



House of Representatives

General Assembly

File No. 488

February Session, 2024

Substitute House Bill No. 5449

House of Representatives, April 15, 2024

The Committee on Government Administration and Elections reported through REP. BLUMENTHAL of the 147th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING CERTAIN LOBBYIST CONTRIBUTIONS DURING THE LEGISLATIVE SESSION.

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

1 Section 1. Subsection (e) of section 9-610 of the 2024 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2024*):

4 (e) For purposes of this subsection and subsection (f) of this section,
5 the exclusions to the term "contribution" in subsection (b) of section 9-
6 601a shall not apply; [the term] "state office" means the office of
7 Governor, Lieutenant Governor, Attorney General, State Comptroller,
8 State Treasurer or Secretary of the State; [and the term] "state officer"
9 means the Governor, Lieutenant Governor, Attorney General, State
10 Comptroller, State Treasurer or Secretary of the State; and "municipal
11 office" means an elective office for which only the electors of a single
12 town, city, borough or political subdivision, as defined in section 9-372,
13 may vote, but does not include the offices of state senator and state

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

47 Sec. 2. Subsection (f) of section 9-608 of the general statutes is repealed
48 and the following is substituted in lieu thereof (*Effective October 1, 2024*):

49 (f) If an exploratory committee has been established by a candidate
50 pursuant to subsection (c) of section 9-604, the treasurer of the
51 committee shall file a notice of intent to dissolve it with the appropriate
52 authority not later than fifteen days after the candidate's declaration of
53 intent to seek nomination or election to a particular public office, except
54 that in the case of an exploratory committee established by a candidate
55 for purposes that include aiding or promoting the candidate's candidacy
56 for nomination or election to the General Assembly or a state office, the
57 treasurer of the committee shall file such notice of intent to dissolve the
58 committee not later than fifteen days after the earlier of: (1) The
59 candidate's declaration of intent to seek nomination or election to a
60 particular public office, (2) the candidate's endorsement at a convention,
61 caucus or town committee meeting, or (3) the candidate's filing of a
62 candidacy for nomination under section 9-400 or 9-405. The treasurer
63 shall also file a statement identifying all contributions received or
64 expenditures made by the exploratory committee since the previous
65 statement and the balance on hand or deficit, as the case may be. In the
66 event of a surplus, the treasurer shall, not later than the filing of the
67 statement, distribute the surplus to the candidate committee established
68 pursuant to said section, except that (A) in the case of a surplus of an
69 exploratory committee established by a candidate who intends to be a
70 participating candidate, as defined in section 9-703, in the Citizens'
71 Election Program, the treasurer may distribute to the candidate
72 committee only that portion of such surplus that is attributable to
73 contributions that meet the criteria for qualifying contributions for the
74 candidate committee under section 9-704 and shall distribute the
75 remainder of such surplus to the Citizens' Election Fund established in
76 section 9-701, and (B) in the case of a surplus of an exploratory
77 committee established for nomination or election to an office other than
78 the General Assembly, [or] a state office or a municipal office, (i) the
79 treasurer may only distribute to the candidate committee for
80 nomination or election to the General Assembly, [or] state office or
81 municipal office of such candidate that portion of such surplus which is
82 in excess of the total contributions which the exploratory committee
83 received from lobbyists or political committees established by lobbyists,

84 during any period in which the prohibitions in subsection (e) of section
85 9-610, as amended by this act, apply, and (ii) any remaining amount
86 shall be returned to all such lobbyists and political committees
87 established by or on behalf of lobbyists, on a prorated basis of
88 contribution, or distributed to any charitable organization which is a
89 tax-exempt organization under Section 501(c)(3) of the Internal Revenue
90 Code of 1986, or any subsequent corresponding internal revenue code
91 of the United States, as from time to time amended. If the candidate
92 decides not to seek nomination or election to any office, the treasurer
93 shall, [within] not later than fifteen days after such decision, comply
94 with the provisions of this subsection and distribute any surplus in the
95 manner provided by this section for political committees other than
96 those formed for ongoing political activities, except that if the surplus is
97 from an exploratory committee established by the State Treasurer, any
98 portion of the surplus that is received from a principal of an investment
99 services firm or a political committee established by such firm shall be
100 returned to such principal or committee on a prorated basis of
101 contribution. In the event of a deficit, the treasurer shall file a statement
102 thirty days after the decision or declaration with the proper authority
103 and, thereafter, on the seventh day of each month following if on the last
104 day of the previous month there was an increase or decrease in such
105 deficit in excess of five hundred dollars from that reported on the last
106 statement filed. The treasurer shall file supplemental statements until
107 the deficit is eliminated. If the exploratory committee does not have a
108 surplus or deficit, the statement filed after the candidate's declaration or
109 decision shall be the last required statement. If a candidate certifies on
110 the statement of organization for the exploratory committee pursuant to
111 subsection (c) of section 9-604 that the candidate will not be a candidate
112 for the office of state representative and subsequently establishes a
113 candidate committee for the office of state representative, the treasurer
114 of the candidate committee shall pay to the State Treasurer, for deposit
115 in the General Fund, an amount equal to the portion of any contribution
116 received by [said] such exploratory committee that exceeded two
117 hundred fifty dollars. As used in this subsection, "principal of an
118 investment services firm" has the meaning set forth in subsection (e) of

119 section 9-612 and "state office" [has the same meaning set forth] and
 120 "municipal office" have the same meanings as provided in subsection (e)
 121 of section 9-610, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2024	9-610(e)
Sec. 2	October 1, 2024	9-608(f)

Statement of Legislative Commissioners:

In Section 2(f), the last sentence was rewritten for consistency with standard drafting conventions.

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: None

Municipal Impact: None

Explanation

The bill extends existing bans on contributions and solicitations by lobbyists to legislators or state officers who are candidates for municipal office during legislative session and results in no fiscal impact to the state or municipalities.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis

sHB 5449

AN ACT CONCERNING CERTAIN LOBBYIST CONTRIBUTIONS DURING THE LEGISLATIVE SESSION.

SUMMARY

This bill extends, to candidate or exploratory committees established by legislators or state officers who are candidates for municipal office, the sessional ban on contributions and solicitations by lobbyists and lobbyist political committees (known as PACs).

Specifically, it prohibits (1) lobbyists and PACs established by or for a lobbyist from making or offering to make contributions to or on behalf of these committees, (2) lobbyists from soliciting contributions for them, and (3) the committees from accepting them.

Under the bill, a municipal office is an elective office for which only the electors of a single town, city, borough, or political subdivision may vote (other than state senator or representative). As under current law, the ban applies during regular sessions, any special session held between the end of a long session and the start of a short session, and any veto session held in an odd-numbered year. Under existing law, the ban applies to contributions or solicitations for (1) candidate or exploratory committees for a legislative or statewide office and (2) PACs established by or for legislators or state officers or controlled by them.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2024

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 19 Nay 0 (03/26/2024)