



Senate

General Assembly

File No. 477

February Session, 2022

Substitute Senate Bill No. 431

Senate, April 14, 2022

The Committee on Government Administration and Elections reported through SEN. FLEXER of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING REFERENDA, INDEPENDENT EXPENDITURES AND CERTAIN OTHER POLITICAL SPENDING.

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

1 Section 1. Section 9-601 of the 2022 supplement to the general statutes
2 is amended by adding subdivisions (33) to (39), inclusive, as follows
3 (*Effective from passage*):

4 (NEW) (33) "Independent expenditure political committee" means a
5 political committee that makes only (A) independent expenditures (i) to
6 promote the success or defeat of any candidate seeking (I) the
7 nomination for election, or (II) election, or (ii) for the purpose of aiding
8 or promoting the success or defeat of any (I) referendum question, or
9 (II) political party, and (B) contributions to other independent
10 expenditure political committees.

11 (NEW) (34) "Foreign national" means:

12 (A) A foreign principal and any agent or separate segregated fund of

13 a foreign principal;

14 (B) An individual who is not (i) a citizen of the United States, (ii) a
15 national of the United States, and (iii) lawfully admitted for permanent
16 residence; or

17 (C) A firm, partnership, corporation, association, organization or
18 other entity:

19 (i) With respect to which a foreign owner or a person described in
20 subparagraph (A) or (B) of this subdivision holds, owns, controls or
21 otherwise has a direct or indirect beneficial ownership of at least five
22 per cent of such entity's total equity or outstanding voting shares;

23 (ii) With respect to which two or more, in combination, foreign
24 owners or persons described in subparagraph (A) or (B) of this
25 subdivision hold, own, control or otherwise have a direct or indirect
26 beneficial ownership of at least twenty per cent of such entity's total
27 equity or outstanding voting shares, excluding interests held in a widely
28 held, diversified fund;

29 (iii) With respect to which a foreign owner or individual described in
30 subparagraph (A) or (B), as applicable, of this subdivision participates
31 directly or indirectly in decisions to engage in any activity subject to the
32 provisions of chapter 155 or 157; or

33 (iv) That is exempt from taxation under Section 501(c)(4) of the
34 Internal Revenue Code of 1986, or any subsequent corresponding
35 internal revenue code of the United States, as amended from time to
36 time, and with respect to which at least twenty per cent of the income
37 received by such entity in the most recent taxable year derives from one
38 or more foreign owners.

39 (NEW) (35) "Foreign principal" has the same meaning as provided in
40 22 USC 611(b), as amended from time to time.

41 (NEW) (36) "National of the United States" has the same meaning as
42 provided in 8 USC 1101(a)(22), as amended from time to time.

43 (NEW) (37) "Lawfully admitted for permanent residence" has the
44 same meaning as provided in 8 USC 1101(a)(20), as amended from time
45 to time.

46 (NEW) (38) "Foreign owner" means a firm, partnership, corporation,
47 association, organization or other entity with respect to which a person
48 described in subparagraph (A) or (B) of subdivision (34) of this section
49 holds, owns, controls or otherwise has a direct or indirect beneficial
50 ownership of at least fifty per cent of such entity's total equity or
51 outstanding voting shares, excluding interests held in a widely held,
52 diversified fund.

53 (NEW) (39) "Widely held, diversified fund" means a pooled
54 investment, including a common trust fund of a financial institution,
55 mutual fund or limited partnership, (A) that has more than one hundred
56 investors, (B) that invests not more than five per cent of its value in the
57 securities of a single issuer, other than the federal government, (C) that
58 invests not more than twenty per cent of its value in any one economic
59 or geographic sector, and (D) for which no investor, and no immediate
60 family member of an investor, is able to exercise control over the
61 financial interests held by the pooled investment, including by
62 exercising the pooled investment's authority as the holder of corporate
63 securities.

64 Sec. 2. Subdivision (3) of section 9-601 of the 2022 supplement to the
65 general statutes is repealed and the following is substituted in lieu
66 thereof (*Effective from passage*):

67 (3) "Political committee" means (A) a committee organized by a
68 business entity or organization, (B) persons other than individuals, or
69 two or more individuals organized or acting jointly conducting their
70 activities in or outside the state, (C) an exploratory committee, (D) a
71 committee established by or on behalf of a slate of candidates in a
72 primary for the office of justice of the peace, but does not mean a
73 candidate committee or a party committee, (E) a legislative caucus
74 committee, [or] (F) a legislative leadership committee, or (G) an
75 independent expenditure political committee.

76 Sec. 3. Section 9-601c of the general statutes is amended by adding
77 subsection (e) as follows (*Effective from passage*):

78 (NEW) (e) Notwithstanding the provisions of subsections (a) to (d),
79 inclusive, of this section, an independent expenditure political
80 committee may coordinate with one or more other independent
81 expenditure political committees for the purpose of making one or more
82 independent expenditures.

83 Sec. 4. Subsections (a) to (i), inclusive, of section 9-601d of the general
84 statutes are repealed and the following is substituted in lieu thereof
85 (*Effective from passage*):

86 (a) Any person, as defined in section 9-601, as amended by this act,
87 may, unless otherwise restricted or prohibited by law, including, but not
88 limited to, any provision of this chapter or chapter 157, make unlimited
89 independent expenditures, as defined in section 9-601c, as amended by
90 this act, and accept unlimited covered transfers, as defined in [said]
91 section 9-601, as amended by this act. Except as provided [pursuant to]
92 in this section, any such person who makes or obligates to make an
93 independent expenditure or expenditures in excess of one thousand
94 dollars, in the aggregate, shall file statements according to the same
95 schedule and in the same manner as is required of a treasurer of a
96 [candidate] political committee pursuant to section 9-608, as amended
97 by this act. Any such person, other than a committee, shall file with the
98 proper authority, as provided in section 9-603, as amended by this act,
99 (1) a long-form report and a short-form report pursuant to subsection
100 (c) of this section for such independent expenditure or expenditures,
101 and (2) a short-form report pursuant to subsection (d) of this section for
102 each subsequent independent expenditure made or obligated to be
103 made.

104 (b) Any person who makes or obligates to make an independent
105 expenditure or expenditures in an election or primary for the office of
106 Governor, Lieutenant Governor, Secretary of the State, State Treasurer,
107 State Comptroller, Attorney General, state senator or state
108 representative, [which] or to promote the success or defeat of a

109 referendum question proposing a constitutional convention,
110 constitutional amendment or revision of the Constitution, that exceed
111 one thousand dollars, in the aggregate, during [a primary campaign or
112 a general election campaign, as defined in section 9-700, shall file,
113 electronically, a long-form and a short-form report of such independent
114 expenditure or expenditures with the State Elections Enforcement
115 Commission pursuant to subsections (c) and (d) of this section. The
116 person that makes or obligates to make such independent expenditure
117 or expenditures shall file such reports] the period beginning on June first
118 in the year of a regular election, or on the day the Governor issues writs
119 of election pursuant to section 9-215 in the case of a special election for
120 the office of state senator or state representative, and ending on the day
121 following the primary or election for which such person made or
122 obligated to make such independent expenditure or expenditures, shall
123 electronically file, in the case of a committee, a report pursuant to section
124 9-608, as amended by this act, or, in the case of any person other than a
125 committee, a long-form report and a short-form report pursuant to
126 subsections (c) and (d) of this section not later than twenty-four hours
127 after (1) making any such payment, or (2) obligating to make any such
128 payment, with respect to the primary, [or] election [. If any such person
129 makes or incurs a subsequent independent expenditure, such person
130 shall report such expenditure pursuant to subsection (d) of this section.]
131 or referendum. In the case of a special election for the office of state
132 senator or state representative, if any person makes or obligates to make
133 an independent expenditure or expenditures for such special election
134 that exceeds one thousand dollars, in the aggregate, prior to the day the
135 Governor issues writs of election pursuant to section 9-215, such person
136 shall file a report not later than twenty-four hours after such writs of
137 election are issued. Such reports shall be filed under penalty of false
138 statement.

139 (c) The independent expenditure long-form report shall identify: (1)
140 The name of the person making or obligating to make such independent
141 expenditure or expenditures and, in the case of a person other than an
142 individual, provide (A) the name of a human being who had direct,
143 extensive and substantive decision-making authority over such

144 independent expenditure or expenditures, and (B) a certification that the
145 person making such independent expenditure is not a foreign national;
146 (2) the tax exempt status of such person and, if [applicable] such person
147 files a report with the Federal Election Commission, the Internal
148 Revenue Service or any similar out-of-state agency, provide identifying
149 information under which any such filing is made; (3) the mailing
150 address, and street address if different, of such person; (4) the principal
151 business address of the person, if different from either the mailing
152 address or street address; (5) the mailing address, and street address if
153 different, telephone number and electronic mail address of the agent for
154 service of process in this state of such person and of the human being
155 described in subparagraph (A) of subdivision (1) of this subsection; (6)
156 the date of the primary, [or] election or referendum for which [the] such
157 independent expenditure or expenditures were made or obligated to be
158 made; (7) the name of any candidate who, or the text of any referendum
159 question that, was the subject of [any] such independent expenditure or
160 expenditures and whether [the] such independent expenditure or
161 expenditures were in support of or in opposition to such candidate or
162 referendum question; and (8) the name, telephone number and
163 electronic mail address for the individual filing such report. Such
164 individual filing such report shall, under penalty of false statement,
165 affirm that the expenditure reported is an independent expenditure.
166 [under penalty of false statement.]

167 (d) As part of any filing made pursuant to subsection (c) of this
168 section and for each subsequent independent expenditure made or
169 obligated to be made by a person with respect to the primary, [or]
170 election or referendum for which a long-form report pursuant to
171 subsection (c) of this section has been filed on behalf of such person, an
172 individual shall file [, electronically,] a short-form report for each such
173 independent expenditure. [, not later than twenty-four hours after such
174 person makes a payment for an independent expenditure or obligates
175 to make such an independent expenditure.] Such short-form report shall
176 identify: (1) The name of the person making or obligating to make such
177 independent expenditure; (2) the amount of the independent
178 expenditure; (3) whether the independent expenditure was in support

179 of or in opposition to a candidate or referendum question and the name
180 of such candidate or text of such referendum question; (4) a brief
181 description of the independent expenditure made, including the type of
182 communication, based on categories determined by the State Elections
183 Enforcement Commission, and the allocation of such independent
184 expenditure in support of or in opposition to each such candidate or
185 referendum question, if such independent expenditure was made in
186 support of or in opposition to more than one candidate or question; and
187 (5) the name, telephone number and electronic mail address for the
188 individual filing such report. Such individual filing such report shall,
189 under penalty of false statement, affirm that the expenditure reported is
190 an independent expenditure. [under penalty of false statement.]

191 (e) No person reporting an independent expenditure pursuant to the
192 provisions of subsection (c) or (d) of this section shall be required to file
193 a statement pursuant to section 9-608, as amended by this act, for such
194 independent expenditure.

195 (f) (1) Except as provided in subdivision (2) of this subsection, as part
196 of any statement filed pursuant to this section, if a person who makes or
197 obligates to make an independent expenditure (A) has received a
198 covered transfer during the twelve-month period prior to (i) a primary
199 or election, as applicable to the reported expenditure, for an office that
200 a candidate described in subdivision (7) of subsection (c) of this section
201 is seeking, or (ii) a referendum on a question proposing a constitutional
202 convention, constitutional amendment or revision of the Constitution,
203 and (B) such independent expenditure is made or obligated to be made
204 on or after the date that is one hundred eighty days prior to such
205 primary, [or] election or referendum, such person shall disclose the
206 source and the amount of any such covered transfer such person
207 received that is in an amount that is five thousand dollars or more, in
208 the aggregate, during the twelve-month period prior to such primary,
209 [or] election or referendum, as applicable to the reported expenditure.

210 (2) The provisions of subdivision (1) of this subsection shall not apply
211 to any person who discloses the source and amount of a covered transfer

212 described in subdivision (1) of this subsection as part of any report to
213 the Federal Election Commission, [or] the Internal Revenue Service or
214 any similar out-of-state agency, provided such person includes a copy
215 of, or information sufficient to find, any such report as part of the report
216 of each applicable independent expenditure filed pursuant to this
217 section. If a source and amount of a covered transfer is not included as
218 part of any such report, the maker of the independent expenditure shall
219 disclose the source and amount of such covered transfer pursuant to
220 subdivision (1) of this subsection, if applicable.

221 (g) (1) A person may, unless otherwise restricted or prohibited by
222 law, including, but not limited to, any provision of this chapter or
223 chapter 157, establish a dedicated independent expenditure account [,
224 for the purpose of engaging in] that may be used to make independent
225 expenditures, [that] provided such account is segregated from all other
226 accounts controlled by such person. Such dedicated independent
227 expenditure account may receive covered transfers directly from
228 persons other than the person establishing the dedicated account and
229 may not receive transfers from another account controlled by the person
230 establishing the dedicated account, except as provided in subdivision
231 (2) of this subsection. If an independent expenditure is made from such
232 segregated account, any report required pursuant to this section or
233 disclaimer required pursuant to section 9-621, as amended by this act,
234 [may include only] shall include those persons who made covered
235 transfers directly to the dedicated independent expenditure account.

236 (2) If a person who has made a covered transfer to another account
237 controlled by the person establishing a dedicated independent
238 expenditure account requests that such covered transfer be used for the
239 purposes of making an independent expenditure from the dedicated
240 independent expenditure account, the amount of such covered transfer
241 may be transferred to the dedicated independent expenditure account
242 and shall be treated as a covered transfer directly to the dedicated
243 independent expenditure account.

244 (h) Any person may file a complaint with the commission upon the

245 belief that (1) any such independent expenditure report or statement is
246 false, or (2) any person who is required to file an independent
247 expenditure report under this subsection has failed to do so. The
248 commission shall make a prompt determination on such a complaint.

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

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

272 (3) If the State Elections Enforcement Commission finds that a person
273 is subject to a civil penalty under this subsection, (A) in the case of a
274 committee, (i) the chairman, and (ii) any officer, or (B) in the case of a
275 person other than a committee, (i) the chief executive or chief financial
276 officer, or equivalent, (ii) any other officer, and (iii) any manager who
277 had direct, extensive and substantive decision-making authority over

278 the independent expenditure or expenditures made or obligated to be
279 made by such person, shall be liable for paying any amount of such civil
280 penalty imposed that is not paid by such person within one year after
281 the latter of (I) the date on which the commission imposed such civil
282 penalty, or (II) the date of the final judgment following any judicial
283 review of the commission's action.

284 Sec. 5. Subsection (b) of section 9-605 of the general statutes is
285 repealed and the following is substituted in lieu thereof (*Effective from*
286 *passage*):

287 (b) The registration statement shall include: (1) The name and address
288 of the committee; (2) a statement of the purpose of the committee; (3) the
289 name and address of its treasurer, and deputy treasurer if applicable; (4)
290 the name, address and position of its [chairman] chairperson, and other
291 principal officers if applicable; (5) the name and address of the
292 depository institution for its funds; (6) the name of each person, other
293 than an individual, that is a member of the committee; (7) the name and
294 party affiliation of each candidate whom the committee is supporting
295 and the office or position sought by each candidate; (8) if the committee
296 is supporting the entire ticket of any party, a statement to that effect and
297 the name of the party; (9) if the committee is supporting or opposing
298 any referendum question, a brief statement identifying the substance of
299 the question; (10) if the committee is established or controlled by a
300 [business entity or organization] person or individual acting as the agent
301 of a person, the name of [the entity or organization] such person or
302 individual and, if the committee is established or controlled by a person
303 or individual other than a human being, (A) the name of its chief
304 executive officer or equivalent, and (B) a certification that such person
305 is not a foreign national; (11) if the committee is established by an
306 organization, a statement of whether it will receive its funds from the
307 organization's treasury or from voluntary contributions; (12) if the
308 committee files reports with the Federal Elections Commission, the
309 Internal Revenue Service or any similar out-of-state agency, a statement
310 to that effect including the name of the agency and identifying
311 information under which any such filings are made; (13) a statement

312 indicating whether the committee is established for a single primary,
313 election or referendum or for ongoing political activities; (14) if the
314 committee is established or controlled by a lobbyist, a statement to that
315 effect and the name of the lobbyist; (15) the name and address of the
316 person making the initial contribution or disbursement, if any, to the
317 committee; and (16) any information that the State Elections
318 Enforcement Commission requires to facilitate compliance with the
319 provisions of this chapter or chapter 157. If no such initial contribution
320 or disbursement, as described in subdivision (15) of this subsection, has
321 been made at the time of the filing of such statement, the treasurer of the
322 committee shall, not later than forty-eight hours after receipt of such
323 contribution or disbursement, file a report with the State Elections
324 Enforcement Commission. The report shall be in the same form as
325 statements filed under section 9-608, as amended by this act.

326 Sec. 6. Subdivision (1) of subsection (g) of section 9-607 of the 2022
327 supplement to the general statutes is repealed and the following is
328 substituted in lieu thereof (*Effective from passage*):

329 (g) (1) As used in this subsection, (A) "the lawful purposes of the
330 committee" means: (i) For a candidate committee or exploratory
331 committee, the promoting of the nomination or election of the candidate
332 who established the committee, except that after a political party
333 nominates candidates for election to the offices of Governor and
334 Lieutenant Governor, whose names shall be so placed on the ballot in
335 the election that an elector will cast a single vote for both candidates, as
336 prescribed in section 9-181, a candidate committee established by either
337 such candidate may also promote the election of the other such
338 candidate; (ii) for a political committee, other than an independent
339 expenditure political committee described in subparagraph (A)(iv) of
340 this subdivision, the promoting of (I) a political party, including party
341 building activities, (II) the success or defeat of candidates for
342 nomination and election to public office or position subject to the
343 requirements of this chapter, or (III) the success or defeat of referendum
344 questions, provided [a political committee formed for a single
345 referendum question shall not promote the success or defeat of any

346 candidate, and provided further] a legislative leadership committee or
347 a legislative caucus committee may expend funds to defray costs for
348 conducting legislative or constituency-related business which are not
349 reimbursed or paid by the state; [and] (iii) for a party committee, the
350 promoting of the party, including party building activities, the
351 promoting of candidates of the party, and the continuing operating costs
352 of the party; and (iv) for an independent expenditure political
353 committee, the promoting of (I) a political party, (II) the success or defeat
354 of candidates for nomination or election to public office or position
355 subject to the requirements of this chapter, or (III) the success or defeat
356 of referendum questions, and (B) "immediate family" means a spouse or
357 dependent child of a candidate who resides in the candidate's
358 household.

359 Sec. 7. Subparagraph (C) of subdivision (1) of subsection (e) of section
360 9-608 of the general statutes is repealed and the following is substituted
361 in lieu thereof (*Effective from passage*):

362 (C) [(i) Each political committee formed solely to aid or promote the
363 success or defeat of any referendum question, which does not receive
364 contributions from a business entity or an organization, shall distribute
365 its surplus to a party committee, to a political committee organized for
366 ongoing political activities, to a national committee of a political party,
367 to all contributors to the committee on a prorated basis of contribution,
368 to state or municipal governments or agencies or to any organization
369 which is a tax-exempt organization under Section 501(c)(3) of the
370 Internal Revenue Code of 1986, or any subsequent corresponding
371 internal revenue code of the United States, as from time to time
372 amended. (ii) Each political committee formed solely to aid or promote
373 the success or defeat of any referendum question, which receives
374 contributions from a business entity or an organization] An
375 independent expenditure political committee, other than an
376 independent expenditure political committee formed for ongoing
377 political activities, shall distribute its surplus to all contributors to the
378 committee on a prorated basis of contribution, to state or municipal
379 governments or agencies, or to any organization which is tax-exempt

380 under [said provisions] Sections 501(c)(3) and 501(c)(19) of the Internal
381 Revenue Code, as amended from time to time. Notwithstanding the
382 provisions of this subsection, a committee formed for a single
383 referendum shall not be required to expend its surplus [not later than]
384 within ninety days after the referendum and may continue in existence
385 if a substantially similar referendum question on the same issue will be
386 submitted to the electorate within six months after the first referendum.
387 If two or more substantially similar referenda on the same issue are
388 submitted to the electorate, each no more than six months apart, the
389 committee shall expend such surplus within ninety days following the
390 date of the last such referendum;

391 Sec. 8. Section 9-611 of the general statutes is repealed and the
392 following is substituted in lieu thereof (*Effective from passage*):

393 (a) No individual shall make a contribution or contributions to, for
394 the benefit of, or pursuant to the authorization or request of, a candidate
395 or a committee supporting or opposing any candidate's campaign for
396 nomination at a primary, or any candidate's campaign for election, to
397 the office of (1) Governor, in excess of three thousand five hundred
398 dollars; (2) Lieutenant Governor, Secretary of the State, Treasurer,
399 Comptroller or Attorney General, in excess of two thousand dollars; (3)
400 chief executive officer of a town, city or borough, in excess of one
401 thousand dollars; (4) state senator or probate judge, in excess of one
402 thousand dollars; or (5) state representative or any other office of a
403 municipality not previously included in this subsection, in excess of two
404 hundred fifty dollars. The limits imposed by this subsection shall be
405 applied separately to primaries and elections.

406 (b) (1) No individual shall make a contribution or contributions to, or
407 for the benefit of, an exploratory committee, in excess of three hundred
408 seventy-five dollars, if the candidate establishing the exploratory
409 committee certifies on the statement of organization for the exploratory
410 committee pursuant to subsection (c) of section 9-604 that the candidate
411 will not be a candidate for the office of state representative. No
412 individual shall make a contribution or contributions to, or for the

413 benefit of, any exploratory committee, in excess of two hundred fifty
414 dollars, if the candidate establishing the exploratory committee does not
415 so certify.

416 (2) No individual shall make a contribution or contributions to, or for
417 the benefit of, a political committee formed by a slate of candidates in a
418 primary for the office of justice of the peace, in excess of two hundred
419 fifty dollars.

420 [(c) No individual shall make contributions to such candidates or
421 committees which in the aggregate exceed thirty thousand dollars for
422 any single election and primary preliminary to such election.]

423 [(d)] (c) No individual shall make a contribution to any candidate or
424 committee, other than a contribution in kind, in excess of one hundred
425 dollars except by personal check or credit card of that individual.

426 [(e)] (d) No individual who is less than eighteen years of age shall
427 make a contribution or contributions, in excess of thirty dollars to, for
428 the benefit of, or pursuant to the authorization or request of: (1) A
429 candidate or a committee supporting or opposing any candidate's
430 campaign for nomination at a primary to any office; (2) a candidate or a
431 committee supporting or opposing any candidate's campaign for
432 election to any office; (3) an exploratory committee; (4) any other
433 political committee in any calendar year; or (5) a party committee in any
434 calendar year. Notwithstanding any provision of subdivision (2) of
435 section 9-7b, any individual who is less than eighteen years of age who
436 violates any provision of this subsection shall not be subject to the
437 provisions of subdivision (2) of section 9-7b.

438 Sec. 9. Subsections (a) and (b) of section 9-612 of the 2022 supplement
439 to the general statutes are repealed and the following is substituted in
440 lieu thereof (*Effective from passage*):

441 (a) (1) No individual shall make a contribution or contributions in any
442 one calendar year in excess of ten thousand dollars to the state central
443 committee of any party, or for the benefit of such committee pursuant

444 to its authorization or request; or two thousand dollars to a town
445 committee of any political party, or for the benefit of such committee
446 pursuant to its authorization or request; or two thousand dollars to a
447 legislative caucus committee or legislative leadership committee; [,] or
448 one thousand dollars to any other political committee [other than (1)]
449 except (A) a political committee formed solely to aid or promote the
450 success or defeat of a referendum question, [(2)] (B) an exploratory
451 committee, [(3)] (C) a political committee established by an
452 organization, or for the benefit of such committee pursuant to its
453 authorization or request, or [(4)] (D) a political committee formed by a
454 slate of candidates in a primary for the office of justice of the peace of
455 the same town.

456 (2) Notwithstanding the provisions of subdivision (1) of this
457 subsection and unless otherwise restricted or prohibited by law, an
458 individual may make contributions to an independent expenditure
459 political committee, including a political committee formed solely to aid
460 or promote the success or defeat of any referendum question.

461 (b) (1) No individual shall make a contribution to a political
462 committee established by an organization which receives its funds from
463 the organization's treasury. With respect to a political committee
464 established by an organization which has complied with the provisions
465 of subsection (b) or (c) of section 9-614, as amended by this act, and has
466 elected to receive contributions, no individual other than a member of
467 the organization may make contributions to the committee, in which
468 case the individual may contribute not more than seven hundred fifty
469 dollars in any one calendar year to such committee or for the benefit of
470 such committee pursuant to its authorization or request.

471 (2) Notwithstanding the provisions of subdivision (1) of this
472 subsection and unless otherwise restricted or prohibited by law, an
473 individual may make contributions to an independent expenditure
474 political committee established by an organization.

475 Sec. 10. Section 9-613 of the general statutes is repealed and the
476 following is substituted in lieu thereof (*Effective from passage*):

477 (a) [No] Except as provided in subsection (f) of this section, a business
478 entity shall not make any contributions or expenditures (1) to, or for the
479 benefit of, any candidate's campaign (A) for election to any public office
480 or position subject to this chapter, or (B) for nomination at a primary for
481 any such office or position, or (2) to promote the defeat of any candidate
482 for any such office or position. [No] A business entity shall not make
483 any other contributions or expenditures to promote the success or defeat
484 of any political party. [, except as provided in subsection (b) of this
485 section. No] A business entity shall not establish more than one political
486 committee. A political committee shall be deemed to have been
487 established by a business entity if the initial disbursement or
488 contribution to the committee is made under subsection (b) of this
489 section or by an officer, director, owner, limited or general partner or
490 holder of stock constituting five per cent or more of the total outstanding
491 stock of any class of the business entity.

492 (b) A business entity may make reasonable and necessary transfers or
493 disbursements to or for the benefit of a political committee established
494 by such business entity, for the administration of, or solicitation of
495 contributions to, such political committee. Nonmonetary contributions
496 by a business entity which are incidental in nature and are directly
497 attributable to the administration of such political committee shall be
498 exempt from the reporting requirements of this chapter.

499 [(c) The provisions of this section shall not preclude a business entity
500 from making contributions or expenditures to promote the success or
501 defeat of a referendum question.]

502 [(d) A] (c) Except as provided in subsection (f) of this section, a
503 political committee organized by a business entity shall not make a
504 contribution or contributions to or for the benefit of any candidate's
505 campaign for nomination at a primary or any candidate's campaign for
506 election to the office of: (1) Governor, in excess of five thousand dollars;
507 (2) Lieutenant Governor, Secretary of the State, Treasurer, Comptroller
508 or Attorney General, in excess of three thousand dollars; (3) state
509 senator, probate judge or chief executive officer of a town, city or

510 borough, in excess of one thousand five hundred dollars; (4) state
511 representative, in excess of seven hundred fifty dollars; or (5) any other
512 office of a municipality not included in subdivision (3) of this
513 subsection, in excess of three hundred seventy-five dollars. The limits
514 imposed by this subsection shall apply separately to primaries and
515 elections and contributions by any such committee to candidates
516 designated in this subsection shall not exceed one hundred thousand
517 dollars in the aggregate for any single election and primary preliminary
518 thereto. Contributions to such committees shall also be subject to the
519 provisions of section 9-618, as amended by this act, in the case of
520 committees formed for ongoing political activity or section 9-619, as
521 amended by this act, in the case of committees formed for a single
522 election or primary.

523 [(e) No] (d) Except as provided in subsection (f) of this section, a
524 political committee organized by a business entity shall not make a
525 contribution or contributions to (1) a state central committee of a
526 political party, in excess of seven thousand five hundred dollars in any
527 calendar year, (2) a town committee of any political party, in excess of
528 one thousand five hundred dollars in any calendar year, (3) an
529 exploratory committee in excess of three hundred seventy-five dollars,
530 or (4) any other kind of political committee, in excess of two thousand
531 dollars in any calendar year.

532 [(f)] (e) As used in this subsection, "investment services" means
533 investment legal services, investment banking services, investment
534 advisory services, underwriting services, financial advisory services or
535 brokerage firm services. [No] A political committee established by a
536 firm which provides investment services and to which the State
537 Treasurer pays compensation, expenses or fees or issues a contract shall
538 not make a contribution to, or solicit contributions on behalf of, an
539 exploratory committee or candidate committee established by a
540 candidate for nomination or election to the office of State Treasurer
541 during the term of office of the State Treasurer who does business with
542 such firm.

543 [(g)] (f) (1) Notwithstanding the provisions of [this section, a
544 corporation, cooperative association, limited partnership, professional
545 association, limited liability company or limited liability partnership,
546 whether formed in this state or any other, acting alone,] subsections (a)
547 to (e), inclusive, of this section, a business entity may make independent
548 expenditures and contributions to an independent expenditure political
549 committee.

550 (2) An independent expenditure political committee organized by a
551 business entity shall not make any contribution unless such contribution
552 is to another independent expenditure political committee.

553 Sec. 11. Section 9-614 of the general statutes is repealed and the
554 following is substituted in lieu thereof (*Effective from passage*):

555 (a) An organization may make contributions or expenditures, other
556 than [those made to promote] for the purpose of promoting the success
557 or defeat of a referendum question, only by first forming its own
558 political committee. [The] Unless such political committee is an
559 independent expenditure political committee, the political committee
560 shall then be authorized to (1) receive funds (A) exclusively from the
561 organization's treasury or from voluntary contributions made by its
562 members, but not both, (B) from another political committee, or [,] (C)
563 from a candidate committee distributing a surplus, and [(1) to] (2) make
564 (A) contributions or expenditures to, or for the benefit of, a candidate's
565 campaign or a political party, or [(2) to make] (B) contributions to
566 another political committee. [No] An organization shall not form more
567 than one political committee. A political committee shall be deemed to
568 have been established by an organization if the initial contribution to the
569 committee is made by the organization's treasury or an officer or
570 director of the organization.

571 (b) A political committee established by an organization may elect to
572 alter the manner in which it is funded if it complies with the
573 requirements of this subsection. The committee chairperson shall notify
574 the repository with which the committee's most recent statement of
575 organization is filed, in writing, of the committee's intent to alter its

576 manner of funding. [Within] Not later than fifteen days after the date of
577 receipt of such notification, the treasurer of such political committee
578 shall return any funds remaining in the account of the committee to the
579 organization's treasury after payment of each outstanding liability.
580 [Within] Not later than seven days after the distribution and payments
581 have been made, the treasurer shall file a statement with the same
582 repository itemizing each such distribution and payment. Upon such
583 filing, the treasurer may receive voluntary contributions from any
584 member of the organization which established such committee subject
585 to the limitations imposed in subsection (b) of section 9-612, as amended
586 by this act.

587 (c) The chairperson of each political committee established by an
588 organization on or after July 1, 1985, shall designate the manner in
589 which the committee shall be funded in the committee's statement of
590 organization.

591 (d) Notwithstanding the provisions of subsections (a) to (c), inclusive,
592 of this section, an organization [, acting alone,] may make independent
593 expenditures and contributions to an independent expenditure political
594 committee.

595 Sec. 12. Section 9-615 of the general statutes is repealed and the
596 following is substituted in lieu thereof (*Effective from passage*):

597 (a) [No] A political committee established by an organization shall
598 not make a contribution or contributions to, or for the benefit of, any
599 candidate's campaign for nomination at a primary or for election to the
600 office of: (1) Governor, in excess of five thousand dollars; (2) Lieutenant
601 Governor, Secretary of the State, Treasurer, Comptroller or Attorney
602 General, in excess of three thousand dollars; (3) chief executive officer
603 of a town, city or borough, in excess of one thousand five hundred
604 dollars; (4) state senator or probate judge, in excess of one thousand five
605 hundred dollars; (5) state representative, in excess of seven hundred
606 fifty dollars; or (6) any other office of a municipality not previously
607 included in this subsection, in excess of three hundred seventy-five
608 dollars.

609 (b) [No such] A political committee established by an organization
610 shall not make a contribution or contributions to, or for the benefit of,
611 an exploratory committee, in excess of three hundred seventy-five
612 dollars. [Any such] A political committee established by an organization
613 may make unlimited contributions to a political committee formed
614 solely to aid or promote the success or defeat of a referendum question.

615 (c) The limits imposed by subsection (a) of this section shall apply
616 separately to primaries and elections, and no such committee shall make
617 contributions to the candidates designated in this section which in the
618 aggregate exceed fifty thousand dollars for any single election and
619 primary preliminary thereto.

620 (d) [No] Except as provided in subsection (f) of this section, a political
621 committee established by an organization shall not make contributions
622 in any one calendar year to, or for the benefit of, (1) the state central
623 committee of a political party, in excess of seven thousand five hundred
624 dollars; (2) a town committee, in excess of one thousand five hundred
625 dollars; or (3) any political committee, other than an exploratory
626 committee or a committee formed solely to aid or promote the success
627 or defeat of a referendum question, in excess of two thousand dollars.

628 (e) Contributions to a political committee established by an
629 organization shall be subject to the provisions of section 9-618, as
630 amended by this act, in the case of a committee formed for ongoing
631 political activity or section 9-619, as amended by this act, in the case of
632 a committee formed for a single election or primary.

633 (f) An independent expenditure political committee established by an
634 organization shall not make any contribution unless such contribution
635 is to another independent expenditure political committee.

636 Sec. 13. Subsection (a) of section 9-618 of the general statutes is
637 repealed and the following is substituted in lieu thereof (*Effective from*
638 *passage*):

639 (a) (1) A political committee organized for ongoing political activities

640 may make unlimited contributions to, or for the benefit of, any national
641 committee of a political party [;] or a committee of a candidate for
642 federal or out-of-state office. Except as provided in subdivision (3) of
643 subsection (d) of this section, no such political committee shall make a
644 contribution or contributions in excess of two thousand dollars to
645 another political committee in any calendar year. No political committee
646 organized for ongoing political activities shall make a contribution in
647 excess of three hundred seventy-five dollars to an exploratory
648 committee. If such an ongoing committee is established by an
649 organization or a business entity, its contributions shall be subject to the
650 limits imposed by sections 9-613 to 9-615, inclusive, as amended by this
651 act. A political committee organized for ongoing political activities may
652 make [contributions] donations to a charitable organization which is a
653 tax-exempt organization under Section 501(c)(3) of the Internal Revenue
654 Code, as from time to time amended, or make memorial [contributions]
655 donations.

656 (2) An independent expenditure political committee organized for
657 ongoing political activities shall not make any contribution unless such
658 contribution is to another independent expenditure political committee.

659 Sec. 14. Subsection (a) of section 9-619 of the general statutes is
660 repealed and the following is substituted in lieu thereof (*Effective from*
661 *passage*):

662 (a) [No] (1) A political committee established for a single primary or
663 election shall not make contributions to a national committee, or a
664 committee of a candidate for federal or out-of-state office. If such a
665 political committee is established by an organization or a business
666 entity, its contributions shall also be subject to the limitations imposed
667 by sections 9-613 to 9-615, inclusive, as amended by this act. Except as
668 provided in subdivision (2) of subsection (d) of this section, [no] a
669 political committee [formed] established for a single election or primary
670 shall not, with respect to such election or primary, make a contribution
671 or contributions in excess of two thousand dollars to another political
672 committee, provided [no such] a political committee established for a

673 single election or primary shall not make a contribution in excess of
674 three hundred seventy-five dollars to an exploratory committee.

675 (2) An independent expenditure political committee established for a
676 single primary or election shall not make any contribution unless such
677 contribution is to another independent expenditure political committee.

678 Sec. 15. Section 9-620 of the general statutes is repealed and the
679 following is substituted in lieu thereof (*Effective from passage*):

680 (a) [A political committee formed solely to aid or promote the success
681 or defeat of a referendum question shall not make contributions to, or
682 for the benefit of, a party committee, a political committee, a national
683 committee, a committee of a candidate for federal or out-of-state office
684 or a candidate committee, except in the distribution of a surplus, as
685 provided in subsection (e) of section 9-608.] Subject to the provisions of
686 this chapter, any person may establish an independent expenditure
687 political committee that may only make expenditures without the
688 consent, coordination or consultation of, a candidate or agent of the
689 candidate, candidate committee, party committee or political
690 committee. Subject to the provisions of this chapter, any such
691 independent expenditure political committee may accept contributions
692 from any person.

693 (b) [A political committee formed solely to aid or promote the success
694 or defeat of a referendum question shall not receive contributions from
695 a national committee or from a committee of a candidate for federal or
696 out-of-state office.] Any person may establish an independent
697 expenditure political committee solely to aid or promote the success or
698 defeat of a single referendum question, or of multiple referendum
699 questions submitted to a vote on the same date. Such committee may
700 only make independent expenditures to aid or promote the success or
701 defeat of a single referendum question, or of multiple referendum
702 questions submitted to a vote on the same date. Subject to the provisions
703 of this chapter, such committee may accept contributions from any
704 person.

705 (c) [No person, other than an individual or a committee, shall make a
706 contribution to a political committee formed solely to aid or promote the
707 success or defeat of a referendum question, or to any other person, to
708 aid or promote the success or defeat of a referendum question, in excess
709 of ten cents for each individual residing in the state or political
710 subdivision thereof in which such referendum question is to be voted
711 upon, in accordance with the last federal decennial census.] Except as
712 provided in this section, an independent expenditure political
713 committee shall not make contributions to, or for the benefit of, a party
714 committee, a political committee, a national committee, a committee of
715 a candidate for federal or out-of-state office or a candidate committee.

716 (d) Notwithstanding the provisions of subsections (a) to (c), inclusive,
717 of this section, an independent expenditure political committee may
718 make contributions to another independent expenditure political
719 committee, make donations to any organization which is a tax-exempt
720 organization under Sections 501(c)(3) and 501(c)(19) of the Internal
721 Revenue Code, as amended from time to time, and refund contributions
722 to contributors.

723 Sec. 16. Subsections (c) to (l), inclusive, of section 9-621 of the general
724 statutes are repealed and the following is substituted in lieu thereof
725 (*Effective from passage*):

726 (c) (1) No business entity, organization, association, committee, or
727 group of two or more individuals who have joined solely to promote the
728 success or defeat of a referendum question shall make or incur any
729 expenditure for any written, typed or other printed communication
730 which promotes the success or defeat of any referendum question unless
731 such communication bears upon its face, as a disclaimer, the words
732 "paid for by" and the following: [(1)] (A) In the case of a business entity,
733 organization or association, the name of the business entity,
734 organization or association and the name of its chief executive officer or
735 equivalent, and in the case such communication is made during the
736 ninety-day period immediately prior to the referendum, such
737 communication shall also bear on its face the names of the five persons

738 who made the five largest aggregate covered transfers to such business
739 entity, organization or association during the twelve-month period
740 immediately prior to such referendum. The communication shall also
741 state that additional information about the business entity, organization
742 or association making such communication may be found on the State
743 Elections Enforcement Commission's Internet web site; [(2)] (B) in the
744 case of a political committee, the name of the committee and the name
745 of its treasurer; [(3)] (C) in the case of a party committee, the name of the
746 committee; or [(4)] (D) in the case of such a group of two or more
747 individuals, the name of the group and the name and address of its
748 agent.

749 (2) No person shall make or incur an independent expenditure for:

750 (A) A video broadcast by television, satellite or Internet which
751 promotes the success or defeat of any referendum question unless such
752 video is accompanied by the disclaimer described in subdivision (2) of
753 subsection (h) of this section;

754 (B) An audio communication broadcast by radio, satellite or Internet
755 which promotes the success or defeat of any referendum question unless
756 such audio communication is accompanied by the disclaimer described
757 in subdivision (3) of subsection (h) of this section; and

758 (C) Telephone calls which promote the success or defeat of any
759 referendum question unless such telephone calls are accompanied by
760 the disclaimer described in subdivision (4) of subsection (h) of this
761 section.

762 (d) The provisions of subsections (a), (b), [and] (c) and (h) of this
763 section do not apply to (1) any editorial, news story, or commentary
764 published in any newspaper, magazine or journal on its own behalf and
765 upon its own responsibility and for which it does not charge or receive
766 any compensation whatsoever, (2) any banner, (3) political
767 paraphernalia including pins, buttons, badges, emblems, hats, bumper
768 stickers or other similar materials, or (4) signs with a surface area of not
769 more than thirty-two square feet.

770 (e) The treasurer of a candidate committee which sponsors any
771 written, typed or other printed communication for the purpose of
772 raising funds to eliminate a campaign deficit of that committee shall
773 include in such communication a statement that the funds are sought to
774 eliminate such a deficit.

775 (f) The treasurer of an exploratory committee or candidate committee
776 established by a candidate for nomination or election to the office of
777 Treasurer which committee sponsors any written, typed or other
778 printed communication for the purpose of raising funds shall include in
779 such communication a statement concerning the prohibitions set forth
780 in subsection (n) of section 1-84, subsection (e) of section 9-612 and
781 subsection (f) of section 9-613, as amended by this act.

782 (g) In the event a treasurer of a candidate committee is replaced
783 pursuant to subsection (c) of section 9-602, nothing in this section shall
784 be construed to prohibit the candidate committee from distributing any
785 printed communication subject to the provisions of this section that has
786 already been printed or otherwise produced, even though such
787 communication does not accurately designate the successor treasurer of
788 such candidate committee.

789 (h) (1) No person shall make or incur an independent expenditure for
790 any written, typed or other printed communication, including on a
791 billboard, or any web-based, written communication, which promotes
792 the success or defeat of any candidate's campaign for nomination at a
793 primary or election unless such communication bears upon its face, as a
794 disclaimer, the words "Paid for by" and the name of such person and the
795 following statement: "This message was made independent of any
796 candidate or political party.". In the case of a person making or incurring
797 such an independent expenditure during the ninety-day period
798 immediately prior to the primary or election for which the independent
799 expenditure is made, such communication shall also bear upon its face
800 the names of the five persons who made the five largest aggregate
801 covered transfers to the person making such communication during the
802 twelve-month period immediately prior to such primary or election, as

803 applicable. The communication shall also state that additional
804 information about the person making such communication may be
805 found on the State Elections Enforcement Commission's Internet web
806 site.

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

824 (3) In addition to the requirements of subdivision (1) of this
825 subsection, no person shall make or incur an independent expenditure
826 for an audio communication broadcast by radio, satellite or Internet,
827 unless the advertising ends with a disclaimer that is a personal audio
828 statement by such person's agent (A) identifying the person paying for
829 the expenditure, and (B) indicating that the message was made
830 independent of any candidate or political party, using the following
831 form: "I am (name of the person's agent), (title), of (the person).
832 This message was made independent of any candidate or political
833 party.". In the case of a person making or incurring such an independent
834 expenditure during the ninety-day period immediately prior to the
835 primary or election for which the independent expenditure is made,
836 such communication shall state the names of the five persons who made

837 the five largest aggregate covered transfers to the person making such
838 communication during the twelve-month period immediately prior to
839 such primary or election, as applicable. The communication shall also
840 state that additional information about the person making such
841 communication may be found on the State Elections Enforcement
842 Commission's Internet web site.

843 (4) In addition to the requirements of subdivision (1) of this
844 subsection, no person shall make or incur an independent expenditure
845 for telephone calls, unless the narrative of the telephone call identifies
846 the person making the expenditure and during the ninety-day period
847 immediately prior to the primary or election for which the independent
848 expenditure is made, such communication shall state the names of the
849 five persons who made the five largest aggregate covered transfers to
850 the person making such communication during the twelve-month
851 period immediately prior to such primary or election, as applicable. The
852 communication shall also state that additional information about the
853 person making such communication may be found on the State
854 Elections Enforcement Commission's Internet web site.

855 (i) In any [print, television or social media promotion of a slate of]
856 organization expenditure for a party candidate listing of a candidate or
857 candidates by a party committee, [the party] legislative caucus
858 committee or legislative leadership committee, such committee shall use
859 applicable disclaimers pursuant to the provisions of this section for such
860 promotion, and no individual candidate disclaimers shall be required.

861 (j) (1) Except as provided in subdivisions (2) and (3) of this subsection,
862 if any person whose name is included on a disclaimer of a
863 communication pursuant to the provisions of this section, as a person
864 who made a covered transfer to the maker of the communication, is also
865 a recipient of a covered transfer, the maker of the communication, as
866 part of any report filed pursuant to section 9-601d, as amended by this
867 act, associated with the making of such communication, shall include
868 the names of the five persons who made the top five largest aggregate
869 covered transfers to such recipient during the twelve-month period

870 immediately prior to the primary or election, as applicable.

871 (2) The name of any person who made a covered transfer to a tax-
872 exempt organization recognized under Section 501(c)(4) of the Internal
873 Revenue Code of 1986, or any subsequent corresponding internal
874 revenue code of the United States, as amended from time to time, that
875 has not had its tax exempt status revoked, shall not be disclosed
876 pursuant to the provisions of subdivision (1) of this subsection.

877 (3) The name of any person who made a covered transfer to a person
878 whose name is included on a disclaimer pursuant to the provisions of
879 this section shall not be disclosed pursuant to the provisions of
880 subdivision (1) of this subsection if the recipient of such covered transfer
881 accepts covered transfers from at least one hundred different sources,
882 provided no such source accounts for ten per cent or more of the total
883 amount of covered transfers accepted by the recipient during the
884 twelve-month period immediately prior to the primary or election, as
885 applicable.

886 (k) Any disclaimer required to be on the face of a written, typed or
887 other printed communication pursuant to the provisions of this section
888 shall be printed in no smaller than eight-point type of uniform font
889 when such disclaimer is on a communication contained in a flyer or
890 leaflet, newspaper, magazine or similar literature, or that is delivered by
891 mail.

892 (l) Notwithstanding the provisions of this section, no person making
893 an independent expenditure for a communication shall be required to
894 list as part of any disclaimer pursuant to this section any person whose
895 covered transfers to the maker of the communication are not in an
896 aggregate amount of five thousand dollars or more during the twelve-
897 month period immediately prior to the primary, [or] election or
898 referendum, as applicable, for which such independent expenditure is
899 made.

900 Sec. 17. (NEW) (*Effective from passage*) (a) A foreign national, as
901 defined in section 9-601 of the general statutes, as amended by this act,

902 shall not make, directly or indirectly, (1) any contribution, as defined in
903 section 9-601a of the general statutes, or any express or implied promise
904 to make any such contribution, or (2) any expenditure, as defined in
905 section 9-601b of the general statutes.

906 (b) A person shall not solicit, accept or receive a contribution or
907 covered transfer, as defined in section 9-601 of the general statutes, as
908 amended by this act, from a foreign national.

909 Sec. 18. Subdivision (1) of subsection (g) of section 9-7a of the general
910 statutes is repealed and the following is substituted in lieu thereof
911 (*Effective July 1, 2022*):

912 (g) (1) ~~(A)~~ In the case of a written complaint filed with the commission
913 pursuant to section 9-7b, commission staff shall conduct and complete a
914 preliminary examination of such complaint by the fourteenth day
915 following its receipt, at which time such staff shall, at its discretion, ~~[(A)]~~
916 ~~(i)~~ dismiss the complaint for failure to allege any substantial violation of
917 state election law supported by evidence, ~~[(B)]~~ ~~(ii)~~ engage the
918 respondent in discussions in an effort to speedily resolve any matter
919 pertaining to a de minimis violation, or ~~[(C)]~~ ~~(iii)~~ investigate and docket
920 the complaint for a determination by the commission that probable
921 cause or no probable cause exists for any such violation. If commission
922 staff dismisses a complaint pursuant to subparagraph ~~(A)~~~~(i)~~ of this
923 subdivision, such staff shall provide a brief written statement concisely
924 setting forth the reasons for such dismissal. If commission staff engages
925 a respondent pursuant to subparagraph ~~[(B)]~~ ~~(A)~~~~(ii)~~ of this subdivision
926 but is unable to speedily resolve any such matter described in said
927 subparagraph by the forty-fifth day following receipt of the complaint,
928 such staff shall docket such complaint for a determination by the
929 commission that probable cause or no probable cause exists for any
930 violation of state election law. If the commission does not, by the sixtieth
931 day following receipt of the complaint, either issue a decision or render
932 its determination that probable cause or no probable cause exists for any
933 violation of state election laws, the complainant or respondent may
934 apply to the superior court for the judicial district of Hartford for an

935 order to show cause why the commission has not acted upon the
936 complaint and to provide evidence that the commission has
937 unreasonably delayed action.

938 (B) (i) For any complaint received on or after January 1, 2018, but prior
939 to July 1, 2022, if the commission does not, by one year following receipt
940 of such complaint, issue a decision thereon, the commission shall
941 dismiss such complaint, provided the length of time of any delay caused
942 by [(i)] (I) the commission or commission staff granting any extension
943 or continuance to a respondent prior to the issuance of any such
944 decision, [(ii)] (II) any subpoena issued in connection with such
945 complaint, [(iii)] (III) any litigation in state or federal court related to
946 such complaint, or [(iv)] (IV) any investigation by, or consultation of the
947 commission or commission staff with, the Chief State's Attorney, the
948 Attorney General, the United States Department of Justice or the United
949 States Attorney for Connecticut related to such complaint, shall be
950 added to such one year.

951 (ii) For any complaint received on or after July 1, 2022, if the
952 commission does not, by one year following receipt of such complaint,
953 find reason to believe that a violation of state election law has been
954 committed and commence a contested case, as defined in section 4-166,
955 the commission shall dismiss such complaint, provided the length of
956 time of any delay caused by (I) the commission or commission staff
957 granting any extension or continuance to a respondent prior to the
958 issuance of any such decision, (II) any subpoena issued in connection
959 with such complaint, (III) any litigation in state or federal court related
960 to such complaint, (IV) any investigation by the commission or
961 commission staff involving a potential violation of state election law by
962 a foreign national or section 9-601c or 9-601d, as amended by this act, or
963 (V) any investigation by, or consultation of the commission or
964 commission staff with, the Chief State's Attorney, the Attorney General,
965 the United States Department of Justice or the United States Attorney
966 for Connecticut related to such complaint, shall be added to such one
967 year.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-601
Sec. 2	<i>from passage</i>	9-601(3)
Sec. 3	<i>from passage</i>	9-601c
Sec. 4	<i>from passage</i>	9-601d(a) to (i)
Sec. 5	<i>from passage</i>	9-605(b)
Sec. 6	<i>from passage</i>	9-607(g)(1)
Sec. 7	<i>from passage</i>	9-608(e)(1)(C)
Sec. 8	<i>from passage</i>	9-611
Sec. 9	<i>from passage</i>	9-612(a) and (b)
Sec. 10	<i>from passage</i>	9-613
Sec. 11	<i>from passage</i>	9-614
Sec. 12	<i>from passage</i>	9-615
Sec. 13	<i>from passage</i>	9-618(a)
Sec. 14	<i>from passage</i>	9-619(a)
Sec. 15	<i>from passage</i>	9-620
Sec. 16	<i>from passage</i>	9-621(c) to (l)
Sec. 17	<i>from passage</i>	New section
Sec. 18	<i>July 1, 2022</i>	9-7a(g)(1)

Statement of Legislative Commissioners:

In Section 1(34), Subpara. (B) was rewritten for clarity and "of the general statutes" was deleted in Subpara. (C)(iii) for accuracy; in Section 7(e)(1)(C), "not later than ninety" was changed to "[not later than] within ninety" for clarity and consistency; in Section 15(d), "may refund" was changed to "refund" for accuracy; and in Section 18(g)(1)(B)(i), "and prior" was changed to "but prior" for clarity and the existing provisions were redesignated for accuracy.

GAE *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 23 \$	FY 24 \$
Elections Enforcement Commission	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill makes various changes to laws affecting campaign finance and elections that is not anticipated to result in a fiscal impact to the state or municipalities.

The bill increases the maximum penalties the State Elections Enforcement Commission (SEEC) may impose for failing to file certain independent expenditure reports. Under this bill, the maximum penalty may be up to \$50,000 or 10 times the amount of any unreported expenditures, whichever is greater, and is dependent on the type of penalty. Potential revenue gain will be dependent on the type and the number of penalties.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**SB 431*****AN ACT CONCERNING REFERENDA, INDEPENDENT EXPENDITURES AND CERTAIN OTHER POLITICAL SPENDING.*****SUMMARY**

This bill changes laws affecting campaign finance and elections. Principally, it does the following:

1. prohibits foreign nationals from making contributions or expenditures under the state's campaign finance laws (§§ 1 & 17);
2. codifies "independent expenditure political committee" (known as an IE-only PAC) as a type of political committee (PAC) and requires IE-only PACs to register with the State Elections Enforcement Commission (SEEC) (§§ 1-3, 6-7 & 9-15);
3. classifies referendum PACs as IE-only PACs and makes conforming changes (§ 15);
4. expands IE disclosure requirements (§ 4);
5. increases the maximum penalties for failing to file IE reports (§ 4);
6. modifies PAC registration requirements, including expanding the contents of the registration statement (§ 5);
7. eliminates aggregate individual contribution limits to certain committees (§ 8);
8. expands disclaimer requirements for referenda and party candidate listings (§ 16); and
9. narrows the circumstances under which SEEC must dismiss a

complaint within one year after receiving it (§ 18).

The bill also makes minor, technical, and conforming changes.

EFFECTIVE DATE: Upon passage, except that the provisions on SEEC complaints are effective July 1, 2022.

§§ 1 & 17 — FOREIGN NATIONALS

Federal law generally prohibits foreign nationals from making contributions, donations, or IEs in connection with federal, state, or local elections (see BACKGROUND). The bill explicitly prohibits foreign nationals (as defined in the bill, see below) from making contributions (or expressly or impliedly promising to do so) or expenditures that are subject to the state's campaign finance laws. It similarly prohibits a person from soliciting, accepting, or receiving a contribution or covered transfer from a foreign national. By law, a “covered transfer” is, with certain exceptions, any donation, transfer, or payment of funds by a person to a recipient that (1) makes IEs or (2) transfers funds to another person that makes IEs (CGS § 9-601(29)).

The bill’s prohibitions expand upon those in federal law by, among other things, explicitly applying them to referenda. The bill also subjects additional persons to the prohibitions by defining “foreign national” for purposes of state campaign finance laws more broadly than federal law does (see BACKGROUND).

Definitions (§ 1)

Foreign National. Under the bill, “foreign national” includes (1) a foreign principal (as defined in federal law, see below) and any agent or segregated fund of the principal; (2) an individual who is not a U.S. citizen or national or lawfully admitted for permanent residence; and (3) certain entities with foreign owners (see below).

Under the bill, a “foreign owner” is an entity in which a foreign national holds, owns, controls, or otherwise has directly or indirectly acquired beneficial ownership of at least 50% of the total equity or outstanding voting shares, other than interests held in a widely held,

diversified fund (i.e., a pooled investment that, among other things, has at least 100 investors, with no investor able to exercise control over the investment's financial interests).

The bill deems an entity to be a foreign national if it meets any of the below criteria:

1. one "foreign owner" or "foreign national" (as described above) holds, owns, controls, or has directly or indirectly acquired beneficial ownership of at least 5% of the total equity or outstanding voting shares;
2. multiple foreign owners or nationals hold, own, control, or have directly or indirectly acquired beneficial ownership of at least 20% of the total equity or outstanding voting shares, other than interests held in a widely held, diversified fund (as described above);
3. any foreign owner or national directly or indirectly participates in decisions to engage in any activity subject to state campaign finance laws, including the Citizens' Election Program; or
4. (a) at least 20 % of the organization's income in the most recent taxable year is from one or more foreign owners and (b) the organization is a tax-exempt 501(c)(4) entity.

Foreign Principal. Under federal law, "foreign principal" (deemed to be a foreign national under the bill) includes the following:

1. a government of a foreign country and a foreign political party;
2. a person outside of the United States unless it is established that the person is (a) an individual and a U.S. citizen domiciled within the United States or (b) not an individual, has its principal place of business in the United States, and is organized under, or created by, the United States, a state, or other place subject to U.S. jurisdiction;

3. a partnership, association, corporation, organization, or other combination of persons organized under the laws of, or having its principal place of business in, a foreign country (22 U.S.C. § 611(b)).

§§ 1-3, 6-7 & 9-15 — IE-ONLY PACS

The law authorizes persons (including individuals, entities, and committees) to make unlimited IEs and defines “independent expenditure” as an expenditure made without the consent, coordination, or consultation of a (1) candidate or candidate’s agent, (2) candidate committee, (3) PAC, or (4) party committee.

The bill codifies “independent expenditure political committee” (known as an IE-only PAC) as a type of PAC under Connecticut’s campaign finance laws and, like other committees that make IEs, requires their registration with SEEC. It defines them as PACs that make only (1) IEs and (2) contributions to other IE-only PACs (see BACKGROUND). It also allows these PACs to (1) coordinate with other IE-only PACs to make IEs and (2) make donations to tax-exempt 501(c)(3) (nonprofit) and 501(c)(19) (veterans) organizations and refund contributor contributions.

The bill makes several conforming changes, including specifying that (1) individuals, business entities, and labor unions may make contributions to IE-only PACs and (2) various types of IE-only PACs, such as those formed for a single election or primary, may not make contributions except to other IE-only PACs (see BACKGROUND). It also classifies referendum PACs as IE-only PACs.

Lawful Purposes (§ 6)

The bill defines “lawful purposes of the committee” for IE-only PACs as promoting the following:

1. a political party,
2. the success or defeat of candidates for nomination or election to a public office or position regulated by state campaign finance

laws, or

3. the success or defeat of referendum questions.

Existing law generally allows PACs to pay specific expenses to accomplish their lawful purposes.

Surplus Distributions (§ 7)

By law, candidate committees and PACs, other than exploratory committees or PACs organized for ongoing political activities, must generally spend or distribute surplus funds (1) within 90 days after (a) a primary when a candidate loses or (b) an election or referendum not held in November or (2) by March 31 following an election or a referendum held in November.

The bill establishes a surplus distribution procedure for IE-only PACs, other than those formed for ongoing activities. Specifically, it requires them to distribute surplus funds, according to the schedule outlined above, to (1) their contributors, on a prorated basis; (2) state or municipal governments or agencies; or (3) tax-exempt 501(c)(3) and 501(c)(19) organizations.

The bill eliminates provisions in current law that establish permissible surplus distributions for referendum PACs and instead subjects them to the bill's procedure for IE-only PACs.

Referendum PACs (§ 15)

The bill classifies referendum PACs as IE-only PACs and makes conforming changes. Specifically, it allows any person to establish an IE-only PAC for a single referendum question or multiple questions submitted to a vote on the same day. Under the bill, the committee may make IEs only for these purposes.

§ 4 — REPORTING IEs AND COVERED TRANSFERS

By law, persons must disclose information about IEs they make that exceed \$1,000 in the aggregate by filing certain reports. A "person" is an individual, committee, firm, partnership, organization, association,

syndicate, company trust, corporation, limited liability company, or any other legal entity (other than the state or its political or administrative subdivisions) (CGS § 9-601(10)).

The bill does the following:

1. changes the period during which IE disclosure reports are subject to a 24-hour electronic filing deadline;
2. expands disclosure requirements for persons that make IEs without forming a PAC (known as “incidental spenders”) and for IE-only PACs; and
3. conforms law with practice by requiring that, to disclose IEs, (a) incidental spenders use SEEC’s long- and short-form reports and (b) PACs, including IE-only PACs, use SEEC’s campaign finance forms for PACs formed in Connecticut.

As under existing law, IEs made for or against (1) statewide office or legislative candidates, or statewide referenda, must be filed with SEEC and (2) municipal office candidates or municipal referenda must be filed with town clerks.

Twenty-four Hour Report Filing Deadline

Under current law, a person must electronically file a disclosure report within 24 hours after making or obligating to make an IE that (1) is made or obligated during a primary or general election campaign and (2) promotes the success or defeat of a statewide office or legislative candidate.

The bill instead applies the 24-hour electronic filing requirement to these IEs made or obligated to be made during the period (1) beginning June 1 in a regular election year or, in the case of a special election for state senator or state representative, the day the governor issues writs of election and (2) ending on the day after the primary or general election for which the IE is made or incurred. In the case of a special election, a person that makes or obligates to make an IE that exceeds

\$1,000 in the aggregate before the governor issues the writs must electronically file the IE report within 24 hours after the governor issues the writs.

Additionally, the bill applies the 24-hour reporting requirement to IEs within this timeframe that promote the success or defeat of a referendum question proposing a constitutional amendment, convention, or revision.

For any other IEs (those not subject to 24-hour reporting requirements), the bill requires that IE reports be filed according to the same schedule as the periodic statements filed by PACs.

Disclosures by Incidental Spenders

Existing law requires persons, other than PACs (as discussed above), to disclose information about IEs they make using SEEC's long- and short-form reports (i.e., SEEC Form 26) (see BACKGROUND). The bill adds to the information that these IE-makers must disclose in these reports.

Under the bill, they must additionally disclose the following in the long-form report:

1. the name of the human being who had direct, extensive, and substantive decision-making authority over the IE being disclosed, as well as his or her mailing address, telephone number, and e-mail;
2. a certification that the person making the IE is not a foreign national (see FOREIGN NATIONALS above);
3. for the person making or obligating to make the IE, a statement indicating if the person files a report with the Federal Election Commission (FEC), IRS, or any similar out-of-state agency, and identifying information under which the filing is made;
4. generally, any street address that differs from any mailing address required by the form; and

5. for a referendum, its date, the question's text, and whether the IE supported or opposed it.

Under the bill, the short-form report must additionally disclose, for a referendum, the question's text and an allocation of the expenditure in support or opposition to it.

Disclosing Covered Transfers. As part of both the long- and short-form reports, the law requires a person to disclose the source and amount of any covered transfer of \$5,000 or more, in the aggregate, it received during the 12 months before the applicable primary or election if the IE (for which the report is being filed) is made or obligated to be made 180 or less days before the primary or election. The bill extends the requirement to covered transfers made to promote or oppose a referendum question proposing a constitutional amendment, convention, or revision.

The law exempts from this disclosure requirement a person that discloses the source and amount of a covered transfer in a report it files with the FEC or the IRS, as long as the person includes a copy of the report in the statement it files with SEEC. The bill extends the exemption to persons that include in their IE reports information sufficient for SEEC to find their FEC or IRS filing. The bill also extends this exemption to apply to similar out-of-state agency reports.

Under current law if a person makes the IE from a dedicated IE account, the IE report and disclaimer (see below) may include only persons who made covered transfers to it directly. The bill requires that the report and disclaimer include this information but removes a provision limiting it to only this information.

Penalties for Failure to File an IE Report

The bill increases the maximum civil penalties SEEC may impose for failure to file certain required IE reports. It also subjects IEs that support or oppose referendum questions to these penalties.

Specifically, existing law allows SEEC to impose a maximum penalty

of \$10,000 for failure to file more than 90 days before a primary or general election. The bill extends this penalty and the penalties described below to IEs that support or oppose a referendum.

For failure to file in 90 days or less before a primary or general election, SEEC may currently impose a maximum penalty of \$20,000. The bill instead allows SEEC to impose a penalty of up to \$20,000 or twice the amount of any unreported IE, including for a referendum, whichever is greater.

Currently, a knowing and willful failure to file an IE report is punishable by a fine of up to \$50,000. The bill instead allows SEEC to impose a civil penalty of up to \$50,000 or 10 times the amount of any unreported expenditure, whichever is greater.

In addition, the bill establishes personal liability for a civil penalty that remains unpaid after the latter of one year after the date when (1) SEEC imposed it or (2) a final judgment is issued following any judicial review of SEEC's action. Specifically, the bill makes the following individuals personally liable:

1. in the case of a committee, the chairperson and any officer or
2. in the case of a person other than a committee, (a) the CEO, CFO, or equivalent; (b) any other officer; and (c) any manager who had direct, extensive, and substantive decision-making authority over the IE or IEs made or obligated to be made.

§ 5 — PAC REGISTRATIONS

By law, most PACs must register with SEEC and designate a treasurer; they may also designate a deputy treasurer. The registration statement must include, among other things, the committee's name and purpose.

The bill expands the required contents of the PAC registration statement. Under the bill, if a committee files a report with the FEC, IRS, or similar out-of-state agency, the bill requires that the statement

include identifying information under which those filings are made.

In addition, if a committee is established or controlled by a person or individual acting as an agent for the person, the statement must indicate the person's name. If a committee is established or controlled by a person other than a human being, the statement must indicate the name of the CEO or an equivalent and a certification that he or she is not a foreign national (as defined by the bill). Current law requires only that a PAC established by a business entity or organization (i.e., a labor union) indicate the name of the entity or organization.

§ 8 — AGGREGATE CONTRIBUTION LIMIT FOR INDIVIDUALS

State law generally limits the amount that individuals may contribute to a specific candidate committee, party committee, or political committee. Additionally, current law prohibits an individual from contributing more than \$30,000 in the aggregate during a single primary and election to (1) candidate committees, (2) exploratory committees, and (3) slate committee for justice of the peace (in a primary). The bill removes this limit, thus allowing individuals to make unlimited aggregate contributions to these committees (see BACKGROUND).

§ 16 — POLITICAL ATTRIBUTIONS

Disclaimer Exceptions

By law, printed, video, and audio political communications (both IEs and non-IEs) must include certain attributions, known as "disclaimers." Among other things, they must identify the person making the expenditure for the communication.

The bill exempts from the law's IE disclaimer requirements (1) editorials, news stories, or commentaries published independently and without compensation in any newspaper, magazine, or journal; (2) banners; (3) political paraphernalia, including pins, buttons, badges, emblems, hats, or bumper stickers; or (4) signs with a surface area of not more than 32 square feet. These communications are already exempt from the disclaimer requirements that the law establishes for non-IE spending.

Referenda

Under current law, only the disclaimer requirements for printed communications apply to expenditures made for a referendum. The bill extends, to IEs promoting a referendum question's success or defeat, existing law's disclaimer requirements for IEs made for video and audio communications and telephone calls applicable to elections and primaries. Generally, each of these disclaimers must (1) include the name of the IE-maker and a statement that the expenditure was made independent of any candidate or political party and (2) state that additional information about the IE-maker is available on SEEC's website.

Additionally, communications made within 90 days before the primary or election must also state the names of the five persons that made the five largest covered transfers to the IE-maker, in the aggregate, during the 12 months immediately preceding the referendum. As under existing law for other communications, these disclaimers for referendum IEs may omit any person that made covered transfers to it of less than \$5,000, in the aggregate, during the 12 months immediately preceding the referendum.

Party Candidate Listings

Current law requires that party committees (i.e., state central and town) use the appropriate disclaimer in any print, television, or social media promotion of a slate of candidates (disclaimers by individual candidates are not required). The bill expands the disclaimer to cover organization expenditures for party candidate listings and extends it to legislative caucus and legislative leadership committees, as well as party committees.

By law, a "party candidate listing" is a communication that (1) lists the name or names of candidates for election; (2) is distributed through public advertising (e.g., cable television, newspapers, or similar media), direct mail, telephone, electronic mail, publicly accessible Internet sites, or personal delivery; and (3) is made to promote the success or defeat of a candidate or slate of candidates seeking nomination or election, or to

aid or promote the success or defeat of a referendum question or a political party. The communication cannot be a solicitation for or on behalf of a candidate committee.

§ 18 — SEEC INVESTIGATIONS

By law, SEEC receives complaints from the secretary of the state, registrars of voters, town clerks, and individuals under oath about alleged election law violations. It investigates and holds hearings as it deems appropriate (CGS § 9-7b(a)(1)). The bill narrows the circumstances under which SEEC must dismiss a complaint within one year after receiving it.

Time Limit

Currently, SEEC must dismiss a complaint it receives on or after January 1, 2018, if it does not issue a final decision on it within one year after receiving the complaint. However, the deadline must be extended if specified actions delay the final decision's issuance.

The bill relaxes this requirement for SEEC complaints received on or after July 1, 2022. It instead requires the commission to dismiss after one year any complaint for which it has not (1) found reason to believe a state election law violation occurred and (2) initiated a contested case proceeding.

The bill also (1) requires that the deadline for making this finding be extended for the same reasons that the final decision deadline must be extended under current law and (2) establishes additional reasons for extending this deadline. As under current law, the one-year deadline must be extended by the length of the delay.

Extensions

Under current law, the one-year deadline for SEEC to issue a final decision must be extended if its issuance is delayed for any of the following reasons:

1. extension or continuance granted to a respondent by SEEC or its staff before issuing the decision;

2. issuance of a subpoena in connection with the complaint;
3. litigation in state or federal court related to the complaint; or
4. consultation with the chief state's attorney, attorney general, U.S. Department of Justice, or U.S. attorney for Connecticut.

The bill similarly requires an extension, for these same reasons, of the one-year deadline for finding reason to believe that an election law violation occurred and initiating a contested case. (SEEC regulations generally prohibit the commission from proceeding with a contested case unless it finds, by a majority vote of a quorum, reason to believe that a violation occurred (Conn. Agencies Regs., § 9-7b-35).)

The bill also requires an extension if the finding and commencement are delayed because of an investigation by SEEC or its staff involving a potential (1) IE violation or (2) state election law violation by a foreign national (as defined in the bill, see above).

BACKGROUND

Aggregate Contribution Limits

In *McCutcheon et al. v. Federal Election Commission*, 134 S. Ct. 1434 (2014), the U.S. Supreme Court held that aggregate limits on contributions by individuals to federal candidates, political parties, and PACs were unconstitutional under the First Amendment.

In Advisory Opinion 2014-03, SEEC announced that, unless it received further guidance from the legislature or a court of competent jurisdiction, it would no longer enforce current law's \$30,000 aggregate limit on contributions by individuals during a single primary and election to (1) candidate committees, (2) exploratory committees, and (3) slate committees for justice of the peace (in a primary).

Foreign Nationals and Related Federal Law

Foreign Nationals. Federal campaign finance law defines a "foreign national" as any of the following:

1. a government of a foreign country and a foreign political party;

2. a person outside of the United States unless it is established that the person is (a) an individual and a U.S. citizen domiciled within the United States or (b) not an individual, has its principal place of business in the United States, and is organized under, or created by, the United States, a state, or other place subject to U.S. jurisdiction;
3. a partnership, association, corporation, organization, or other combination of persons organized under the laws of, or having its principal place of business in, a foreign country; or
4. an individual who is not a U.S. citizen or national and is not lawfully admitted for permanent residence (52 U.S.C. § 30121(b) and 22 U.S.C. § 611(b)).

Prohibited Activities. Federal law prohibits a foreign national from, among other things, directly or indirectly making:

1. in connection with a federal, state, or local election, a contribution or donation of money or anything of value; an express or implied promise to make a contribution or donation; or an expenditure or IE; or
2. a contribution or donation to a federal, state, or local political party's committee.

It similarly prohibits a person from soliciting, accepting, or receiving any contribution or donation described above from a foreign national (52 U.S.C. § 30121 and 11 C.F.R. § 110.20).

2021 FEC Ruling. In 2021, the Federal Elections Commission (FEC) dismissed a complaint alleging that foreign nationals made prohibited contributions opposing a ballot initiative in Montana. In doing so, the commission concluded that spending related to referenda and other issue-based ballot measures is outside of federal law's purview because it is not in connection with an election (i.e., a regular or special election, primary, runoff, or a party convention or caucus). It noted that federal law applies to spending on ballot measures only if the measure is

inextricably linked with the election of any candidate (FEC, MUR 7523 Stop I-186).

IE-Only PACs

In Declaratory Ruling 2013-02, SEEC ruled that, in light of a line of cases ruling that contribution limits to IE-Only PACs are unconstitutional, it would no longer enforce contribution limits to PACs that receive and spend funds only for IEs unless it received further guidance from the legislature or a court.

Long- and Short-Form IE-Reports

As part of these reports, a person must disclose the source and amount of any covered transfer of \$5,000 or more in the aggregate that it received during the 12 months before the applicable primary or election. This requirement applies if the IE (for which the report is being filed) is made or obligated to be made 180 days or less before the primary or election (CGS § 9-601d(f)).

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 14 Nay 5 (03/28/2022)