



General Assembly

Substitute Bill No. 226

January Session, 2023



**AN ACT CONCERNING THE CITIZENS' ELECTION PROGRAM AND
THE PAYMENT OF CERTAIN GRANTS BEFORE STATE
CONVENTIONS.**

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

1 Section 1. Subsection (a) of section 9-705 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (a) (1) (A) The qualified candidate committee of a major party
5 candidate for the office of Governor shall be eligible to receive a grant
6 from the Citizens' Election Fund for the convention campaign, in
7 accordance with the provisions of subparagraph (A) of subdivision (1)
8 of subsection (a) of section 9-706, as amended by this act, in the amount
9 of eight hundred six thousand eight hundred seventy-five dollars,
10 provided in 2026, or thereafter, said amount shall be adjusted under
11 subsection (d) of this section.

12 [(a) (1)] (B) The qualified candidate committee of a major party
13 candidate for the office of Governor who has a primary for nomination
14 to said office shall be eligible to receive a grant from the Citizens'
15 Election Fund for the primary campaign in the amount of [one million
16 two hundred fifty thousand dollars] (i) two million four hundred
17 twenty thousand six hundred twenty-five dollars, if such candidate

18 previously received a grant from the fund for the convention campaign,
19 or (ii) three million two hundred twenty-seven thousand five hundred
20 dollars, if such candidate did not previously receive a grant from the
21 fund for the convention campaign, provided, in the case of a primary
22 held in 2014, or thereafter, said [amount] amounts shall be adjusted
23 under subsection (d) of this section.

24 (2) The qualified candidate committee of a candidate for the office of
25 Governor who has been nominated, or who has qualified to appear on
26 the election ballot in accordance with the provisions of subpart C of part
27 III of chapter 153, shall be eligible to receive a grant from the fund for
28 the general election campaign in the amount of [six million dollars]
29 fifteen million four hundred ninety-two thousand dollars, provided (A)
30 any such committee shall receive seventy-five per cent of said amount if
31 such committee applies for such grant, in accordance with section 9-706,
32 as amended by this act, on or after the seventieth day but before the fifty-
33 sixth day preceding the election, (B) any such committee shall receive
34 sixty-five per cent of said amount if such committee so applies on or
35 after the fifty-sixth day but before the forty-second day preceding the
36 election, (C) any such committee shall receive fifty-five per cent of said
37 amount if such committee so applies on or after the forty-second day
38 but before the twenty-eighth day preceding the election, (D) any such
39 committee shall receive forty per cent of said amount if such committee
40 so applies on or after the twenty-eighth day preceding the election, and
41 (E) in the case of an election held in 2014, or thereafter, said amount shall
42 be adjusted under subsection (d) of this section.

43 Sec. 2. Subsection (d) of section 9-705 of the general statutes is
44 repealed and the following is substituted in lieu thereof (*Effective from*
45 *passage*):

46 (d) [(1) Except as provided in subdivision (2) of this subsection, for]
47 For elections held in 2014, and thereafter, the amount of the grants in
48 subsections (a), (b) and (c) of this section shall be adjusted by the State
49 Elections Enforcement Commission not later than January 15, 2014, and
50 quadrennially thereafter, in accordance with any change in the

51 consumer price index for all urban consumers as published by the
52 United States Department of Labor, Bureau of Labor Statistics, during
53 the period beginning on January 1, 2010, and ending on December
54 thirty-first in the year preceding the year in which said adjustment is to
55 be made.

56 [(2) For elections held in 2018, the amount of the grants in subsections
57 (a), (b) and (c) of this section shall be adjusted by the State Elections
58 Enforcement Commission immediately in accordance with any change
59 in the consumer price index for all urban consumers as published by the
60 United States Department of Labor, Bureau of Labor Statistics, during
61 the period beginning on January 1, 2010, and ending on December 31,
62 2013.]

63 Sec. 3. Subsection (a) of section 9-706 of the general statutes is
64 repealed and the following is substituted in lieu thereof (*Effective from*
65 *passage*):

66 (a) (1) (A) A participating major party candidate for nomination to
67 the office of Governor in 2026, or thereafter, may apply to the State
68 Elections Enforcement Commission for a grant from the fund under the
69 Citizens' Election Program for a convention campaign, after such
70 candidate files the affidavit under section 9-703 certifying such
71 candidate's intent to abide by the expenditure limits under said
72 program.

73 [(a) (1)] (B) A participating candidate for nomination to the office of
74 state senator or state representative in 2008, or thereafter, or the office of
75 Governor, Lieutenant Governor, Attorney General, State Comptroller,
76 Secretary of the State or State Treasurer in 2010, or thereafter, may apply
77 to the State Elections Enforcement Commission for a grant from the
78 fund under the Citizens' Election Program for a primary campaign, after
79 the close of the state convention of the candidate's party that is called
80 for the purpose of choosing candidates for nomination for the office that
81 the candidate is seeking, if a primary is required under chapter 153, and
82 [(A)] (i) said party endorses the candidate for the office that the

83 candidate is seeking, [(B)] (ii) the candidate is seeking nomination to the
84 office of Governor, Lieutenant Governor, Attorney General, State
85 Comptroller, State Treasurer or Secretary of the State or the district
86 office of state senator or state representative and receives at least fifteen
87 per cent of the votes of the convention delegates present and voting on
88 any roll-call vote taken on the endorsement or proposed endorsement
89 of a candidate for the office the candidate is seeking, or [(C)] (iii) the
90 candidate circulates a petition and obtains the required number of
91 signatures for filing a candidacy for nomination for [(i)] (I) the office of
92 Governor, Lieutenant Governor, Attorney General, State Comptroller,
93 State Treasurer or Secretary of the State or the district office of state
94 senator or state representative, pursuant to section 9-400, or [(ii)] (II) the
95 municipal office of state senator or state representative, pursuant to
96 section 9-406, whichever is applicable.

97 (C) The State Elections Enforcement Commission shall make any
98 such grants to participating candidates in accordance with the
99 provisions of subsections (d) to (g), inclusive, of this section.

100 (2) A participating candidate for nomination to the office of state
101 senator or state representative in 2008, or thereafter, or the office of
102 Governor, Attorney General, State Comptroller, Secretary of the State or
103 State Treasurer in 2010, or thereafter, may apply to the State Elections
104 Enforcement Commission for a grant from the fund under the Citizens'
105 Election Program for a general election campaign:

106 (A) After the close of the state or district convention or municipal
107 caucus, convention or town committee meeting, whichever is
108 applicable, of the candidate's party that is called for the purpose of
109 choosing candidates for nomination for the office that the candidate is
110 seeking, if (i) said party endorses said candidate for the office that the
111 candidate is seeking and no other candidate of said party files a
112 candidacy with the Secretary of the State in accordance with the
113 provisions of section 9-400 or 9-406, whichever is applicable, (ii) the
114 candidate is seeking election to the office of Governor, Lieutenant
115 Governor, Attorney General, State Comptroller, State Treasurer or

116 Secretary of the State or the district office of state senator or state
117 representative and receives at least fifteen per cent of the votes of the
118 convention delegates present and voting on any roll-call vote taken on
119 the endorsement or proposed endorsement of a candidate for the office
120 the candidate is seeking, no other candidate for said office at such
121 convention either receives the party endorsement or said percentage of
122 said votes for said endorsement or files a certificate of endorsement with
123 the Secretary of the State in accordance with the provisions of section 9-
124 388 or a candidacy with the Secretary of the State in accordance with the
125 provisions of section 9-400, and no other candidate for said office
126 circulates a petition and obtains the required number of signatures for
127 filing a candidacy for nomination for said office pursuant to section 9-
128 400, (iii) the candidate is seeking election to the office of Governor,
129 Lieutenant Governor, Attorney General, State Comptroller, State
130 Treasurer or Secretary of the State or the district office of state senator
131 or state representative, circulates a petition and obtains the required
132 number of signatures for filing a candidacy for nomination for said
133 office pursuant to section 9-400 and no other candidate for said office at
134 the state or district convention either receives the party endorsement or
135 said percentage of said votes for said endorsement or files a certificate
136 of endorsement with the Secretary of the State in accordance with the
137 provisions of section 9-388 or a candidacy with the Secretary of the State
138 in accordance with the provisions of section 9-400, or (iv) the candidate
139 is seeking election to the municipal office of state senator or state
140 representative, circulates a petition and obtains the required number of
141 signatures for filing a candidacy for nomination for the office the
142 candidate is seeking pursuant to section 9-406 and no other candidate
143 for said office at the caucus, convention or town committee meeting
144 either receives the party endorsement or files a certification of
145 endorsement with the town clerk in accordance with the provisions of
146 section 9-391;

147 (B) After any primary held by such party for nomination for said
148 office, if the Secretary of the State declares that the candidate is the party
149 nominee in accordance with the provisions of section 9-440;

150 (C) In the case of a minor party candidate, after the nomination of
151 such candidate is certified and filed with the Secretary of the State
152 pursuant to section 9-452; or

153 (D) In the case of a petitioning party candidate, after approval by the
154 Secretary of the State of such candidate's nominating petition pursuant
155 to section 9-453o.

156 (3) A participating candidate for nomination to the office of state
157 senator or state representative at a special election in 2008, or thereafter,
158 may apply to the State Elections Enforcement Commission for a grant
159 from the fund under the Citizens' Election Program for a general
160 election campaign after the close of the district convention or municipal
161 caucus, convention or town committee meeting of the candidate's party
162 that is called for the purpose of choosing candidates for nomination for
163 the office that the candidate is seeking.

164 (4) Notwithstanding the provisions of subdivisions (1) and (2) of this
165 subsection, no participating candidate for nomination or election who
166 changes the candidate's status as a major party, minor party or
167 petitioning party candidate or becomes a candidate of a different party,
168 after filing the affidavit required under section 9-703, shall be eligible to
169 apply for a grant under the Citizens' Election Program for such
170 candidate's primary campaign for such nomination or general election
171 campaign for such election. The provisions of this subdivision shall not
172 apply in the case of a candidate who is nominated by more than one
173 party and does not otherwise change the candidate's status as a major
174 party, minor party or petitioning party candidate.

175 (5) Notwithstanding the provisions of this subsection, no candidate
176 may apply to the State Elections Enforcement Commission for a grant
177 from the fund under the Citizens' Election Program if such candidate
178 has been convicted of or pled guilty or nolo contendere to, in a court of
179 competent jurisdiction, any (A) criminal offense under this title unless
180 at least eight years have elapsed from the date of the conviction or plea
181 or the completion of any sentence, whichever date is later, without a

182 subsequent conviction of or plea to another such offense, or (B) a felony
183 related to the individual's public office, other than an offense under this
184 title in accordance with subparagraph (A) of this subdivision.

185 Sec. 4. Subsection (d) of section 9-706 of the general statutes is
186 repealed and the following is substituted in lieu thereof (*Effective from*
187 *passage*):

188 (d) In accordance with the provisions of subsection (g) of this section,
189 the commission shall review the application, determine whether (1) the
190 candidate committee for the applicant has received the required
191 qualifying contributions, (2) in the case of an application for a grant from
192 the fund for a convention campaign, the applicant has met the
193 applicable condition under subsection (a) of this section for applying for
194 such grant and complied with the provisions of subsections (b) and (c)
195 of this section, (3) in the case of an application for a grant from the fund
196 for a primary campaign, the applicant has met the applicable condition
197 under subsection (a) of this section for applying for such grant and
198 complied with the provisions of subsections (b) and (c) of this section,
199 [(3)] (4) in the case of an application for a grant from the fund for a
200 general election campaign, the applicant has met the applicable
201 condition under subsection (a) of this section for applying for such
202 [moneys] grant and complied with the provisions of subsections (b) and
203 (c) of this section, and [(4)] (5) in the case of an application by a minor
204 party or petitioning party candidate for a grant from the fund for a
205 general election campaign, the applicant qualifies as an eligible minor
206 party candidate or an eligible petitioning party candidate, whichever is
207 applicable. If the commission approves an application, the commission
208 shall determine the amount of the grant payable to the candidate
209 committee for the applicant pursuant to section 9-705, as amended by
210 this act, from the fund, and notify the State Comptroller and the
211 candidate of such candidate committee [,] of such amount. If the timing
212 of the commission's approval of the grant for a primary campaign or
213 general election campaign in relation to the Secretary of the State's
214 determination of ballot status is such that the commission cannot

215 determine whether the qualified candidate committee is entitled to the
216 applicable full initial grant for the primary or election or the applicable
217 partial grant for the primary or election, as the case may be, the
218 commission shall approve the lesser applicable partial initial grant. The
219 commission shall then authorize the payment of the remaining portion
220 of the applicable primary campaign or general election campaign grant
221 after the commission has knowledge of the circumstances regarding the
222 ballot status of the opposing candidates in such primary or election. Not
223 later than thirty days following notification by the commission in the
224 case of a convention campaign grant, or not later than two business days
225 following notification by the commission in the case of any other grant,
226 the State Comptroller shall draw an order on the State Treasurer for
227 payment of any such approved amount to the qualified candidate
228 committee from the fund.

229 Sec. 5. Subdivision (1) of subsection (g) of section 9-706 of the general
230 statutes is repealed and the following is substituted in lieu thereof
231 (*Effective from passage*):

232 (g) (1) In the case of any application submitted pursuant to
233 subparagraph (A) of subdivision (1) of subsection (a) of this section for
234 a convention campaign grant by a participating major party candidate
235 seeking nomination to the office of Governor, not later than ten business
236 days following receipt of such submission, the commission shall review
237 such application in accordance with the provisions of subsection (d) of
238 this section and determine whether such application shall be approved
239 or disapproved.

240 ~~[(g) (1)]~~ (2) Any application submitted pursuant to this section for a
241 primary campaign grant or general election campaign grant shall be
242 submitted in accordance with the following schedule: (A) By five o'clock
243 p.m. on the third Wednesday in May of the year that the primary or
244 election will be held at which such participating candidate will seek
245 nomination or election, or (B) by five o'clock p.m. on any subsequent
246 Wednesday of such year, provided no application shall be accepted by
247 the commission after five o'clock p.m. on or after the fourth to last Friday

248 prior to the primary or election at which such participating candidate
249 will seek nomination or election. Not later than five business days
250 following any such Wednesday or Friday, as applicable, for
251 participating candidates seeking nomination or election to the office of
252 state senator or state representative, or ten business days following any
253 such Wednesday or Friday, as applicable, for participating candidates
254 seeking nomination or election to the office of Governor, Lieutenant
255 Governor, Attorney General, State Comptroller, State Treasurer or
256 Secretary of the State or, in the event of a national, regional or local
257 emergency or local natural disaster, as soon thereafter as is practicable,
258 the commission shall review any application received by such
259 Wednesday or Friday, in accordance with the provisions of subsection
260 (d) of this section, and determine whether such application shall be
261 approved or disapproved. Notwithstanding the provisions of this
262 [subsection] subdivision, if an application for a general election grant is
263 received during the period beginning at five [o'clock] o'clock p.m. on
264 the Wednesday of the week preceding the week of the last primary
265 application deadline and ending five [o'clock] o'clock p.m. on the last
266 primary application deadline, as set forth in this [subsection]
267 subdivision, the commission shall review such application in
268 accordance with the provisions of subsection (d) of this section and
269 determine whether [it] such application shall be approved or
270 disapproved not later than five business days or ten business days, as
271 applicable, after the first application deadline following the last primary
272 application deadline. For any such application that is approved, any
273 disbursement of funds by the commission shall be made not later than
274 twelve business days prior to any such primary or general election.
275 From the third week of June in even-numbered years until the third
276 week in July, the commission shall meet twice weekly to determine
277 whether or not to approve applications for primary campaign and
278 general election campaign grants if there are pending grant
279 applications.

280 Sec. 6. Section 9-702 of the general statutes is repealed and the
281 following is substituted in lieu thereof (*Effective from passage*):

282 (a) There is established a Citizens' Election Program under which (1)
283 the candidate committee of a major party candidate for nomination to
284 the office of Governor in 2026, or thereafter, may receive a grant from
285 the Citizens' Election Fund for the candidate's convention campaign for
286 said nomination, (2) the candidate committee of a major party candidate
287 for nomination to the office of state senator or state representative in
288 2008, or thereafter, or the office of Governor, Lieutenant Governor,
289 Attorney General, State Comptroller, Secretary of the State or State
290 Treasurer in 2010, or thereafter, may receive a grant from the Citizens'
291 Election Fund for the candidate's primary campaign for said
292 nomination, and [(2)] (3) the candidate committee of a candidate
293 nominated by a major party, or the candidate committee of an eligible
294 minor party candidate or an eligible petitioning party candidate, for
295 election to the office of state senator or state representative at a special
296 election held on or after December 31, 2006, or at a regular election held
297 in 2008, or thereafter, or for election to the office of Governor, Attorney
298 General, State Comptroller, Secretary of the State or State Treasurer in
299 2010, or thereafter, may receive a grant from the fund for the candidate's
300 general election campaign for said office.

301 (b) Any such candidate committee is eligible to receive such grants
302 for a convention campaign, if applicable, a primary campaign, if
303 applicable, and a general election campaign if (1) the candidate certifies
304 as a participating candidate under section 9-703, (2) the candidate's
305 candidate committee receives the required amount of qualifying
306 contributions under section 9-704, (3) the candidate's candidate
307 committee returns all contributions that do not meet the criteria for
308 qualifying contributions under section 9-704, (4) the candidate agrees to
309 limit the campaign expenditures of the candidate's candidate committee
310 in accordance with the provisions of subsection (c) of this section, and
311 (5) the candidate submits an application and the commission approves
312 the application in accordance with the provisions of section 9-706, as
313 amended by this act.

314 (c) (1) A candidate participating in the Citizens' Election Program

315 shall limit the expenditures of the candidate's candidate committee (A)
316 before a primary campaign and a general election campaign, to the
317 amount of qualifying contributions permitted in section 9-704 and any
318 personal funds provided by the candidate under subsection (c) of
319 section 9-710, except as provided in subdivision (2) of this subsection,
320 (B) for a primary campaign, to the sum of (i) the amount of such
321 qualifying contributions and personal funds that have not been spent
322 before the primary campaign, and (ii) the amount of the grant for the
323 primary campaign authorized under section 9-705, as amended by this
324 act, and (C) for a general election campaign, to the sum of (i) the amount
325 of such qualifying contributions and personal funds that have not been
326 spent before the general election campaign, (ii) any unexpended funds
327 from any grant for a primary campaign authorized under section 9-705,
328 as amended by this act, and (iii) the amount of the grant for the general
329 election campaign authorized under section 9-705, as amended by this
330 act. The candidate committee of a minor or petitioning party candidate
331 who has received a general election campaign grant from the fund
332 pursuant to section 9-705, as amended by this act, shall be permitted to
333 receive contributions in addition to the qualifying contributions subject
334 to the limitations and restrictions applicable to participating candidates
335 for the same office, provided such minor or petitioning party candidate
336 shall limit the expenditures of the candidate committee for a general
337 election campaign to the sum of the qualifying contributions and
338 personal funds, the amount of the general election campaign grant
339 received and the amount raised in additional contributions that is
340 equivalent to the difference between the amount of the applicable
341 general election campaign grant for a major party candidate for such
342 office and the amount of the general election campaign grant received
343 by such minor or petitioning party candidate.

344 (2) A major party candidate for Governor participating in the
345 Citizens' Election Program shall limit the expenditures of the
346 candidate's candidate committee before a primary campaign and a
347 general election campaign, to the sum of (A) the amount of qualifying
348 contributions permitted in section 9-704 and any personal funds

349 provided by the candidate under subsection (c) of section 9-710, and (B)
350 the amount of the grant for the convention campaign authorized under
351 section 9-705, as amended by this act.

352 (d) (1) For the purposes of this chapter, if a qualified candidate
353 committee receives a grant for a primary campaign and has qualifying
354 contributions that have not been spent before the primary campaign, no
355 expenditures by such committee during the primary campaign shall be
356 deemed to have been made from such qualifying contributions until the
357 primary campaign grant funds have been fully spent.

358 (2) For the purposes of this chapter, if a qualified candidate
359 committee of a candidate for nomination to the office of Governor
360 receives a grant for the convention campaign and has qualifying
361 contributions that have not been spent before the convention campaign,
362 no expenditures by such committee during the convention campaign
363 shall be deemed to have been made from such qualifying contributions
364 until the convention campaign grant funds have been fully spent.

365 (e) No grants or moneys paid to a qualified candidate committee from
366 the Citizens' Election Fund under this chapter shall be deemed to be
367 public funds under any other provision of the general statutes or any
368 public or special act unless specifically stated by such provision.

369 Sec. 7. Section 9-700 of the general statutes is repealed and the
370 following is substituted in lieu thereof (*Effective from passage*):

371 As used in sections 9-700 to 9-716, inclusive, as amended by this act:

372 (1) "Commission" means the State Elections Enforcement
373 Commission.

374 (2) "Convention campaign" means, in the case of a major party
375 candidate for Governor, the period beginning the day such candidate
376 files the affidavit under section 9-703 certifying such candidate's intent
377 to abide by the expenditure limits under the Citizens' Election Program
378 and ending at the close of the state convention held pursuant to section

379 9-382 by such major party for the purpose of endorsing a candidate for
380 nomination to the office of Governor.

381 [(2)] (3) "Depository account" means the single checking account at
382 the depository institution designated as the depository for the candidate
383 committee's moneys in accordance with the provisions of subsection (a)
384 of section 9-604.

385 [(3)] (4) "District office" has the same meaning as provided in section
386 9-372.

387 [(4)] (5) "Eligible minor party candidate" means a candidate for
388 election to an office who is nominated by a minor party pursuant to
389 subpart B of part III of chapter 153.

390 [(5)] (6) "Eligible petitioning party candidate" means a candidate for
391 election to an office pursuant to subpart C of part III of chapter 153
392 whose nominating petition has been approved by the Secretary of the
393 State pursuant to section 9-453o.

394 [(6)] (7) "Fund" means the Citizens' Election Fund established in
395 section 9-701.

396 [(7)] (8) "General election campaign" means (A) in the case of a
397 candidate nominated at a primary, the period beginning on the day
398 following the primary and ending on the date the treasurer files the final
399 statement for such campaign pursuant to section 9-608, or (B) in the case
400 of a candidate nominated without a primary, the period beginning on
401 the day following the day on which the candidate is nominated and
402 ending on the date the treasurer files the final statement for such
403 campaign pursuant to section 9-608.

404 [(8)] (9) "Major party" has the same meaning as provided in section 9-
405 372.

406 [(9)] (10) "Minor party" has the same meaning as provided in section
407 9-372.

408 [(10)] (11) "Municipal office" has the same meaning as provided in
409 section 9-372.

410 [(11)] (12) "Primary campaign" means the period beginning on the
411 day following the close of (A) a convention held pursuant to section 9-
412 382 for the purpose of endorsing a candidate for nomination to the office
413 of Governor, Lieutenant Governor, Attorney General, State
414 Comptroller, State Treasurer or Secretary of the State or the district
415 office of state senator or state representative, or (B) a caucus, convention
416 or town committee meeting held pursuant to section 9-390 for the
417 purpose of endorsing a candidate for the municipal office of state
418 senator or state representative, whichever is applicable, and ending on
419 the day of a primary held for the purpose of nominating a candidate for
420 such office.

421 [(12)] (13) "Qualified candidate committee" means a candidate
422 committee (A) established to aid or promote the success of any
423 candidate for nomination or election to the office of Governor,
424 Lieutenant Governor, Attorney General, State Comptroller, State
425 Treasurer, Secretary of the State, state senator or state representative,
426 and (B) approved by the commission to receive a grant from the
427 Citizens' Election Fund under section 9-706, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-705(a)
Sec. 2	<i>from passage</i>	9-705(d)
Sec. 3	<i>from passage</i>	9-706(a)
Sec. 4	<i>from passage</i>	9-706(d)
Sec. 5	<i>from passage</i>	9-706(g)(1)
Sec. 6	<i>from passage</i>	9-702
Sec. 7	<i>from passage</i>	9-700

Statement of Legislative Commissioners:

In Section 1(a)(1)(B)(i), "dollars" was added for accuracy; and in Section 4(d), "conditions" was changed to "condition" in Subdiv. (2), and

"moneys" was changed to "[moneys] grant" in Subdiv. (4), for consistency.

GAE *Joint Favorable Subst.*