



ASSISTING A CANDIDATE PARTICIPATING IN THE CITIZENS' ELECTION PROGRAM

Legislative Caucus Committees Legislative Leadership Committees & Party Committees

This fact sheet is intended to assist legislative caucus committees, legislative leadership committees, and party committees. It does not provide legal advice and is not intended as a definitive interpretation of Connecticut campaign finance laws concerning such committees or participating candidates as found in Chapters 155 and 157 of the Connecticut General Statutes.

WHAT ARE LEGISLATIVE CAUCUS, LEGISLATIVE LEADERSHIP AND PARTY COMMITTEES?

“Legislative caucus committee” means a political committee established by the majority of the members of the same political party who are also state representatives or state senators in a chamber of the General Assembly. There are four legislative caucus committees: one for each major party in the House of Representatives and one for each major party in the Senate.

“Legislative leadership committee” means a political committee established by a leader of the General Assembly. The Speaker of the House of Representatives, Majority Leader of the House of Representatives, President Pro Tempore of the Senate and Majority Leader of the Senate may each establish one legislative leadership committee. The Minority Leader of the House of Representatives and the Minority Leader of the Senate may each establish two legislative leadership committees.

“Party committee” means a state central committee or a town committee.

[Source: General Statutes §§ 9-601 (2), 9-601 (22), 9-601 (23), 605 (e) (2) & (3)]



BEST PRACTICES CHECKLIST

Legislative caucus, legislative leadership and party committees assisting a candidate who is participating in the Citizens' Election Program should consider the following:

DO'S:

- ✓ The committee may make **organization expenditures** for the benefit of a participating candidate. Organization expenditures are limited in certain ways and must be reported.
- ✓ It may encourage its individual members to **volunteer** for the candidate committee of a participating candidate.
- ✓ It may make **joint expenditures** with a participating candidate committee for which the candidate committee pays its pro rata share. If an expenditure that benefits a participating candidate does not fall within the definition of organization expenditure then the participating candidate committee **must** pay its pro rata share for the expenditure. (Otherwise, the participating candidate committee has received an impermissible in-kind contribution.)
- ✓ Note that the law only permits participating candidate committees to directly reimburse an expending committee for permissible expenditures *before* they receive a grant. After receiving a grant, the participating candidate committee must pay the vendor directly for its pro rata share of such expenditures. To avoid making an impermissible contribution, the expending committee and the participating candidate committee(s) should agree in writing, before the expending committee incurs such expenditure, that the candidate committee will reimburse the expending committee (or the vendor directly). Such reimbursement should occur within 45 days after the expenditure was made or incurred, but not later than the filing of the application for the grant.

DON'TS:

- ✓ The committee should not make **contributions** to or for participating candidates because a participating candidate who receives a prohibited contribution faces serious penalties. Consequently, committees must be careful that their activities to assist participating candidates are permissible.
- ✓ It should not accept monies from a participating candidate committee that has already received a grant. Such candidates must pay their pro rata share directly to the vendor or service provider.
- ✓ It can not assist with fundraising for a participating candidate without the candidate's involvement. Candidates must be present at a campaign event to raise funds for their committees. Solicitation letters do not qualify as organization expenditures. Accordingly, if a legislative caucus, legislative leadership, or party committee sends a solicitation letter for a participating candidate, then the candidate committee must pay its pro rata share of the expenditure either to the committee (before receiving a grant) or to the vendor directly. If the participating committee has already received a grant it should pay its pro rata share to the vendor directly.

[Source: General Statutes §§ 9-610 (b), 9-616; Regs., Conn. State Agencies § 9-706-2 (b) (8)]



WHAT IS AN ORGANIZATION EXPENDITURE?

Organization expenditures are certain expenditures made by legislative caucus, legislative leadership, or party committees on behalf of candidates, including participating candidates. Connecticut campaign finance law exempts organization expenditures from the definitions of “contribution” and “expenditure.” Organization expenditures therefore are *not* contributions and do *not* affect a participating candidate’s expenditure limits.

Organization expenditures may be made for the following:

1. The preparation, display, mailing, or distribution of a party candidate listing. A “party candidate listing” is a communication that (1) lists the name or names of the candidates; (2) is distributed through public advertising, direct mail, telephone, electronic mail, internet, or personal delivery; (3) treats all candidates substantially similarly; and (4) is limited in content to candidate photos, the office sought, party enrollment, a brief statement of the candidate’s position, philosophy, goals, accomplishments or biography, encouragement to vote for the candidate and information concerning voting, including hours and locations. **Such communications cannot solicit funds or promote the defeat of any candidate;**
2. Printed or electronic documents including party platforms, issue papers, information on Connecticut election law, voter registration lists, and voter identification information that a party, legislative caucus, or legislative leadership committee creates or maintains for party or caucus building and gives to candidates who are members of the same party;
3. A campaign event at which a candidate or candidates are present. If an entry fee is charged by the organizing committee for the campaign event, or the event is a fundraiser for the sponsoring organization, the collected funds cannot be used as, or considered to be, qualifying contributions. This is because a qualifying contribution must be collected by the candidate committee. It cannot be collected by another committee on the candidate’s behalf. A participating candidate may bring a treasurer or designated solicitor to collect qualifying contributions in connection with his or her appearance;
4. Professional advisors (individuals or entities) on campaign organization, financing, accounting, strategy, law, or media; and
5. The use of offices or office equipment that does not result in additional cost to the party, legislative caucus, or legislative leadership committee.

[Source: General Statutes § 9-601 (25)]



THERE ARE LIMITS ON ORGANIZATION EXPENDITURES

NO organization expenditures are allowed for a party candidate listing for the benefit of a participating candidate for the office of state senator or the office of state representative in a primary. In addition, legislative leadership and caucus committees cannot make organization expenditures for the benefit of statewide candidates.

For a general election campaign, the aggregate limits on organization expenditures per participating candidate for each party, legislative caucus, or legislative leadership committee are:

State Representative Candidate	\$3,500
State Senate Candidate	\$10,000

[Source: General Statutes § 9-718]

A LEGISLATIVE CAUCUS, LEGISLATIVE LEADERSHIP OR PARTY COMMITTEE MUST REPORT ORGANIZATION EXPENDITURES

Each statement filed by the expending committee shall include an itemized accounting of each organization expenditure made by the committee for the benefit of a candidate. At the time of such itemized accounting, the committee treasurer shall provide notice of the organization expenditure to the candidate committee of such candidate or candidates. Treasurers report organization expenditures in Section P of SEEC Form 20, checking off the appropriate type of organization expenditure and providing an itemized accounting for each benefitting candidate in the Addendum to Section P.

If the expense has been incurred, but not paid, the amount incurred is reported in Section S with an itemized accounting in the Addendum to Section S. In either case the type of expenditure should be listed as “Organization” and the purpose of the expenditure must be indicated with the normal expense code.

The benefitting candidate committee is no longer required to disclose organization expenditures, but may disclose them, if desired on SEEC Form 30 in Section M (Non-Monetary Receipts of Organization Expenditures Made By Legislative Leadership, Legislative Caucus, and Party Committees)

[Source: General Statutes § 9-608 (c) (5), as amended by Public Act 11-48]



ORGANIZATION EXPENDITURE DEFINITIONS

A. PARTY CANDIDATE LISTING	
<p>Costs of Creating and Distributing Party Candidate Listing for General Election Campaign</p> <p>[General Statutes § 9-601 (25) (A)]</p>	<p>Legislative leadership, legislative caucus, or party committees may pay the expenses for the preparation, display, mailing or other distribution of party candidate listings for a <u>general election campaign</u>. This type of organization expenditure may not be made for a participating General Assembly candidate during a primary.</p>
<p>What is a Party Candidate Listing?</p>	<p>A party candidate listing is any communication that:</p> <ol style="list-style-type: none"> (1) Lists the name or names of candidates for election; (2) Is distributed through public advertising (i.e. television, newspapers, direct mail, telephone, electronic mail, Internet sites available to the public, billboards, lawn signs, or personal delivery); (3) Treats all candidates in the listing in a “substantially similar” fashion; <i>and</i> (4) Contains only <i>limited content</i>.
<p>Limited Content of Party Candidate Listing</p> <ul style="list-style-type: none"> ✓ Candidate or Candidates’ Identifying Information and Views; ✓ Party’s Views; ✓ Encouragement to Vote; ✓ Information Concerning Voting. 	<p>The content of a party candidate listing is limited to:</p> <ol style="list-style-type: none"> (1) Identifying information for each candidate listed, which may include a photograph, office currently held, office sought, party enrollment, and a brief biography; (2) Identifying information may also include a brief statement by the candidate concerning the candidate’s positions, philosophy, goals, accomplishments, and/or the party’s positions, philosophy, goals or accomplishments; (3) Encouragement to vote for each candidate listed; and/or (4) Information about voting hours and voting locations.



A. PARTY CANDIDATE LISTING (Continued)

<p>Attribution Requirement for Party Candidate Listing</p> <p>[General Statutes § 9-621 (a)]</p>	<p>All party candidate listings must contain the words “paid for by” and the name of the party committee.</p> <p>They must also include the words “approved by” followed by the name(s) of the candidate(s) featured. If an expending committee’s communication features five or more candidates, the Commission will not otherwise take any action against a committee whose attribution includes only the words “approved by” followed by a broad reference to the candidates (e.g., “Approved by the Above Listed Candidates”), rather than all of the candidates’ names, provided they are otherwise identified in the communication.</p>
<p>Purchase of Lawn Signs</p>	<p>Purchase of lawn signs for a general election campaign which list the name(s) and office(s) sought by one or more candidates will generally qualify as party candidate listings. As set forth below, there are limits on organization expenditures to benefit participating candidates for General Assembly.</p> <p>A legislative caucus, legislative leadership, or party committee may provide a participating candidate in the current election cycle with lawn signs that it purchased in a prior election cycle. Such signs are valued at the original purchase price and count toward the organization expenditure limits for general elections set forth in General Statutes § 9-718.</p>
<p>PARTY CANDIDATE LISTING EXPENDITURE IS NOT ALLOWED FOR A PRIMARY</p>	
<p>Organization Expenditure for Party Candidate Listing to Benefit Participating Candidate for General Assembly Office NOT allowed in a <u>Primary</u></p> <p>[General Statutes § 9-718 (b) & (d)]</p>	<p>A legislative leadership, legislative caucus, or party committee may not make any organization expenditures for party candidate listings to benefit a participating candidate for the office of State Senator or State Representative for a primary campaign.</p>



B. PARTY-BUILDING DOCUMENT

<p>“Party-building Document” Requirements</p> <p>[General Statutes § 9-601 (25) (B)]</p>	<p>A “party-building document” in printed or electronic form must be:</p> <ul style="list-style-type: none"> ✓ Created or maintained by the legislative leadership, legislative caucus, or party committee for the general purposes of party building; <i>and</i> ✓ Provided to a candidate who is a member of the party that established the party committee (in the case of an organization expenditure made by a party committee), or to a candidate who belongs to the same party of the caucus or leader who established the legislative caucus or leadership committee (in the case of an organization expenditure by a legislative caucus or legislative leadership committee).
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C. CAMPAIGN EVENT

<p>“Campaign Event”</p> <p>[General Statutes § 9-601 (25) (C)]</p>	<p>Legislative caucus, legislative leadership, and party committees may make organization expenditures for a campaign event at which a candidate or candidates are present.</p>
<p>“Fundraising Event”</p>	<p>A participating candidate or candidates may attend a fundraising event paid for as an organization expenditure, and may solicit for his or her campaign at such an event if the candidate committee supplies all of the solicitation materials, the candidate or a solicitor authorized by the candidate committee collects the qualifying contributions for the candidate committee, and such collection of qualifying contributions is separate from the fundraising of the committee hosting the campaign event.</p> <p>The participating candidate or candidates must actually be present at the event. If the participating candidate or candidates are not actually present, then the event does not qualify as an organization expenditure.</p> <p>The legislative caucus, legislative leadership, or party committee may make organization expenditures to conduct a fundraising event where all proceeds collected by that committee benefit the legislative caucus, legislative leadership, or party committee. In other words, if the expending committee collects proceeds, those proceeds cannot go to the participating candidate as qualifying contributions.</p>



D. ADVISORY SERVICES

<p>“Advisory Services”</p> <p>[General Statutes § 9-601 (25) (D)]</p>	<p>A legislative caucus, legislative leadership, or party committee may retain the services of advisors to provide assistance to a party candidate or candidates.</p> <p>Advisors may provide assistance relating to:</p> <ul style="list-style-type: none"> • Campaign organization; • Campaign financing; • Accounting; • Campaign strategy; • Law; and/or • Media. <p><i>An advisor may be an individual or an entity offering one or more of the above-named services.</i></p>
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E. USE OF OFFICE AND EQUIPMENT

<p>“Use of Office and Equipment”</p> <p>[General Statutes § 9-601 (25) (E)]</p>	<p>Legislative caucus, legislative leadership, or party committees may allow a participating candidate or candidates to use their office space and equipment <i>if the candidate’s or candidates’ use does not result in additional cost to the legislative caucus, legislative leadership, or party committee.</i></p> <p>This includes the use of:</p> <ul style="list-style-type: none"> • Offices; • Telephones; • Computers; and/or • Similar office equipment
<p>Limits on Amounts of Organization Expenditures</p> <p>[General Statutes § 9-718 (a) & (c)]</p>	<p>The limits on organization expenditures in a general election campaign per participating candidate, per committee, are:</p> <ul style="list-style-type: none"> • \$3,500 for a candidate for State Representative; and • \$10,000 for a candidate for State Senate.



F. ORGANIZATION EXPENDITURE REPORTING REQUIREMENTS	
<p>Reporting Requirements:</p> <p>LEGISLATIVE CAUCUS, LEGISLATIVE LEADERSHIP, OR PARTY COMMITTEE</p> <p>[General Statutes § 9-608 (c) (5)]</p>	<p>A legislative caucus, legislative leadership, or party committee that makes organization expenditures must:</p> <ul style="list-style-type: none"> ▪ include an itemized accounting of such expenditures in each required campaign finance statement; AND ▪ provide notice to each candidate committee of the amount and purpose of each expenditure made for that candidate committee. <p>Organization expenditures are reported in Section P of SEEC Form 20, checking off the appropriate type of organization expenditure and also must provide an itemized accounting for each benefitting candidate in the Addendum to Section P.</p>
<p>Reporting Requirements:</p> <p>CANDIDATE COMMITTEE</p> <p>[General Statutes § 9-608 (c) (6), as amended by P. A. 11-48]</p>	<p>Due to a change in the law, if a candidate committee benefits from an organization expenditure, the committee treasurer is no longer required to report receipt of that benefit in a campaign finance disclosure statement. Such reporting is now optional. The candidate committee may, if desired, report the receipt of an organization expenditure made on its behalf in Section M of SEEC Form 30.</p>
<p>Valuation of the Organization Expenditure</p>	<p>The pro rata cost of an organization expenditure that benefits a participating candidate must be reported. To determine pro rata cost, an expending committee is treated the same as any other candidate who benefits from the event. For example, a town committee spends \$400 to hold a fundraising event at which (1) an entrance fee of \$5 is charged at the door to benefit the town committee and (2) three participating candidates speak while their treasurers collect qualifying contributions. In this circumstance, \$100 of the \$400 expenditure for the event would be attributed to the town committee and \$100 of the expenditure would be attributed as having been made for the benefit of each of the three candidates because they have benefitted equally.</p>