



General Assembly

February Session, 2024

Substitute Bill No. 392



**AN ACT CONCERNING TREASURERS OF CANDIDATE COMMITTEES
AND STATE ELECTIONS ENFORCEMENT COMMISSION
COMPLAINTS.**

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

1 Section 1. Subsection (e) of section 9-704 of the 2024 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (e) (1) The following shall not be deemed to be qualifying
5 contributions under subsection (a) of this section and shall be returned
6 by the treasurer of the candidate committee to the contributor [or
7 transmitted to the State Elections Enforcement Commission for deposit
8 in the Citizens' Election Fund] in accordance with the provisions of
9 subdivision (2) of this subsection:

10 [(1)] (A) A contribution from a principal of a state contractor or
11 prospective state contractor;

12 [(2)] (B) A contribution of less than five dollars, and a contribution of
13 five dollars or more from an individual who does not provide the full
14 name and complete address of the individual;

15 [(3)] (C) A contribution under subdivision (1) or (2) of subsection (a)
16 of this section from an individual who does not reside in the state, in
17 excess of the applicable limit on contributions from out-of-state

18 individuals in subsection (a) of this section; and

19 ~~[(4)] (D)~~ A contribution made by a youth who is less than twelve years
20 of age.

21 (2) In the case of a contribution described in subdivision (1) of this
22 subsection that is submitted by the treasurer of the candidate committee
23 to the State Elections Enforcement Commission as part of an application
24 for a grant under the Citizens' Election Program, which contribution the
25 commission accordingly deems not to be a qualifying contribution
26 pursuant to subsection (d) of section 9-706, as amended by this act, the
27 treasurer shall refund such contribution to the contributor upon its
28 return to the committee in accordance with subsection (d) of section 9-
29 706.

30 Sec. 2. Subsection (d) of section 9-706 of the 2024 supplement to the
31 general statutes is repealed and the following is substituted in lieu
32 thereof (*Effective from passage*):

33 (d) In accordance with the provisions of subsection (g) of this section,
34 the commission shall review the application [,] and determine whether
35 (1) the candidate committee for the applicant has received the required
36 qualifying contributions, (2) in the case of an application for a grant from
37 the fund for a convention campaign, the applicant has met the
38 applicable condition under subsection (a) of this section for applying for
39 such grant and complied with the provisions of subsections (b) and (c)
40 of this section, (3) in the case of an application for a grant from the fund
41 for a primary campaign, the applicant has met the applicable condition
42 under subsection (a) of this section for applying for such grant and
43 complied with the provisions of subsections (b) and (c) of this section,
44 (4) in the case of an application for a grant from the fund for a general
45 election campaign, the applicant has met the applicable condition under
46 subsection (a) of this section for applying for such grant and complied
47 with the provisions of subsections (b) and (c) of this section, and (5) in
48 the case of an application by a minor party or petitioning party
49 candidate for a grant from the fund for a general election campaign, the

50 applicant qualifies as an eligible minor party candidate or an eligible
51 petitioning party candidate, whichever is applicable. For each
52 contribution received by the candidate committee of an applicant that
53 the commission deems not to be a qualifying contribution, the
54 commission shall (A) advise such applicant of such determination and
55 cite the applicable reason under subsection (e) of section 9-704, as
56 amended by this act, for such determination, and (B) return such
57 contribution to the committee. If the commission approves an
58 application, the commission shall determine the amount of the grant
59 payable to the candidate committee for the applicant pursuant to section
60 9-705 from the fund, and notify the State Comptroller and the candidate
61 of such candidate committee of such amount. If the timing of the
62 commission's approval of the grant for a primary campaign or general
63 election campaign in relation to the Secretary of the State's
64 determination of ballot status is such that the commission cannot
65 determine whether the qualified candidate committee is entitled to the
66 applicable full initial grant for the primary or election or the applicable
67 partial grant for the primary or election, as the case may be, the
68 commission shall approve the lesser applicable partial initial grant. The
69 commission shall then authorize the payment of the remaining portion
70 of the applicable primary campaign or general election campaign grant
71 after the commission has knowledge of the circumstances regarding the
72 ballot status of the opposing candidates in such primary or election. Not
73 later than thirty days following notification by the commission in the
74 case of a convention campaign grant, or not later than two business days
75 following notification by the commission in the case of any other grant,
76 the State Comptroller shall draw an order on the State Treasurer for
77 payment of any such approved amount to the qualified candidate
78 committee from the fund.

79 Sec. 3. Subsection (b) of section 9-606 of the general statutes is
80 repealed and the following is substituted in lieu thereof (*Effective from*
81 *passage*):

82 (b) A contribution in the form of a check drawn on a joint bank
83 account shall, for the purpose of allocation, be deemed to be a

84 contribution made by the individual who signed the check, except such
85 contribution shall be allocated in accordance with the provisions of a
86 signed statement, if any, from the holders of such joint bank account that
87 indicates how such contribution should be differently allocated. If a
88 check is signed by more than one individual, the total amount of the
89 check shall be divided equally among the cosigners for the purpose of
90 allocation, except such contribution shall be allocated in accordance
91 with the provisions of a signed statement, if any, from the holders of
92 such joint bank account that indicates how such contribution should be
93 differently allocated. The treasurer of a candidate committee may accept
94 a contribution from a contributor through the mobile application
95 electronic payment service account of such contributor, provided (1) the
96 source of such contribution is the personal checking or credit card
97 account of such contributor, and (2) such contributor and treasurer
98 comply with all requirements under subdivisions (2) and (3) of
99 subsection (c) of section 9-608 for such contribution. If a committee
100 receives an anonymous contribution, the treasurer shall immediately
101 remit the contribution to the State Elections Enforcement Commission
102 for deposit in the General Fund.

103 Sec. 4. Subsection (d) of section 9-611 of the general statutes is
104 repealed and the following is substituted in lieu thereof (*Effective from*
105 *passage*):

106 (d) No individual shall make a contribution, other than a contribution
107 in kind, to (1) any candidate or candidate committee [, other than a
108 contribution in kind,] in excess of one hundred dollars except by
109 personal check or credit card of [that] such individual, including
110 through the mobile application electronic payment service account of
111 such individual as provided under subsection (b) of section 9-606, as
112 amended by this act, and (2) any other committee in excess of one
113 hundred dollars except by personal check or credit card of such
114 individual.

115 Sec. 5. Subdivision (1) of subsection (g) of section 9-7a of the general
116 statutes is repealed and the following is substituted in lieu thereof

117 (Effective from passage):

118 (g) (1) ~~(A)~~ In the case of a written complaint filed with the commission
119 pursuant to section 9-7b, commission staff shall conduct and complete a
120 preliminary examination of such complaint by the fourteenth day
121 following its receipt, at which time such staff shall, at its discretion, ~~[(A)]~~
122 ~~(i)~~ dismiss the complaint for failure to allege any substantial violation of
123 state election law supported by evidence, ~~[(B)]~~ ~~(ii)~~ engage the
124 respondent in discussions in an effort to speedily resolve any matter
125 pertaining to a de minimis violation, or ~~[(C)]~~ ~~(iii)~~ investigate and docket
126 the complaint for a determination by the commission that probable
127 cause or no probable cause exists for any such violation. If commission
128 staff dismisses a complaint pursuant to subparagraph ~~[(A)]~~ ~~(A)(i)~~ of this
129 subdivision, such staff shall provide a brief written statement concisely
130 setting forth the reasons for such dismissal. If commission staff engages
131 a respondent pursuant to subparagraph ~~[(B)]~~ ~~(A)(ii)~~ of this subdivision
132 but is unable to speedily resolve any such matter described in said
133 subparagraph by the forty-fifth day following receipt of the complaint,
134 such staff shall docket such complaint for a determination by the
135 commission that probable cause or no probable cause exists for any
136 violation of state election law. If the commission does not, by the sixtieth
137 day following receipt of the complaint, either issue a decision or render
138 its determination that probable cause or no probable cause exists for any
139 violation of state election laws, the complainant or respondent may
140 apply to the superior court for the judicial district of Hartford for an
141 order to show cause why the commission has not acted upon the
142 complaint and to provide evidence that the commission has
143 unreasonably delayed action. For any complaint received on or after
144 January 1, 2018, if the commission does not, by one year following
145 receipt of such complaint, issue a decision thereon, the commission shall
146 dismiss such complaint, provided the length of time of any delay caused
147 by ~~[(i)]~~ ~~(I)~~ the commission or commission staff granting any extension
148 or continuance to a respondent prior to the issuance of any such
149 decision, ~~[(ii)]~~ ~~(II)~~ any subpoena issued in connection with such
150 complaint, ~~[(iii)]~~ ~~(III)~~ any litigation in state or federal court related to

151 such complaint, or [(iv)] (IV) any investigation by, or consultation of the
152 commission or commission staff with, the Chief State's Attorney, the
153 Attorney General, the United States Department of Justice or the United
154 States Attorney for Connecticut related to such complaint, shall be
155 added to such one year.

156 (B) Notwithstanding the provisions of subparagraph (A) of this
157 subdivision, in the case of a written complaint filed with the commission
158 pursuant to section 9-7b, during the ninety-day period immediately
159 prior to an election, alleging any violation of state election law relating
160 to such election, the commission shall either issue a decision on or
161 dismiss such complaint prior to the day of such election.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-704(e)
Sec. 2	<i>from passage</i>	9-706(d)
Sec. 3	<i>from passage</i>	9-606(b)
Sec. 4	<i>from passage</i>	9-611(d)
Sec. 5	<i>from passage</i>	9-7a(g)(1)

Statement of Legislative Commissioners:

In Section 1(e)(2), "said subsection" was changed to "subsection (d) of section 9-706" for clarity; and in Section 5(g)(1)(A), "subparagraph (A)(i)" was changed to "subparagraph [(A)] (A)(i)" for consistency with standard drafting conventions.

GAE *Joint Favorable Subst. -LCO*