



General Assembly

Amendment

January Session, 2023

LCO No. 10077



Offered by:

REP. CANDELORA V., 86 th Dist.	REP. PERILLO J., 113 th Dist.
REP. O'DEA, 125 th Dist.	REP. ZUPKUS, 89 th Dist.
REP. RUTIGLIANO, 123 rd Dist.	REP. MASTROFRANCESCO, 80 th Dist.
REP. ACKERT, 8 th Dist.	

To: Subst. Senate Bill No. 1221

File No. 525

Cal. No. 635

**"AN ACT CONCERNING THE ENFORCEMENT OF VIOLATIONS OF
THE FREEDOM OF INFORMATION ACT."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (e) of section 9-610 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective October*
5 *1, 2023*):

6 (e) For purposes of this subsection and subsection (f) of this section,
7 the exclusions to the term "contribution" in subsection (b) of section 9-
8 601a shall not apply; [the term] "state office" means the office of
9 Governor, Lieutenant Governor, Attorney General, State Comptroller,
10 State Treasurer or Secretary of the State; [and the term] "state officer"
11 means the Governor, Lieutenant Governor, Attorney General, State
12 Comptroller, State Treasurer or Secretary of the State; and "municipal

13 office" means an elective office for which only the electors of a single
14 town, city, borough or political subdivision, as defined in section 9-372,
15 may vote. Notwithstanding any provision of this chapter, [to the
16 contrary,] during any regular session of the General Assembly, during
17 any special session of the General Assembly held between the
18 adjournment of the regular session in an odd-numbered year and the
19 convening of the regular session in the following even-numbered year
20 or during any reconvened session of the General Assembly held in an
21 odd-numbered year to reconsider vetoed bills, (1) no lobbyist or political
22 committee established by or on behalf of a lobbyist shall make or offer
23 to make a contribution to or on behalf of, and no lobbyist shall solicit a
24 contribution on behalf of, (A) a candidate or exploratory committee
25 established by a candidate for nomination or election to the General
26 Assembly or a state office, [or] (B) a political committee (i) established
27 for an assembly or senatorial district, (ii) established by a member of the
28 General Assembly, [or] a state officer or such [member] member's or
29 officer's agent, or in consultation with, or at the request or suggestion of,
30 any such member, officer or agent, or (iii) controlled by such member,
31 officer or agent, to aid or promote the nomination or election of any
32 candidate or candidates to the General Assembly or a state office, or (C)
33 a candidate or exploratory committee established by a member of the
34 General Assembly, a state officer or such member's or officer's agent for
35 nomination or election of such member or officer to a municipal office,
36 and (2) no such candidate or political committee shall accept such a
37 contribution. The provisions of this subsection shall not apply to a
38 candidate committee established by a member of the General Assembly
39 or a candidate for nomination or election to the General Assembly, at a
40 special election for the General Assembly, from the date on which the
41 candidate or the [chairman] chairperson of the committee files the
42 designation of a treasurer and a depository institution under section 9-
43 602 with the State Elections Enforcement Commission, to the date on
44 which the special election is held, inclusive, or to an exploratory
45 committee established by a member of the General Assembly to
46 promote [his] such member's candidacy for an office other than the
47 General Assembly or other than a municipal office.

48 Sec. 502. Subsection (f) of section 9-610 of the general statutes is
49 repealed and the following is substituted in lieu thereof (*Effective October*
50 *1, 2023*):

51 (f) (1) A political committee established by two or more individuals
52 under subparagraph (B) of subdivision (3) of section 9-601, other than a
53 committee established solely for the purpose of aiding or promoting
54 [any candidate or candidates for municipal office or] the success or
55 defeat of a referendum question, shall be subject to the prohibition on
56 acceptance of lobbyist contributions under subsection (e) of this section
57 unless the treasurer of the committee has filed a registration statement
58 as described in subsection (b) of section 9-605 with the State Elections
59 Enforcement Commission, on or before November 15, 2012, for all such
60 political committees in existence on such date, or, if the committee is not
61 in existence on such date, not later than ten days after the organization
62 of the committee pursuant to subsection (a) of section 9-605, and on or
63 before November fifteenth of each even-numbered year thereafter. Such
64 statements shall be filed even if there are no changes, additions or
65 deletions to the registration statement previously filed with the
66 commission. Notwithstanding the provisions of this subdivision, if an
67 officer of the committee has changed since the last registration statement
68 filed with the commission, such registration statement shall be filed by
69 the chairperson of the committee.

70 (2) A political committee established for ongoing political activities
71 and required pursuant to subsection (a) of section 9-603 to file
72 statements with the commission shall be subject to the prohibition on
73 making contributions under subsection (e) of this section unless the
74 treasurer of the committee has filed a registration statement as described
75 in subsection (b) of section 9-605 with the commission, on forms
76 prescribed by the commission, on or before November 15, 2012, for all
77 such political committees in existence on such date, or, if the committee
78 is not in existence on such date, not later than ten days after the
79 organization of the committee pursuant to subsection (a) of section 9-
80 605, and on or before November fifteenth of each even-numbered year
81 thereafter. Such statements shall be filed even if there are no changes,

82 additions or deletions to the registration statement previously filed with
83 the commission. Notwithstanding the provisions of this subdivision, if
84 an officer of the committee has changed since the last registration
85 statement filed with the commission, such registration statement shall
86 be filed by the chairperson of the committee.

87 (3) The commission shall prepare a list of all such committees subject
88 to the prohibitions under subsection (e) of this section, based upon an
89 evaluation of registrations filed pursuant to this subsection and
90 subsection (b) of section 9-605. Such list shall be available prior to the
91 opening of each regular session of the General Assembly, and shall
92 provide a copy of the list to the president pro tempore of the Senate, the
93 speaker of the House of Representatives, the minority leader of the
94 Senate, the minority leader of the House of Representatives and each
95 state officer. During each such regular session, the commission shall
96 prepare a supplemental list of committees that register after November
97 fifteenth and are subject to such prohibitions, and the commission shall
98 provide the supplemental list to such legislative leaders and state
99 officers. The filing of the registration statement by the treasurer of the
100 committee shall not impair the authority of the commission to act under
101 section 9-7b. Any lobbyist or treasurer who acts in reliance on such lists
102 in good faith shall have an absolute defense in any action brought under
103 subsection (e) and this subsection, subsection (c) of section 9-604, and
104 subsection (f) of section 9-608, as amended by this act.

105 Sec. 503. Subsection (f) of section 9-608 of the general statutes is
106 repealed and the following is substituted in lieu thereof (*Effective October*
107 *1, 2023*):

108 (f) If an exploratory committee has been established by a candidate
109 pursuant to subsection (c) of section 9-604, the treasurer of the
110 committee shall file a notice of intent to dissolve it with the appropriate
111 authority not later than fifteen days after the candidate's declaration of
112 intent to seek nomination or election to a particular public office, except
113 that in the case of an exploratory committee established by a candidate
114 for purposes that include aiding or promoting the candidate's candidacy

115 for nomination or election to the General Assembly or a state office, the
116 treasurer of the committee shall file such notice of intent to dissolve the
117 committee not later than fifteen days after the earlier of: (1) The
118 candidate's declaration of intent to seek nomination or election to a
119 particular public office, (2) the candidate's endorsement at a convention,
120 caucus or town committee meeting, or (3) the candidate's filing of a
121 candidacy for nomination under section 9-400 or 9-405. The treasurer
122 shall also file a statement identifying all contributions received or
123 expenditures made by the exploratory committee since the previous
124 statement and the balance on hand or deficit, as the case may be. In the
125 event of a surplus, the treasurer shall, not later than the filing of the
126 statement, distribute the surplus to the candidate committee established
127 pursuant to said section, except that (A) in the case of a surplus of an
128 exploratory committee established by a candidate who intends to be a
129 participating candidate, as defined in section 9-703, in the Citizens'
130 Election Program, the treasurer may distribute to the candidate
131 committee only that portion of such surplus that is attributable to
132 contributions that meet the criteria for qualifying contributions for the
133 candidate committee under section 9-704 and shall distribute the
134 remainder of such surplus to the Citizens' Election Fund established in
135 section 9-701, and (B) in the case of a surplus of an exploratory
136 committee established for nomination or election to an office other than
137 the General Assembly, [or] a state office or a municipal office, (i) the
138 treasurer may only distribute to the candidate committee for
139 nomination or election to the General Assembly, [or] state office or
140 municipal office of such candidate that portion of such surplus which is
141 in excess of the total contributions which the exploratory committee
142 received from lobbyists or political committees established by lobbyists,
143 during any period in which the prohibitions in subsection (e) of section
144 9-610, as amended by this act, apply, and (ii) any remaining amount
145 shall be returned to all such lobbyists and political committees
146 established by or on behalf of lobbyists, on a prorated basis of
147 contribution, or distributed to any charitable organization which is a
148 tax-exempt organization under Section 501(c)(3) of the Internal Revenue
149 Code of 1986, or any subsequent corresponding internal revenue code

150 of the United States, as from time to time amended. If the candidate
 151 decides not to seek nomination or election to any office, the treasurer
 152 shall, [within] not later than fifteen days after such decision, comply
 153 with the provisions of this subsection and distribute any surplus in the
 154 manner provided by this section for political committees other than
 155 those formed for ongoing political activities, except that if the surplus is
 156 from an exploratory committee established by the State Treasurer, any
 157 portion of the surplus that is received from a principal of an investment
 158 services firm or a political committee established by such firm shall be
 159 returned to such principal or committee on a prorated basis of
 160 contribution. In the event of a deficit, the treasurer shall file a statement
 161 thirty days after the decision or declaration with the proper authority
 162 and, thereafter, on the seventh day of each month following if on the last
 163 day of the previous month there was an increase or decrease in such
 164 deficit in excess of five hundred dollars from that reported on the last
 165 statement filed. The treasurer shall file supplemental statements until
 166 the deficit is eliminated. If the exploratory committee does not have a
 167 surplus or deficit, the statement filed after the candidate's declaration or
 168 decision shall be the last required statement. If a candidate certifies on
 169 the statement of organization for the exploratory committee pursuant to
 170 subsection (c) of section 9-604 that the candidate will not be a candidate
 171 for the office of state representative and subsequently establishes a
 172 candidate committee for the office of state representative, the treasurer
 173 of the candidate committee shall pay to the State Treasurer, for deposit
 174 in the General Fund, an amount equal to the portion of any contribution
 175 received by [said] such exploratory committee that exceeded two
 176 hundred fifty dollars. As used in this subsection, "principal of an
 177 investment services firm" has the meaning set forth in subsection (e) of
 178 section 9-612 and "state office" [has the same meaning] and "municipal
 179 office" have the same meanings set forth in subsection (e) of section 9-
 180 610, as amended by this act."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	October 1, 2023	9-610(e)

Sec. 502	<i>October 1, 2023</i>	9-610(f)
Sec. 503	<i>October 1, 2023</i>	9-608(f)