



General Assembly

Substitute Bill No. 7323

January Session, 2019



**AN ACT CONCERNING AN EXEMPTION FOR CERTAIN
EXPENDITURES CLEARLY IDENTIFYING GOVERNOR OR
PRESIDENT OF THE UNITED STATES.**

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

1 Section 1. Subsection (b) of section 9-601a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (b) As used in this chapter and chapter 157, "contribution" does not
5 mean:

6 (1) A loan of money made in the ordinary course of business by a
7 national or state bank;

8 (2) Any communication made by a corporation, organization or
9 association solely to its members, owners, stockholders, executive or
10 administrative personnel, or their families;

11 (3) Nonpartisan voter registration and get-out-the-vote campaigns
12 by any corporation, organization or association aimed at its members,
13 owners, stockholders, executive or administrative personnel, or their
14 families;

15 (4) Uncompensated services provided by individuals volunteering
16 their time on behalf of a party committee, political committee, slate
17 committee or candidate committee, including any services provided

18 for the benefit of nonparticipating and participating candidates under
19 the Citizens' Election Program and any unreimbursed travel expenses
20 made by an individual who volunteers the individual's personal
21 services to any such committee. For purposes of this subdivision, an
22 individual is a volunteer if such individual is not receiving
23 compensation for such services regardless of whether such individual
24 received compensation in the past or may receive compensation for
25 similar services that may be performed in the future;

26 (5) The use of real or personal property, a portion or all of the cost of
27 invitations and the cost of food or beverages, voluntarily provided by
28 an individual to a candidate, including a nonparticipating or
29 participating candidate under the Citizens' Election Program, or to a
30 party, political or slate committee, in rendering voluntary personal
31 services at the individual's residential premises or a community room
32 in the individual's residence facility, to the extent that the cumulative
33 value of the invitations, food or beverages provided by an individual
34 on behalf of any candidate or committee does not exceed four hundred
35 dollars with respect to any single event or does not exceed eight
36 hundred dollars for any such event hosted by two or more individuals,
37 provided at least one such individual owns or resides at the residential
38 premises, and further provided the cumulative value of the invitations,
39 food or beverages provided by an individual on behalf of any such
40 candidate or committee does not exceed eight hundred dollars with
41 respect to a calendar year or single election, as the case may be;

42 (6) The sale of food or beverage for use by a party, political, slate or
43 candidate committee, including those for a participating or
44 nonparticipating candidate, at a discount, if the charge is not less than
45 the cost to the vendor, to the extent that the cumulative value of the
46 discount given to or on behalf of any single candidate committee does
47 not exceed four hundred dollars with respect to any single primary or
48 election, or to or on behalf of any party, political or slate committee,
49 does not exceed six hundred dollars in a calendar year;

50 (7) The display of a lawn sign by a human being or on real property;

51 (8) The payment, by a party committee or slate committee of the
52 costs of preparation, display, mailing or other distribution incurred by
53 the committee or individual with respect to any printed slate card,
54 sample ballot or other printed list containing the names of three or
55 more candidates;

56 (9) The donation of any item of personal property by an individual
57 to a committee for a fund-raising affair, including a tag sale or auction,
58 or the purchase by an individual of any such item at such an affair, to
59 the extent that the cumulative value donated or purchased does not
60 exceed one hundred dollars;

61 (10) (A) The purchase of advertising space which clearly identifies
62 the purchaser, in a program for a fund-raising affair sponsored by the
63 candidate committee of a candidate for an office of a municipality,
64 provided the cumulative purchase of such space does not exceed two
65 hundred fifty dollars from any single such candidate or the candidate's
66 committee with respect to any single election campaign if the
67 purchaser is a business entity or fifty dollars for purchases by any
68 other person;

69 (B) The purchase of advertising space which clearly identifies the
70 purchaser, in a program for a fund-raising affair or on signs at a fund-
71 raising affair sponsored by a party committee or a political committee,
72 other than an exploratory committee, provided the cumulative
73 purchase of such space does not exceed two hundred fifty dollars from
74 any single party committee or a political committee, other than an
75 exploratory committee, in any calendar year if the purchaser is a
76 business entity or fifty dollars for purchases by any other person.
77 Notwithstanding the provisions of this subparagraph, the following
78 may not purchase advertising space in a program for a fund-raising
79 affair or on signs at a fund-raising affair sponsored by a party
80 committee or a political committee, other than an exploratory
81 committee: (i) A communicator lobbyist, (ii) a member of the
82 immediate family of a communicator lobbyist, (iii) a state contractor,
83 (iv) a prospective state contractor, or (v) a principal of a state

84 contractor or prospective state contractor. As used in this
85 subparagraph, "state contractor", "prospective state contractor" and
86 "principal of a state contractor or prospective state contractor" have the
87 same meanings as provided in subsection (f) of section 9-612;

88 (11) The payment of money by a candidate to the candidate's
89 candidate committee, provided the committee is for a nonparticipating
90 candidate;

91 (12) The donation of goods or services by a business entity to a
92 committee for a fund-raising affair, including a tag sale or auction, to
93 the extent that the cumulative value donated does not exceed two
94 hundred dollars;

95 (13) The advance of a security deposit by an individual to a
96 telephone company, as defined in section 16-1, for telecommunications
97 service for a committee or to another utility company, such as an
98 electric distribution company, provided the security deposit is
99 refunded to the individual;

100 (14) The provision of facilities, equipment, technical and managerial
101 support, and broadcast time by a community antenna television
102 company, as defined in section 16-1, for community access
103 programming pursuant to section 16-331a, unless (A) the major
104 purpose of providing such facilities, equipment, support and time is to
105 influence the nomination or election of a candidate, or (B) such
106 facilities, equipment, support and time are provided on behalf of a
107 political party;

108 (15) The sale of food or beverage by a town committee to an
109 individual at a town fair, county fair, local festival or similar mass
110 gathering held within the state, to the extent that the cumulative
111 payment made by any one individual for such items does not exceed
112 fifty dollars;

113 (16) An organization expenditure by a party committee, legislative
114 caucus committee or legislative leadership committee;

115 (17) The donation of food or beverage by an individual for
116 consumption at a slate, candidate, political committee or party
117 committee meeting, event or activity that is not a fund-raising affair to
118 the extent that the cumulative value of the food or beverages donated
119 by an individual for a single meeting or event does not exceed fifty
120 dollars;

121 (18) The value associated with the de minimis activity on behalf of a
122 party committee, political committee, slate committee or candidate
123 committee, including for activities including, but not limited to, (A) the
124 creation of electronic or written communications or digital photos or
125 video as part of an electronic file created on a voluntary basis without
126 compensation, including, but not limited to, the creation and ongoing
127 content development and delivery of social media on the Internet or
128 telephone, including, but not limited to, the sending or receiving of
129 electronic mail or messages, (B) the posting or display of a candidate's
130 name or group of candidates' names at a town fair, county fair, local
131 festival or similar mass gathering by a party committee, (C) the use of
132 personal property or a service that is customarily attendant to the
133 occupancy of a residential dwelling, or the donation of an item or
134 items of personal property that are customarily used for campaign
135 purposes, by an individual, to a candidate committee, provided the
136 cumulative fair market value of such use of personal property or
137 service or items of personal property does not exceed one hundred
138 dollars in the aggregate for any single election or calendar year, as the
139 case may be;

140 (19) The use of offices, telephones, computers and similar
141 equipment provided by a party committee, legislative caucus
142 committee or legislative leadership committee that serve as
143 headquarters for or are used by such party committee, legislative
144 caucus committee or legislative leadership committee;

145 (20) A communication, as described in subdivision (7) of subsection
146 (b) of section 9-601b;

147 (21) An independent expenditure, as defined in section 9-601c;

148 (22) A communication containing an endorsement on behalf of a
149 candidate for nomination or election to the office of Governor,
150 Lieutenant Governor, Secretary of the State, State Treasurer, State
151 Comptroller, Attorney General, state senator or state representative,
152 from a candidate for the office of Governor, Lieutenant Governor,
153 Secretary of the State, State Treasurer, State Comptroller, Attorney
154 General, state senator or state representative, provided the candidate
155 (A) making the endorsement is unopposed at the time of the
156 communication, and (B) being endorsed paid for such communication;

157 (23) A communication that is sent by mail to addresses in the district
158 for which a candidate being endorsed by another candidate pursuant
159 to this subdivision is seeking nomination or election to the office of
160 state senator or state representative, containing an endorsement on
161 behalf of such candidate for such nomination or election from a
162 candidate for the office of state senator or state representative,
163 provided the candidate (A) making the endorsement is not seeking
164 election to the office of state senator or state representative for a
165 district that contains any geographical area shared by the district for
166 the office to which the endorsed candidate is seeking nomination or
167 election, and (B) being endorsed paid for such communication; [or]

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

175 [(24)] (25) Campaign training events provided to multiple
176 individuals by a legislative caucus committee and any associated
177 materials, provided the cumulative value of such events and materials
178 does not exceed six thousand dollars in the aggregate for a calendar

179 year.

180 Sec. 2. Subsection (b) of section 9-601b of the general statutes is
181 repealed and the following is substituted in lieu thereof (*Effective from*
182 *passage*):

183 (b) The term "expenditure" does not mean:

184 (1) A loan of money, made in the ordinary course of business, by a
185 state or national bank;

186 (2) A communication made by any corporation, organization or
187 association solely to its members, owners, stockholders, executive or
188 administrative personnel, or their families;

189 (3) Nonpartisan voter registration and get-out-the-vote campaigns
190 by any corporation, organization or association aimed at its members,
191 owners, stockholders, executive or administrative personnel, or their
192 families;

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

204 (5) Any news story, commentary or editorial distributed through
205 the facilities of any broadcasting station, newspaper, magazine or
206 other periodical, unless such facilities are owned or controlled by any
207 political party, committee or candidate;

208 (6) The use of real or personal property, a portion or all of the cost of
209 invitations and the cost of food or beverages, voluntarily provided by
210 an individual to a candidate, including a nonparticipating or
211 participating candidate under the Citizens' Election Program, or to a
212 party, political or slate committee, in rendering voluntary personal
213 services at the individual's residential premises or a community room
214 in the individual's residence facility, to the extent that the cumulative
215 value of the invitations, food or beverages provided by an individual
216 on behalf of any candidate or committee does not exceed four hundred
217 dollars with respect to any single event or does not exceed eight
218 hundred dollars for any such event hosted by two or more individuals,
219 provided at least one such individual owns or resides at the residential
220 premises, and further provided the cumulative value of the invitations,
221 food or beverages provided by an individual on behalf of any such
222 candidate or committee does not exceed eight hundred dollars with
223 respect to a calendar year or single election, as the case may be;

224 (7) A communication described in subdivision (2) of subsection (a)
225 of this section that includes speech or expression made (A) prior to the
226 ninety-day period preceding the date of a primary or an election at
227 which the clearly identified candidate or candidates are seeking
228 nomination to public office or position, that is made for the purpose of
229 influencing any legislative or administrative action, as defined in
230 section 1-91, or executive action, or (B) during a legislative session for
231 the purpose of influencing legislative action;

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

234 (9) A commercial advertisement that refers to an owner, director or
235 officer of a business entity who is also a candidate and that had
236 previously been broadcast or appeared when the owner, director or
237 officer was not a candidate;

238 (10) (A) A communication containing an endorsement on behalf of a
239 candidate for nomination or election to the office of Governor,

240 Lieutenant Governor, Secretary of the State, State Treasurer, State
241 Comptroller, Attorney General, state senator or state representative,
242 from a candidate for the office of Governor, Lieutenant Governor,
243 Secretary of the State, State Treasurer, State Comptroller, Attorney
244 General, state senator or state representative, [shall not be an
245 expenditure attributable to the endorsing candidate, if] provided (i) the
246 candidate making the endorsement is unopposed at the time of the
247 communication, and (ii) the communication is paid for by the
248 candidate or the committee of the candidate being endorsed.

249 (B) Notwithstanding the provisions of subparagraph (A) of this
250 subdivision, a communication described in said subparagraph shall be
251 an expenditure on behalf of the candidate or committee paying for the
252 communication;

253 (11) (A) A communication that is sent by mail to addresses in the
254 district for which a candidate being endorsed by another candidate
255 pursuant to the provisions of this subdivision is seeking nomination or
256 election to the office of state senator or state representative, containing
257 an endorsement on behalf of such candidate for such nomination or
258 election, from a candidate for the office of state senator or state
259 representative, [shall not be an expenditure attributable to the
260 endorsing candidate, if] provided (i) the candidate making the
261 endorsement is not seeking election to the office of state senator or
262 state representative for a district that contains any geographical area
263 shared by the district for the office to which the endorsed candidate is
264 seeking nomination or election, and (ii) the communication is paid for
265 by the candidate or the committee of the candidate being endorsed.

266 (B) Notwithstanding the provisions of subparagraph (A) of this
267 subdivision, a communication described in said subparagraph shall be
268 an expenditure on behalf of the candidate or committee paying for the
269 communication;

270 (12) A communication described in subdivision (2) of subsection (a)
271 of this section that refers to a clearly identified candidate for Governor

272 or President of the United States, which communication is paid for by
 273 a candidate for nomination or election to any other office or by any
 274 committee of such candidate, provided such communication shall only
 275 not be an expenditure to the extent it refers to any candidate for
 276 Governor or President of the United States;

277 [(12)] (13) Campaign training events provided to multiple
 278 individuals by a legislative caucus committee and any associated
 279 materials, provided the cumulative value of such events and materials
 280 does not exceed six thousand dollars in the aggregate for a calendar
 281 year;

282 [(13)] (14) A lawful communication by any charitable organization
 283 which is a tax-exempt organization under Section 501(c)(3) of the
 284 Internal Revenue Code of 1986, or any subsequent corresponding
 285 internal revenue code of the United States, as from time to time
 286 amended;

287 [(14)] (15) The use of offices, telephones, computers and similar
 288 equipment provided by a party committee, legislative caucus
 289 committee or legislative leadership committee that serve as
 290 headquarters for or are used by such party committee, legislative
 291 caucus committee or legislative leadership committee; or

292 [(15)] (16) An expense or expenses incurred by a human being
 293 acting alone in an amount that is two hundred dollars or less, in the
 294 aggregate, that benefits a candidate for a single election.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-601a(b)
Sec. 2	<i>from passage</i>	9-601b(b)

GAE *Joint Favorable Subst.*