citizens' Election Fund for the general election campaign pursuant to section 9-705 of the general statutes, as amended by this act, may be eligible, in accordance with the provisions of this section, to receive a supplemental grant from the fund for the general election campaign in addition to a grant received pursuant to subsection (a) of section 9-705 of the general statutes.
- (B) The amount of a supplemental grant for the general election campaign pursuant to this subdivision shall be determined pursuant to subsection (b) of this section, but in no case shall exceed the maximum amount provided for in this subparagraph. In the case of an election held in 2022, the maximum amount of such supplemental grant for the general election campaign shall be seventy-five per cent of the applicable grant for the general election campaign authorized under section 9-705 of the general statutes, as amended by this act, for such qualified candidate committee described in subparagraph (A) of this subdivision.
- (b) (1) Any qualified candidate committee described in subsection (a) of this section is eligible to receive a supplemental grant for a primary campaign, if applicable, and for a general election campaign if (A) the qualified candidate committee receives supplemental qualifying

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contributions for a supplemental grant under section 9-704 of the general statutes, as amended by this act, (B) the qualified candidate committee returns all contributions that do not meet the criteria for supplemental qualifying contributions under section 9-704 of the general statutes, as amended by this act, (C) the participating candidate agrees to limit such candidate's qualified candidate committee's campaign expenditures in accordance with the provisions of section 9-702 of the general statutes, as amended by this act, and (D) the qualified candidate committee submits an application, and the State Elections Enforcement Commission approves such application, in accordance with the provisions of this section and subsections (a) and (b) of section 9-706 of the general statutes, as amended by this act.

- (2) The State Elections Enforcement Commission shall review each application described in subdivision (1) of this subsection in accordance with the provisions of subsection (d) of section 9-706 of the general statutes, as amended by this act. If the commission approves the application of any such qualified candidate committee described in subdivision (1) of this subsection, the amount of any supplemental grant payable to such committee shall be equal to three times the amount of contributions received by such committee that qualify as supplemental qualifying contributions for a supplemental grant under section 9-704 of the general statutes, as amended by this act, but in no case shall the amount of such supplemental grant exceed the maximum amount applicable to such committee under subsection (a) of this section. The commission shall authorize the payment of such supplemental grant in accordance with the provisions of subsection (d) of section 9-706 of the general statutes, as amended by this act.
- Sec. 25. Section 9-702 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2021*):
- (a) There is established a Citizens' Election Program under which (1) the candidate committee of a major party candidate for nomination to the office of state senator or state representative in 2008, or thereafter, or the office of Governor, Lieutenant Governor, Attorney General, State

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1803 Comptroller, Secretary of the State or State Treasurer in 2010, or 1804 thereafter, may receive a grant from the Citizens' Election Fund for the 1805 candidate's primary campaign for said nomination, and (2) the 1806 candidate committee of a candidate nominated by a major party, or the 1807 candidate committee of an eligible minor party candidate or an eligible 1808 petitioning party candidate, (A) for election to the office of state senator 1809 or state representative at a special election held on or after December 31, 1810 2006, or at a regular election held in 2008, or thereafter, or (B) for election 1811 to the office of Governor, Attorney General, State Comptroller, Secretary 1812 of the State or State Treasurer in 2010, or thereafter, may receive a grant 1813 from the fund for the candidate's general election campaign for said 1814 office.

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(b) (1) Any such candidate committee is eligible to receive such grants under sections 9-705 and 9-706, as amended by this act, for a primary campaign, if applicable, and a general election campaign if [(1)] (A) the candidate certifies as a participating candidate under section 9-703, as amended by this act, [(2)] (B) the candidate's candidate committee receives the required amount of qualifying contributions under section 9-704, as amended by this act, [(3)] (C) the candidate's candidate committee returns, or transmits to the State Elections Enforcement Commission for deposit in the Citizens' Election Fund, all contributions that do not meet the criteria for qualifying contributions under section 9-704, as amended by this act, [(4)] (D) the candidate agrees to limit the campaign expenditures of the candidate's candidate committee in accordance with the provisions of subsection (c) of this section, and [(5)] (E) the candidate submits an application and the commission approves the application in accordance with the provisions of section 9-706, as amended by this act.

- (2) After receiving a grant under sections 9-705 and 9-706, as amended by this act, a qualified candidate committee of a candidate for the office of Governor may then qualify for a supplemental grant under section 23 of this act.
 - (c) (1) A candidate participating in the Citizens' Election Program

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shall limit the expenditures of the candidate's candidate committee (A) before a primary campaign and a general election campaign, to the amount of qualifying contributions permitted in section 9-704, as amended by this act, and any personal funds provided by the candidate under subsection (c) of section 9-710, as amended by this act, (B) for a primary campaign, to the sum of (i) the amount of such qualifying contributions and personal funds that have not been spent before the primary campaign, [and] (ii) the amount of the grant for the primary campaign authorized under section 9-705, as amended by this act, (iii) the amount of any supplemental grant for the primary campaign authorized under section 23 of this act, if applicable, for a candidate for the office of Governor, and (iv) the amount of any supplemental qualifying contributions under subdivision (3) of this subsection, if applicable, for a candidate for the office of Governor, and (C) for a general election campaign, to the sum of (i) the amount of such qualifying contributions and personal funds that have not been spent before the general election campaign, (ii) any unexpended funds from any grant for a primary campaign authorized under section 9-705, as amended by this act, [and] or from any supplemental grant for a primary campaign authorized under section 23 of this act, if applicable, (iii) the amount of the grant for the general election campaign authorized under section 9-705, as amended by this act, (iv) the amount of any supplemental grant for the general election campaign authorized under section 23 of this act, if applicable, for a candidate for the office of Governor, and (v) the amount of any supplemental qualifying contributions under subdivision (3) of this subsection for a candidate for the office of Governor.

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(2) The candidate committee of a minor or petitioning party candidate who has received a general election campaign grant from the fund pursuant to section 9-705, as amended by this act, shall be permitted to receive contributions in addition to the qualifying contributions subject to the limitations and restrictions applicable to participating candidates for the same office, provided such minor or petitioning party candidate shall limit the expenditures of the candidate

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committee for a general election campaign to the sum of the qualifying contributions and personal funds, the amount of the general election campaign grant received and the amount raised in additional contributions that is equivalent to the difference between the amount of the applicable general election campaign grant for a major party candidate for such office and the amount of the general election campaign grant received by such minor or petitioning party candidate.

- (3) After qualifying for a grant under section 9-705, as amended by this act, a qualified candidate committee of a candidate for the office of Governor that is eligible to receive a supplemental grant under section 23 of this act, regardless of whether such candidate committee satisfies application deadlines under section 9-706, as amended by this act, may receive supplemental qualifying contributions subject to the limitations and restrictions under section 9-704, as amended by this act. The amount raised in supplemental qualifying contributions shall not exceed an amount that is equivalent to one-third of the maximum amount of the applicable grant for which such qualified candidate committee would be eligible if such qualified candidate committee received the maximum grant amount under section 23 of this act.
- (d) For the purposes of this chapter <u>and section 23 of this act</u>, if a qualified candidate committee receives a grant for a primary campaign and has qualifying contributions that have not been spent before the primary campaign, no expenditures by such committee during the primary campaign shall be deemed to have been made from such qualifying contributions until the primary campaign grant funds have been fully spent.
- (e) [No] <u>Any</u> grants or moneys paid to a qualified candidate committee from the Citizens' Election Fund under this chapter <u>or section</u> <u>23 of this act</u> shall <u>not</u> be deemed to be public funds under any other provision of the general statutes or any public or special act unless specifically stated by such provision.
- Sec. 26. Section 9-704 of the general statutes is repealed and the

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1902 following is substituted in lieu thereof (*Effective January 1, 2021*):

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- (a) The amount of qualifying contributions that the candidate committee of a candidate shall be required to receive in order to be eligible for grants from the Citizens' Election Fund <u>under section 9-705</u>, <u>as amended by this act</u>, shall be:
- (1) In the case of a candidate for nomination or election to the office of Governor, contributions from individuals in the aggregate amount of two hundred fifty thousand dollars, of which two hundred twenty-five thousand dollars or more is contributed by individuals residing in the state, except that in the case of a primary or election held in 2022, or thereafter, the aggregate contribution amounts shall be first adjusted under subdivision (1) of subsection (b) of this section and then rounded to the nearest multiple of one hundred dollars with exactly fifty dollars rounded upward. The provisions of this subdivision shall be subject to the following: (A) Except as provided in subparagraph (C) of this subdivision and subsection (g) of section 9-610, (i) before January 1, 2019, the candidate committee shall return the portion of any contribution or contributions from any individual, including said candidate, that exceeds one hundred dollars, (ii) on and after January 1, 2019, the candidate committee shall return the portion of any contribution or contributions from any individual, including said candidate, that exceeds two hundred fifty dollars, and (iii) any such excess portion shall not be considered in calculating the aggregate contribution amounts under this subdivision, (B) all contributions received by (i) an exploratory committee established by said candidate, or (ii) an exploratory committee or candidate committee of a candidate for the office of Lieutenant Governor who is deemed to be jointly campaigning with a candidate for nomination or election to the office of Governor under subsection (a) of section 9-709, which meet the criteria for qualifying contributions to candidate committees under this section shall be considered in calculating the aggregate contribution amounts, and (C) in the case of a primary or election held in 2022, or thereafter, the two-hundred-fifty-dollar maximum individual contribution amount provided in subparagraph (A) of this subdivision shall be first adjusted

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under subdivision (1) of subsection (c) of this section and then rounded to the nearest multiple of ten dollars with exactly five dollars rounded upward.

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(2) In the case of a candidate for nomination or election to the office of Lieutenant Governor, Attorney General, State Comptroller, State Treasurer or Secretary of the State, contributions from individuals in the aggregate amount of seventy-five thousand dollars, of which sixtyseven thousand five hundred dollars or more is contributed by individuals residing in the state, except that in the case of a primary or election for Lieutenant Governor held in 2022, or thereafter, the aggregate contribution amounts shall be first adjusted under subdivision (1) of subsection (b) of this section and then rounded to the nearest multiple of one hundred dollars with exactly fifty dollars rounded upward and in the case of a primary or election for Attorney General, State Comptroller, State Treasurer or Secretary of the State held in 2018, or thereafter, the aggregate contribution amounts shall be first adjusted under subdivision (2) of subsection (b) of this section and then rounded to the nearest multiple of one hundred dollars with exactly fifty dollars rounded upward. The provisions of this subdivision shall be subject to the following: (A) Except as provided in subparagraph (C) of this subdivision and subsection (g) of section 9-610, (i) before January 1, 2019, the candidate committee shall return the portion of any contribution or contributions from any individual, including said candidate, that exceeds one hundred dollars, (ii) on and after January 1, 2019, the candidate committee shall return the portion of any contribution or contributions from any individual, including said candidate, that exceeds two hundred fifty dollars, and (iii) any such excess portion shall not be considered in calculating the aggregate contribution amounts under this subdivision, (B) all contributions received by an exploratory committee established by said candidate that meet the criteria for qualifying contributions to candidate committees under this section shall be considered in calculating the aggregate contribution amounts, and (C) in the case of a primary or election held in 2022, or thereafter, the two-hundred-fifty-dollar maximum

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individual contribution amount provided in subparagraph (A) of this subdivision shall be first adjusted under subdivision (1) of subsection (c) of this section and then rounded to the nearest multiple of ten dollars with exactly five dollars rounded upward.

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(3) In the case of a candidate for nomination or election to the office of state senator for a district, contributions from individuals in the aggregate amount of fifteen thousand dollars, including contributions from at least three hundred individuals residing in municipalities included, in whole or in part, in said district, except that in the case of a primary or election held in 2018, or thereafter, the aggregate contribution amount shall be first adjusted under subdivision (3) of subsection (b) of this section and then rounded to the nearest multiple of one hundred dollars with exactly fifty dollars rounded upward. The provisions of this subdivision shall be subject to the following: (A) Except as provided in subparagraph (D) of this subdivision and subsection (g) of section 9-610, (i) before December 1, 2017, the candidate committee shall return the portion of any contribution or contributions from any individual, including said candidate, that exceeds one hundred dollars, (ii) on and after December 1, 2017, the candidate committee shall return the portion of any contribution or contributions from any individual, including said candidate, that exceeds two hundred fifty dollars, and (iii) any such excess portion shall not be considered in calculating the aggregate contribution amount under this subdivision, (B) no contribution shall be counted for the purposes of the requirement under this subdivision for contributions from at least three hundred individuals residing in municipalities included, in whole or in part, in the district unless the contribution is five dollars or more, and (C) all contributions received by an exploratory committee established by said candidate that meet the criteria for qualifying contributions to candidate committees under this section shall be considered in calculating the aggregate contribution amount under this subdivision and all such exploratory committee contributions that also meet the requirement under this subdivision for contributions from at least three hundred individuals residing in municipalities included, in whole or in

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part, in the district shall be counted for the purposes of said requirement, and (D) in the case of a primary or election held in 2020, or thereafter, the two-hundred-fifty-dollar maximum individual contribution amount provided in subparagraph (A) of this subdivision shall be adjusted under subdivision (2) of subsection (c) of this section and then rounded to the nearest multiple of ten dollars with exactly five dollars rounded upward.

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(4) In the case of a candidate for nomination or election to the office of state representative for a district, contributions from individuals in the aggregate amount of five thousand dollars, including contributions from at least one hundred fifty individuals residing in municipalities included, in whole or in part, in said district, except that in the case of a primary or election held in 2018, or thereafter, the aggregate contribution amount shall be first adjusted under subdivision (3) of subsection (b) of this section and then rounded to the nearest multiple of one hundred dollars with exactly fifty dollars rounded upward. The provisions of this subdivision shall be subject to the following: (A) Except as provided in subparagraph (D) of this subdivision and subsection (g) of section 9-610, (i) before December 1, 2017, the candidate committee shall return the portion of any contribution or contributions from any individual, including said candidate, that exceeds one hundred dollars, (ii) on and after December 1, 2017, the candidate committee shall return the portion of any contribution or contributions from any individual, including said candidate, that exceeds two hundred fifty dollars, and (iii) any such excess portion shall not be considered in calculating the aggregate contribution amount under this subdivision, (B) no contribution shall be counted for the purposes of the requirement under this subdivision for contributions from at least one hundred fifty individuals residing in municipalities included, in whole or in part, in the district unless the contribution is five dollars or more, (C) all contributions received by an exploratory committee established by said candidate that meet the criteria for qualifying contributions to candidate committees under this section shall be considered in calculating the aggregate contribution amount under this subdivision

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and all such exploratory committee contributions that also meet the requirement under this subdivision for contributions from at least one hundred fifty individuals residing in municipalities included, in whole or in part, in the district shall be counted for the purposes of said requirement, and (D) in the case of a primary or election held in 2020, or thereafter, the two-hundred-fifty-dollar maximum individual contribution amount provided in subparagraph (A) of this subdivision shall be adjusted under subdivision (2) of subsection (c) of this section and then rounded to the nearest multiple of ten dollars with exactly five dollars rounded upward.

(5) Notwithstanding the provisions of subdivisions (3) and (4) of this subsection, in the case of a special election for the office of state senator or state representative for a district, (A) the aggregate amount of qualifying contributions that the candidate committee of a candidate for such office shall be required to receive in order to be eligible for a grant from the Citizens' Election Fund shall be seventy-five per cent or more of the corresponding amount required under the applicable said subdivision (3) or (4), as adjusted and rounded pursuant to the applicable provisions of subsection (b) of this section, and (B) the number of contributions required from individuals residing in municipalities included, in whole or in part, in said district shall be seventy-five per cent or more of the corresponding number required under the applicable said subdivision (3) or (4).

(b) (1) For elections for the office of Governor or Lieutenant Governor held in 2022, and thereafter, the aggregate contribution amounts in subdivision (1) or (2), as applicable, of subsection (a) of this section shall be adjusted by the State Elections Enforcement Commission not later than January 15, 2022, and quadrennially thereafter, in accordance with any change in the consumer price index for all urban consumers as published by the United States Department of Labor, Bureau of Labor Statistics, during the period beginning on January 1, 2017, and ending on December thirty-first in the year preceding the year in which said adjustment is to be made.

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(2) For elections for the office of Attorney General, State Comptroller, State Treasurer or Secretary of the State held in 2018, and thereafter, the aggregate contribution amounts in subdivision (2) of subsection (a) of this section shall be adjusted by the State Elections Enforcement Commission not later than January 15, 2018, and quadrennially thereafter, in accordance with any change in the consumer price index for all urban consumers as published by the United States Department of Labor, Bureau of Labor Statistics, during the period beginning on January 1, 2017, and ending on December thirty-first in the year preceding the year in which said adjustment is to be made.

- (3) For elections for the office of state senator or state representative held in 2018, and thereafter, the aggregate contribution amounts in subdivision (3) or (4), as applicable, of subsection (a) of this section shall be adjusted by the State Elections Enforcement Commission not later than January 15, 2018, and biennially thereafter, in accordance with any change in the consumer price index for all urban consumers as published by the United States Department of Labor, Bureau of Labor Statistics, during the period beginning on January 1, 2017, and ending on December thirty-first in the year preceding the year in which said adjustment is to be made.
- (c) (1) For elections for the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, State Treasurer or Secretary of the State held in 2022, and thereafter, the two-hundred-fifty-dollar maximum individual contribution amount in subdivision (1) or (2), as applicable, of subsection (a) of this section shall be adjusted by the State Elections Enforcement Commission not later than January 15, 2022, and quadrennially thereafter, in accordance with any change in the consumer price index for all urban consumers as published by the United States Department of Labor, Bureau of Labor Statistics, during the period beginning on January 1, 2017, and ending on December thirty-first in the year preceding the year in which said adjustment is to be made.
 - (2) For elections for the office of state senator or state representative

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held in 2020, and thereafter, the two-hundred-fifty-dollar maximum individual contribution amount in subdivision (3) or (4), as applicable, of subsection (a) of this section shall be adjusted by the State Elections Enforcement Commission not later than January 15, 2020, and biennially thereafter, in accordance with any change in the consumer price index for all urban consumers as published by the United States Department of Labor, Bureau of Labor Statistics, during the period beginning on January 1, 2017, and ending on December thirty-first in the year preceding the year in which said adjustment is to be made.

- (d) The maximum amount of contributions that a qualified candidate committee described in section 23 of this act may receive as supplemental qualifying contributions in order to be eligible for a supplemental grant from the Citizens' Election Fund under said section shall be:
- (1) In the case of a qualified candidate committee of a major party candidate for the office of Governor who has a primary campaign for nomination to said office, contributions from individuals in an aggregate amount not to exceed one-third of the maximum amount of the supplemental grant for a primary campaign under subsection (a) of section 23 of this act, of which seventy-five per cent or more of the aggregate amount is contributed by individuals residing in the state. The qualified candidate committee shall return the portion of any contribution or contributions from any individual that exceeds one hundred dollars, and such excess portion shall not be considered in calculating such amounts.
 - (2) In the case of a qualified candidate committee of a candidate for election to the office of Governor, contributions from individuals in an aggregate amount not to exceed one-third of the maximum amount of the supplemental grant for a general election campaign under subsection (a) of section 23 of this act, of which seventy-five per cent or more of the aggregate amount is contributed by individuals residing in the state. The qualified candidate committee shall return the portion of any contribution or contributions from any individual that exceeds one

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2137 hundred dollars, and such excess portion shall not be considered in 2138 calculating such amounts. 2139 [(d)] (e) Each individual who makes a contribution of more than fifty 2140 dollars to a candidate committee established to aid or promote the 2141 success of a participating candidate for nomination or election shall 2142 include with the contribution a certification that contains the same 2143 information described in subdivision (3) of subsection (c) of section 9-608, as amended by this act, and shall follow the same procedure 2144 2145 prescribed in said subsection. 2146 [(e)] (f) The following shall not be deemed to be qualifying contributions under subsection (a) of this section, or supplemental 2147 2148 qualifying contributions under subsection (d) of this section, and shall 2149 be returned by the treasurer of the candidate committee to the 2150 contributor or transmitted to the State Elections Enforcement 2151 Commission for deposit in the Citizens' Election Fund: 2152 (1) A contribution from a principal of a state contractor or prospective 2153 state contractor; 2154 (2) A contribution of less than five dollars, and a contribution of five 2155 dollars or more from an individual who does not provide the full name 2156 and complete address of the individual; 2157 (3) A contribution under subdivision (1) or (2) of subsection (a) of this 2158 section, or under subdivision (1) or (2) of subsection (d) of this section, 2159 from an individual who does not reside in the state, in excess of the 2160 applicable limit on contributions from out-of-state individuals in subsection (a) or (d), as applicable, of this section; and 2161 2162 (4) A contribution made by a youth who is less than twelve years of 2163 age.

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[(f) After] (g) (1) Except as provided in subdivision (2) of this

subsection, after a candidate committee receives the applicable

aggregate amount of qualifying contributions under subsection (a) of

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this section, the candidate committee shall transmit any additional contributions that it receives to the State Treasurer for deposit in the Citizens' Election Fund.

(2) If a qualified candidate committee of a candidate for the office of Governor is eligible for a supplemental grant under section 23 of this act, the qualified candidate committee may use excess qualifying contributions, the aggregate amount of which shall be not more than twenty per cent of the applicable aggregate amount of qualifying contributions under subsection (a) of this section, as supplemental qualifying contributions under subsection (d) of this section. If a qualified candidate committee for the office of Governor is eligible for a supplemental grant for a primary campaign under section 23 of this act, the qualified candidate committee may use excess supplemental qualifying contributions, the aggregate amount of which shall be not more than twenty per cent of the applicable aggregate amount of supplemental qualifying contributions for a primary campaign grant, as supplemental qualifying contributions for a supplemental grant for the general election campaign under section 23 of this act.

(h) The two-hundred-fifty-dollar maximum individual contribution amount provided in subparagraph (A) of subdivision (1) of subsection (a) of this section shall apply to the aggregate total of each qualifying contribution and each supplemental qualifying contribution. In the case of a primary or election held in 2022, or thereafter, such maximum individual contribution amount shall be first adjusted under subdivision (1) of subsection (c) of this section and then rounded to the nearest multiple of ten dollars with exactly five dollars rounded upward.

[(g)] (i) As used in this section, "principal of a state contractor or prospective state contractor" has the same meaning as provided in subsection (g) of section 9-612, and "individual" shall include sole proprietorships.

Sec. 27. Subdivision (2) of subsection (i) of section 9-705 of the general

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- statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2021*):
- 2201 (2) If a participating candidate is nominated at a primary and does 2202 not expend the entire grant for the primary campaign authorized under 2203 subsection (a), (b), (e) or (f) of this section, or does not expend the entire 2204 supplemental grant for the primary campaign authorized under section 2205 23 of this act, if applicable, the amount of the grant for the general 2206 election campaign shall be reduced by the total amount of any such 2207 unexpended [primary campaign] grant for the primary campaign, 2208 supplemental grant for the primary campaign and moneys;
- Sec. 28. Subsections (b) to (g), inclusive, of section 9-706 of the general statutes, as amended by section 6 of this act, are repealed and the following is substituted in lieu thereof (*Effective January 1*, 2021):
- 2212 (b) The application shall include a written certification that:

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- 2213 (1) The candidate committee has received the required amount of qualifying contributions;
- 2215 (2) The candidate committee has repaid all moneys borrowed on 2216 behalf of the campaign, as required by subsection (b) of section 9-710;
- 2217 (3) The candidate committee has returned any contribution of five 2218 dollars or more from an individual who does not include the 2219 individual's name and address with the contribution;
 - (4) [The] Except as provided in subsection (e) of section 9-704, as amended by this act, the candidate committee has returned all contributions or portions of contributions that do not meet the criteria for qualifying contributions under section 9-704, as amended by this act, and transmitted all excess qualifying contributions and supplemental qualifying contributions to the Citizens' Election Fund;
 - (5) The treasurer of the candidate committee will: (A) Comply with the provisions of chapter 155 and this chapter, and (B) maintain and furnish all records required pursuant to chapter 155 and this chapter

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and any regulation adopted pursuant to such chapters;

- (6) All moneys received from the Citizens' Election Fund will be deposited upon receipt into the depository account of the candidate committee;
- (7) The treasurer of the candidate committee will expend all moneys received from the fund in accordance with the provisions of subsection (g) of section 9-607, as amended by this act, and regulations adopted by the State Elections Enforcement Commission under subsection (e) of this section;
 - (8) If the candidate withdraws from the campaign, becomes ineligible or dies during the campaign, the candidate committee of the candidate will return to the commission, for deposit in the fund, all moneys received from the fund pursuant to [sections 9-700 to 9-716, inclusive, which] this chapter and section 23 of this act that said candidate committee has not spent as of the date of such occurrence;
 - (9) All outstanding civil penalties or forfeitures assessed pursuant to chapters 155 to 157, inclusive, against the current or any former committee of the candidate have been paid, provided (A) in the case of any candidate seeking nomination for or election to the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, Secretary of the State or State Treasurer, any such penalty or forfeiture was assessed not later than twenty-four months prior to the submission of an application pursuant to this section; or (B) in the case of any candidate seeking nomination for or election to the office of state senator or state representative, any such penalty or forfeiture was assessed not later than twelve months prior to the submission of an application pursuant to this section;
 - (10) The treasurer has paid any civil penalties or forfeitures assessed pursuant to chapters 155 to 157, inclusive, and has not been convicted of or pled guilty or nolo contendere to, in a court of competent jurisdiction, any (A) felony involving fraud, forgery, larceny, embezzlement or bribery, or (B) criminal offense under this title, unless

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at least eight years have elapsed from the date of the conviction or plea or the completion of any sentence, whichever date is later, without a subsequent conviction of or plea to another such felony or offense;

- (11) The candidate has not been convicted of or pled guilty or nolo contendere to, in a court of competent jurisdiction, a criminal offense under this title unless at least eight years have elapsed from the date of the conviction or plea or the completion of any sentence, whichever date is later, without a subsequent conviction of or plea to another such offense; and
- (12) The candidate has never been convicted of or pled guilty or nolo contendere to, in a court of competent jurisdiction, a felony related to the individual's public office, other than a criminal offense under this title in accordance with subdivision (11) of this subsection.
- (c) The application shall be accompanied by a cumulative itemized accounting of all funds received, expenditures made and expenses incurred but not yet paid by the candidate committee as of three days preceding the day the application is filed. Such accounting shall be sworn to under penalty of false statement by the treasurer of the candidate committee. The commission shall prescribe the form of the application and the cumulative itemized accounting. The form for such accounting shall conform to the requirements of section 9-608, as amended by this act. Both the candidate and the treasurer of the candidate committee shall sign the application.
- (d) In accordance with the provisions of subsection (g) of this section, the commission shall review the application, determine whether (1) the candidate committee for the applicant has received the required qualifying contributions, (2) in the case of an application for a grant from the fund for a primary campaign, the applicant has met the applicable condition under subsection (a) of this section for applying for such grant and complied with the provisions of subsections (b) and (c) of this section, (3) in the case of an application for a grant from the fund for a general election campaign, the applicant has met the applicable

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condition under subsection (a) of this section for applying for such moneys and complied with the provisions of subsections (b) and (c) of this section, and (4) in the case of an application by a minor party or petitioning party candidate for a grant from the fund for a general election campaign, the applicant qualifies as an eligible minor party candidate or an eligible petitioning party candidate, whichever is applicable. If the commission approves an application, the commission shall determine the amount of the grant payable to the candidate committee for the applicant pursuant to section 9-705, as amended by this act, from the fund, and notify the State Comptroller and the candidate of such candidate committee, of such amount. If the timing of the commission's approval of the grant in relation to the Secretary of the State's determination of ballot status is such that the commission cannot determine whether the qualified candidate committee is entitled to the applicable full initial grant for the primary or election or the applicable partial grant for the primary or election, as the case may be, the commission shall approve the lesser applicable partial initial grant. The commission shall then authorize the payment of the remaining portion of the applicable grant after the commission has knowledge of the circumstances regarding the ballot status of the opposing candidates in such primary or election. Not later than two business days following notification by the commission, the State Comptroller shall draw an order on the State Treasurer for payment of any such approved amount to the qualified candidate committee from the fund.

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- (e) (1) The State Elections Enforcement Commission shall adopt regulations, in accordance with the provisions of chapter 54, on permissible expenditures under subsection (g) of section 9-607, as amended by this act, for qualified candidate committees receiving grants from the fund [under sections 9-700 to 9-716, inclusive] pursuant to this chapter and section 23 of this act.
- (2) Expenditures for dependent care services made by the qualified candidate committee of a participating candidate shall be deemed permissible if expenditures for dependent care services (A) are, in the aggregate, not more than the amount of qualifying contributions

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permitted under section 9-704, <u>as amended by this act</u>, and (B) otherwise comply with all other regulations adopted pursuant to subdivision (1) of this subsection.

- (f) If a nominated participating candidate dies, withdraws the candidate's candidacy or becomes disqualified to hold the office for which the candidate has been nominated after the commission approves the candidate's application for a grant under this section, the candidate committee of the candidate who is nominated to replace said candidate pursuant to section 9-460 shall be eligible to receive grants from the fund without complying with the provisions of section 9-704, as amended by this act, if said replacement candidate files an affidavit under section 9-703, as amended by this act, certifying the candidate's intent to abide by the expenditure limits set forth in subsection (c) of section 9-702, as amended by this act, and notifies the commission on a form prescribed by the commission.
- (g) (1) Any application submitted pursuant to this section for a grant for the primary or general election campaign under section 9-705, as amended by this act, or a supplemental grant for the primary or general election campaign under section 23 of this act, shall be submitted in accordance with the following schedule: (A) By five o'clock p.m. on the third Wednesday in May of the year that the primary or election will be held at which such participating candidate will seek nomination or election, or (B) by five o'clock p.m. on any subsequent Wednesday of such year, provided no application shall be accepted by the commission after five o'clock p.m. on or after the fourth to last Friday prior to the primary or election at which such participating candidate will seek nomination or election. Not later than five business days following any such Wednesday or Friday, as applicable, for participating candidates seeking nomination or election to the office of state senator or state representative, or ten business days following any such Wednesday or Friday, as applicable, for participating candidates seeking nomination or election to the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, State Treasurer or Secretary of the State or, in the event of a national, regional or local emergency or local natural

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disaster, as soon thereafter as is practicable, the commission shall review any application received by such Wednesday or Friday, in accordance with the provisions of subsection (d) of this section, and determine whether such application shall be approved or disapproved. Notwithstanding the provisions of this subsection, if an application for a grant for the general election [grant] campaign under section 9-705, as amended by this act, or a supplemental grant for the general election campaign under section 23 of this act, is received during the period beginning at five o'clock p.m. on the Wednesday of the week preceding the week of the last primary application deadline and ending five o'clock p.m. on the last primary application deadline, as set forth in this subsection, the commission shall review such application in accordance with the provisions of subsection (d) of this section and determine whether it shall be approved or disapproved not later than five business days or ten business days, as applicable, after the first application deadline following the last primary application deadline. For any such application that is approved, any disbursement of funds by the commission shall be made not later than twelve business days prior to any such primary or general election. From the third week of June in even-numbered years until the third week in July, the commission shall meet twice weekly to determine whether or not to approve applications for grants if there are pending grant applications.

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(2) Notwithstanding the provisions of subdivision (1) of this subsection, no application for a special election shall be accepted by the commission after five o'clock p.m. on or after ten business days prior to the special election at which such participating candidate will seek election. Not later than three business days following such deadline, or, in the event of a national, regional or local emergency or local natural disaster, as soon thereafter as practicable, the commission shall review any such application received by such deadline, in accordance with the provisions of subsection (d) of this section, and determine whether such application shall be approved or disapproved. For any such application that is approved, any disbursement of funds by the commission shall be made not later than seven business days prior to any such special

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- 2396 (3) The commission shall publish such application review schedules 2397 and meeting schedules on the commission's web site and with the 2398 Secretary of the State.
- Sec. 29. Section 9-701 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2021*):
- There is established the "Citizens' Election Fund", which shall be a separate, nonlapsing account within the General Fund. The fund may contain any moneys required by law to be deposited in the fund. Investment earnings credited to the assets of the fund shall become part of the assets of the fund. The State Treasurer shall administer the fund. All moneys deposited in the fund shall be used for the purposes of [sections 9-700 to 9-716, inclusive] this chapter and section 23 of this act.
- Sec. 30. Subsections (b) and (c) of section 9-703 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective January 1, 2021*):
 - (b) A candidate who so certifies the candidate's intent to abide by the expenditure limits under the Citizens' Election Program set forth in subsection (c) of section 9-702, as amended by this act, shall be referred to in [sections 9-700 to 9-716, inclusive,] this chapter and section 23 of this act as a "participating candidate", and a candidate who so certifies the candidate's intent to not abide by said limits shall be referred to in [sections 9-700 to 9-716, inclusive,] this chapter and section 23 of this act as a "nonparticipating candidate". The commission shall prepare a list of the participating candidates and a list of the nonparticipating candidates and shall make such lists available for public inspection.
 - (c) A participating candidate may withdraw from participation in the Citizens' Election Program before applying for an initial grant under section 9-706, <u>as amended by this act</u>, by filing an affidavit with the State Elections Enforcement Commission, which includes a written certification of such withdrawal. A candidate who files such an affidavit

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- shall be deemed to be a nonparticipating candidate for the purposes of
- [sections 9-700 to 9-716, inclusive,] this chapter and section 23 of this act
- 2428 and shall not be penalized for such withdrawal. No participating
- 2429 candidate shall withdraw from participation in the Citizens' Election
- 2430 Program after applying for an initial grant under section 9-706, as
- amended by this act.
- Sec. 31. Section 9-707 of the general statutes is repealed and the
- 2433 following is substituted in lieu thereof (*Effective January 1, 2021*):
- Following the initial deposit of moneys from the Citizens' Election
- Fund into the depository account of a qualified candidate committee, no
- 2436 contribution, loan, amount of the candidate's own moneys or any other
- 2437 moneys received by the candidate or the treasurer on behalf of the
- 2438 committee shall be deposited into said depository account, except (1)
- 2439 grants <u>under section 9-705</u>, as amended by this act, and supplemental
- 2440 grants under section 23 of this act from the fund, [and] (2) any
- 2441 <u>supplemental qualifying contributions received in accordance with the</u>
- 2442 provisions of subsection (b) of section 9-704, as amended by this act, or
- 2443 the provisions of subdivision (3) of subsection (c) of section 9-702, as
- 2444 <u>amended by this act, and (3)</u> reimbursement from another candidate
- 2445 committee for shared expenses [as provided] pursuant to subsection (b)
- 2446 of section 9-610.
- Sec. 32. Subsection (a) of section 9-711 of the general statutes is
- repealed and the following is substituted in lieu thereof (*Effective January*
- 2449 1, 2021):
- 2450 (a) If an expenditure in excess of the applicable expenditure limit set
- forth in subsection (c) of section 9-702, as amended by this act, is made
- or incurred by a qualified candidate committee that receives a grant
- 2453 from the Citizens' Election Fund pursuant to section 9-706, as amended
- 2454 <u>by this act,</u> (1) the candidate and treasurer of said committee shall be
- 2455 jointly and severally liable for paying for the excess expenditure, (2) the
- committee shall not receive any additional grants or moneys from the
- 2457 fund for the remainder of the election cycle if the State Elections

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Enforcement Commission determines that the candidate or treasurer of said committee had knowledge of the excess expenditure, (3) the treasurer shall be subject to penalties under section 9-7b, and (4) the candidate of said candidate committee shall be deemed to be a nonparticipating candidate for the purposes of [sections 9-700 to 9-716, inclusive,] this chapter and section 23 of this act if the commission determines that the candidate or treasurer of said committee had knowledge of the excess expenditure. The commission may waive the provisions of this subsection upon determining that an excess expenditure is de minimis. The commission shall adopt regulations, in accordance with the provisions of chapter 54, establishing standards for making such determinations. Such standards shall include, but not be limited to, a finding by the commission that the candidate or treasurer has, from the candidate's or treasurer's personal funds, either paid the excess expenditure or reimbursed the qualified candidate committee for its payment of the excess expenditure.

- Sec. 33. Subsection (b) of section 9-712 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January* 1, 2021):
- (b) (1) As used in this section, "excess expenditure" means an expenditure made, or obligated to be made, by a nonparticipating or a participating candidate who is opposed by one or more other participating candidates in a primary campaign or a general election campaign, which is in excess of the amount of the applicable limit on expenditures for said participating candidates for said campaign [and which is the sum of (A) the applicable qualifying contributions that the participating candidate is required to receive under section 9-704 to be eligible for grants from the Citizens' Election Fund, and (B) one hundred per cent of the applicable full grant amount for a major party candidate authorized under section 9-705 for the applicable campaign period] as set forth in subsection (c) of section 9-702, as amended by this act.
- (2) The commission shall confirm whether an expenditure described in a declaration filed under this subsection is an excess expenditure.

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Sec. 34. Subsections (a) and (b) of section 9-716 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective* January 1, 2021):

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- (a) Not later than June 1, 2007, and annually thereafter, the State Elections Enforcement Commission shall issue a report on the status of the Citizens' Election Fund during the previous calendar year. Such report shall include the amount of moneys deposited in the fund, the sources of moneys received by category, the number of contributions, the number of contributors, the amount of moneys expended by category, the recipients of moneys distributed from the fund and an accounting of the costs incurred by the commission in administering the provisions of this chapter and section 23 of this act.
- (b) Not later than January first in any year in which a state election is to be held, the commission shall determine whether the amount of moneys in the fund is sufficient to carry out the purposes of this chapter and section 23 of this act. The commission shall issue a report on said determination.
 - Sec. 35. Subsections (a) and (b) of section 9-601a of the general statutes, as amended by section 2 of this act, are repealed and the following is substituted in lieu thereof (*Effective January 1, 2021*):
 - (a) As used in this chapter, [and] chapter 157 and section 23 of this act, "contribution" means:
- 2513 (1) Any gift, subscription, loan, advance, payment or deposit of 2514 money or anything of value, made to promote the success or defeat of 2515 any candidate seeking the nomination for election, or election or for the 2516 purpose of aiding or promoting the success or defeat of any referendum 2517 question or the success or defeat of any political party;
- 2518 (2) A written contract, promise or agreement to make a contribution for any such purpose;
- 2520 (3) The payment by any person, other than a candidate or treasurer,

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- of compensation for the personal services of any other person which are rendered without charge to a committee or candidate for any such purpose;

 (4) An expenditure that is not an independent expenditure; or

 (5) Funds received by a committee which are transferred from
- 2527 (b) As used in this chapter, [and] chapter 157 <u>and section 23 of this</u> 2528 <u>act</u>, "contribution" does not mean:

another committee or other source for any such purpose.

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- 2529 (1) A loan of money made in the ordinary course of business by a 2530 national or state bank;
- 2531 (2) Any communication made by a corporation, organization or 2532 association solely to its members, owners, stockholders, executive or 2533 administrative personnel, or their families;
- 2534 (3) Nonpartisan voter registration and get-out-the-vote campaigns by 2535 any corporation, organization or association aimed at its members, 2536 owners, stockholders, executive or administrative personnel, or their 2537 families;
 - (4) Uncompensated services provided by individuals volunteering their time on behalf of a party committee, political committee, slate committee or candidate committee, including any services provided for the benefit of nonparticipating and participating candidates under the Citizens' Election Program and any unreimbursed travel expenses made by an individual who volunteers the individual's personal services to any such committee. For purposes of this subdivision, an individual is a volunteer if such individual is not receiving compensation for such services regardless of whether such individual received compensation in the past or may receive compensation for similar services that may be performed in the future;
 - (5) The use of real or personal property, a portion or all of the cost of invitations and the cost of food or beverages, voluntarily provided by

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an individual to a candidate, including a nonparticipating or participating candidate under the Citizens' Election Program, or to a party, political or slate committee, in rendering voluntary personal services at the individual's residential premises or a community room in the individual's residence facility, to the extent that the cumulative value of the invitations, food or beverages provided by an individual on behalf of any candidate or committee does not exceed four hundred dollars with respect to any single event or does not exceed eight hundred dollars for any such event hosted by two or more individuals, provided at least one such individual owns or resides at the residential premises, and further provided the cumulative value of the invitations, food or beverages provided by an individual on behalf of any such candidate or committee does not exceed eight hundred dollars with respect to a calendar year or single election, as the case may be;

- (6) The sale of food or beverage for use by a party, political, slate or candidate committee, including those for a participating or nonparticipating candidate, at a discount, if the charge is not less than the cost to the vendor, to the extent that the cumulative value of the discount given to or on behalf of any single candidate committee does not exceed four hundred dollars with respect to any single primary or election, or to or on behalf of any party, political or slate committee, does not exceed six hundred dollars in a calendar year;
 - (7) The display of a lawn sign by a human being or on real property;
- (8) The payment, by a party committee or slate committee of the costs of preparation, display, mailing or other distribution incurred by the committee or individual with respect to any printed slate card, sample ballot or other printed list containing the names of three or more candidates;
- (9) The donation of any item of personal property by an individual to a committee for a fund-raising affair, including a tag sale or auction, or the purchase by an individual of any such item at such an affair, to the extent that the cumulative value donated or purchased does not exceed

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2583 one hundred dollars;

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- (10) (A) The purchase of advertising space which clearly identifies the purchaser, in a program for a fund-raising affair sponsored by the candidate committee of a candidate for an office of a municipality, provided the cumulative purchase of such space does not exceed two hundred fifty dollars from any single such candidate or the candidate's committee with respect to any single election campaign if the purchaser is a business entity or fifty dollars for purchases by any other person;
- (B) The purchase of advertising space which clearly identifies the purchaser, in a program for a fund-raising affair or on signs at a fundraising affair sponsored by a party committee or a political committee, other than an exploratory committee, provided the cumulative purchase of such space does not exceed two hundred fifty dollars from any single party committee or a political committee, other than an exploratory committee, in any calendar year if the purchaser is a business entity or fifty dollars for purchases by any other person. Notwithstanding the provisions of this subparagraph, the following may not purchase advertising space in a program for a fund-raising affair or on signs at a fund-raising affair sponsored by a party committee or a political committee, other than an exploratory committee: (i) A communicator lobbyist, (ii) a member of the immediate family of a communicator lobbyist, (iii) a state contractor, (iv) a prospective state contractor, or (v) a principal of a state contractor or prospective state contractor. As used in this subparagraph, "state contractor", "prospective state contractor" and "principal of a state contractor or prospective state contractor" have the same meanings as provided in subsection (f) of section 9-612;
- (11) The payment of money by a candidate to the candidate's candidate committee, provided the committee is for a nonparticipating candidate;
- (12) The donation of goods or services by a business entity to a committee for a fund-raising affair, including a tag sale or auction, to the extent that the cumulative value donated does not exceed two

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2615 hundred dollars;

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- (13) The advance of a security deposit by an individual to a telephone company, as defined in section 16-1, for telecommunications service for a committee or to another utility company, such as an electric distribution company, provided the security deposit is refunded to the individual;
- (14) The provision of facilities, equipment, technical and managerial support, and broadcast time by a community antenna television company, as defined in section 16-1, for community access programming pursuant to section 16-331a, unless (A) the major purpose of providing such facilities, equipment, support and time is to influence the nomination or election of a candidate, or (B) such facilities, equipment, support and time are provided on behalf of a political party;
- (15) The sale of food or beverage by a town committee to an individual at a town fair, county fair, local festival or similar mass gathering held within the state, to the extent that the cumulative payment made by any one individual for such items does not exceed fifty dollars;
- 2633 (16) An organization expenditure by a party committee, legislative caucus committee or legislative leadership committee;
 - (17) The donation of food or beverage by an individual for consumption at a slate, candidate, political committee or party committee meeting, event or activity that is not a fund-raising affair to the extent that the cumulative value of the food or beverages donated by an individual for a single meeting or event does not exceed fifty dollars;
 - (18) The value associated with the de minimis activity on behalf of a party committee, political committee, slate committee or candidate committee, including for activities including, but not limited to, (A) the creation of electronic or written communications or digital photos or video as part of an electronic file created on a voluntary basis without

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2646 compensation, including, but not limited to, the creation and ongoing 2647 content development and delivery of social media on the Internet or 2648 telephone, including, but not limited to, the sending or receiving of 2649 electronic mail or messages, (B) the posting or display of a candidate's 2650 name or group of candidates' names at a town fair, county fair, local 2651 festival or similar mass gathering by a party committee, (C) the use of 2652 personal property or a service that is customarily attendant to the 2653 occupancy of a residential dwelling, or the donation of an item or items 2654 of personal property that are customarily used for campaign purposes, 2655 by an individual, to a candidate committee, provided the cumulative 2656 fair market value of such use of personal property or service or items of 2657 personal property does not exceed one hundred dollars in the aggregate 2658 for any single election or calendar year, as the case may be;

- (19) The use of offices, telephones, computers and similar equipment provided by a party committee, legislative caucus committee or legislative leadership committee that serve as headquarters for or are used by such party committee, legislative caucus committee or legislative leadership committee;
- 2664 (20) A communication, as described in subdivision (7) of subsection 2665 (b) of section 9-601b, as amended by this act;
- 2666 (21) An independent expenditure, as defined in section 9-601c, as amended by this act;

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- (22) A communication containing an endorsement on behalf of a candidate for nomination or election to the office of Governor, Lieutenant Governor, Secretary of the State, State Treasurer, State Comptroller, Attorney General, state senator or state representative, from a candidate for the office of Governor, Lieutenant Governor, Secretary of the State, State Treasurer, State Comptroller, Attorney General, state senator or state representative, provided the candidate (A) making the endorsement is unopposed at the time of the communication, and (B) being endorsed paid for such communication;
- 2677 (23) A communication that is sent by mail to addresses in the district

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for which a candidate being endorsed by another candidate pursuant to this subdivision is seeking nomination or election to the office of state senator or state representative, containing an endorsement on behalf of such candidate for such nomination or election from a candidate for the office of state senator or state representative, provided the candidate (A) making the endorsement is not seeking election to the office of state senator or state representative for a district that contains any geographical area shared by the district for the office to which the endorsed candidate is seeking nomination or election, and (B) being endorsed paid for such communication;

(24) A communication described in subdivision (2) of subsection (a) of section 9-601b that refers to a clearly identified candidate for Governor or President of the United States, which communication is paid for by a candidate for nomination or election to any other office or by any committee of such candidate, provided such communication shall only not be a contribution to any candidate for Governor or President of the United States; or

(25) Campaign training events provided to multiple individuals by a legislative caucus committee or party committee and any associated materials, provided the cumulative value of such events and materials does not exceed six thousand dollars in the aggregate for a calendar year.

This act shall take effect as follows and shall amend the following sections:			
Section 1	from passage	9-601	
Sec. 2	July 1, 2020, and applicable to actions pending on or filed on or after July 1, 2020	9-601a(b)	
Sec. 3	July 1, 2020, and applicable to actions pending on or filed on or after July 1, 2020	9-601b(b)	
Sec. 4	from passage	9-607(g)(2)	

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Sec. 5	from passage	9-607(k)
Sec. 6	from passage	9-706(e)
Sec. 7	from passage	9-710(c)
Sec. 8	from passage	9-622
Sec. 9	from passage	New section
Sec. 10	from passage	9-703
Sec. 11	from passage	9-601d(c) to (i)
Sec. 12	from passage	9-605(a) and (b)
Sec. 13	from passage	9-608(c)
Sec. 14	from passage	9-617(d)
Sec. 15	from passage	9-618(e)
Sec. 16	from passage	New section
Sec. 17	from passage	9-621(h) to (m)
Sec. 18	from passage	9-7a(g)(1)
Sec. 19	January 1, 2021	New section
Sec. 20	from passage	9-750
Sec. 21	January 1, 2021	9-601c
Sec. 22	from passage	9-7a(a)(2)
Sec. 23	January 1, 2021	9-700
Sec. 24	January 1, 2021	New section
Sec. 25	January 1, 2021	9-702
Sec. 26	January 1, 2021	9-704
Sec. 27	January 1, 2021	9-705(i)(2)
Sec. 28	January 1, 2021	9-706(b) to (g)
Sec. 29	January 1, 2021	9-701
Sec. 30	January 1, 2021	9-703(b) and (c)
Sec. 31	January 1, 2021	9-707
Sec. 32	January 1, 2021	9-711(a)
Sec. 33	January 1, 2021	9-712(b)
Sec. 34	January 1, 2021	9-716(a) and (b)
Sec. 35	January 1, 2021	9-601a(a) and (b)

Statement of Purpose:

To (1) provide exemptions for communications that clearly identify the Governor or President of the United States and for campaign training conducted by party committees, (2) permit the use of Citizens' Election Program grant funds to offset dependent care costs, (3) increase transparency with respect to moneys paid to campaign consultants, (4) increase disclosure of independent expenditures and prohibit such expenditures by foreign-influenced entities, (5) reveal persons behind political committees and contributors to such committees, (6) revise the

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manner in which the State Elections Enforcement Commission processes complaints, (7) require online platforms to disclose purchasers of political advertisements, (8) ensure the amount of funds in the Citizens' Election Fund is sufficient to provide grants to each qualified candidate committee under the Citizens' Election Program, (9) create bright lines between coordinated and independent spending, (10) permit members of the State Elections Enforcement Commission to serve more than two consecutive terms, and (11) permit gubernatorial candidates participating in the Citizens' Election Program to raise additional funds and qualify for supplemental grants.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

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