



STATE ELECTIONS ENFORCEMENT COMMISSION CITIZENS' ELECTION PROGRAM

LEGISLATIVE CAUCUS COMMITTEES, PARTY COMMITTEES AND LEGISLATIVE LEADERSHIP COMMITTEES:

ASSISTING CANDIDATES PARTICIPATING IN THE CITIZENS' ELECTION PROGRAM

This fact sheet is intended to assist legislative caucus committees, legislative leadership committees, and party committees, but does not provide legal advice.

It 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, 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, 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 (22), 9-601 (23), 9-601 (2), 605 (e) (2) & (3)]



BEST PRACTICES CHECKLIST

Legislative Caucus Committees, Legislative Leadership Committees, or Party Committees Assisting a Candidate who is Participating in the Citizens' Election Program Should Consider the Following:

DO:

- ✓ It can make **organization expenditures** for the benefit of a participating candidate. Organization expenditures are limited in certain ways and must be reported.
- ✓ It can encourage its individual members to **volunteer** for the candidate committee of a participating candidate.
- ✓ It must require a participating candidate to pay its pro rata share for any permissible expenditure that benefits a participating candidate's committee but does not fall within the definition of organization expenditure. (Otherwise, the participating candidate committee has received an impermissible in-kind expenditure.)
- ✓ The law allows candidate committees to reimburse a **party committee** for permissible expenditures *before* a grant is received by the participating candidate. To avoid making an impermissible contribution, the town committee and participating candidate's committee should agree in writing, before the town committee incurs such expenditure, that the candidate committee will reimburse the town committee. 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'T:

- ✓ It can not make **contributions** to or for participating candidates. In addition to the penalties applying to a committee making an impermissible contribution, a participating candidate who receives a prohibited contribution faces serious penalties. Consequently, town committees must be careful that their activities to assist participating candidates are permissible.
- ✓ It should not accept monies from participating candidate committees that received a grant. Such candidates can still pay their pro rata share directly to the vendor or service provider.
- ✓ It can not raise funds for participating candidates without the candidates' involvement. Candidates must be present at a campaign event to raise funds for their committees. If a legislative caucus committee, legislative leadership committee, or party committee sends a solicitation letter then candidates must pay their pro rata share of the expenditure or, if the letter is sent and paid for by a party committee, a candidate committee may reimburse the party committee for its pro rata share during the qualifying period.

[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 similar; 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 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 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. If the participating candidate attends such an event, he or she 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 in a primary.

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

\$3,500 for a state representative candidate or

\$10,000 for a state senate candidate.

[Source: General Statutes § 9-718]

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

The legislative leadership, legislative caucus, or party committee must disclose the organization expenditure on Form 20. If the expense has been paid, the expenditure is reported under Section P. If the expense has been incurred, but not paid, the amount incurred is reported under 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 benefited candidate committee also must disclose the organization expenditure on Form 30 under Section M (Non-Monetary Receipts of Organization Expenditures Made By Legislative Leadership, Legislative Caucus, and Party Committee). The organization expenditure must be described in this section as well as the purpose indicated.

[Source: General Statutes § 9-608 (c) (5)]



ORGANIZATION EXPENDITURE DEFINITIONS

A. PARTY CANDIDATE LISTING	
<p>Costs of Creating and Distributing Party Candidate Listing for General Election Campaign</p> <p>[G.S. § 9-601 (25) (A)]</p>	<p>Legislative leadership, legislative caucus, or party committee may pay expense of preparation, display, mailing or other distribution of party candidate listing for a <u>general election campaign</u>.</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 limited content.
<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. <p><i>A party candidate listing cannot include information about the opponents of a candidate or candidates.</i></p> <p><i>A communication that is not limited to the narrow criteria set forth above does <u>not</u> constitute a party candidate listing, and consequently is not a permissible organization expenditure.</i></p>



A. PARTY CANDIDATE LISTING (Cont.)	
<p>Attribution Requirement for Party Candidate Listing</p> <p>[Pub. Act 08-2, amending G. S. § 9-621 (a)]</p>	<p>All party candidate listings that constitute organization expenditures must contain the words “paid for by” and the name of the party committee.</p>
<p>Purchase of Lawn Signs</p>	<p>Purchase of lawn signs for a general election campaign listing the name(s) and office(s) sought by one or more candidates constitutes organization expenditures. As set forth below, there are limits on organization expenditures to benefit participating candidates for General Assembly office.</p> <p>The legislative leadership, legislative caucus, or party committee may provide to a participating candidate in the current election cycle 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>
PARTY CANDIDATE LISTING EXPENDITURE IS NOT ALLOWED FOR A PRIMARY	
<p>Organization Expenditure for Party Candidate Listing to Benefit Participating Candidate for General Assembly Office NOT allowed in a Primary</p> <p>[G.S. § 9-718 (b) & (d)]</p>	<p><i>A legislative leadership, legislative caucus, or party committee may not make <u>any</u> organization expenditures to benefit a participating candidate for the office of State Senator or State Representative in the form of party candidate listings for a primary campaign.</i></p>
B. PARTY-BUILDING DOCUMENT	
<p>“Party-building Document” Requirements</p> <p>[G.S. § 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> <p>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 leadership or legislative caucus committee).</p>



C. CAMPAIGN EVENT	
<p>“Campaign Event” [G.S. § 9-601(25)(C)]</p>	<p>Legislative caucus, legislative leadership, and party committees may make organization expenditures for a campaign event at which a party candidate or candidates are present.</p>
<p>“Fundraising Event”</p>	<p>The legislative caucus, legislative leadership, or party committee may make organization expenditures to conduct a fundraising event where all proceeds benefit the legislative caucus, legislative leadership, or party committee. A participating candidate or candidates may attend such a campaign event, 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><u>The participating candidate or candidates must actually be present at the event.</u> If the participating candidate or candidates are not actually present, then the event does not constitute an organization expenditure.</p>
D. ADVISORY SERVICES	
<p>“Advisory Services” [G.S. § 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>



E. USE OF OFFICE AND EQUIPMENT	
<p>“Use of Office and Equipment”</p> <p>[G.S. § 9-601 (25) (E)]</p>	<p>A legislative caucus, legislative leadership, or party committee may allow a participating candidate or candidates to use a party office 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 legislative caucus, legislative leadership, or party committee’s:</p> <ul style="list-style-type: none"> • Offices; • Telephones; • Computers; and/or • Similar office equipment <p>Website development and hosting are included if there is no additional cost to the legislative caucus, legislative leadership, or party committee.</p>
<p>“No Additional Cost”</p>	<p>The legislative caucus, legislative leadership, or party committee should monitor expenditures and be able to demonstrate to the Commission that expenditures for an office and equipment that also benefit a candidate are at no additional cost to the committee. The committee making the organization expenditure must report organization expenditures promptly to the Commission and to the participating candidate.</p> <p>Participating candidates may not accept in-kind contributions, and are subject to expenditure limits.</p> <p>Legislative caucus, legislative leadership, and party committees should take care not to incur “additional cost” expenditures on the candidate’s behalf. Participating candidates are not allowed to receive or benefit from in-kind contributions.</p>
<p>Limits on Amounts of Organization Expenditures</p> <p>[G.S. § 9-718 (a) & (c)]</p>	<p>The limits on organization expenditures in a general election campaign per participating candidate, per committee, are:</p> <p>\$3,500 for a candidate for State Representative; and \$10,000 for a candidate for State Senate.</p>



	F. ORGANIZATION EXPENDITURE REPORTING REQUIREMENTS
<p>Reporting Requirements: LEGISLATIVE CAUCUS, LEGISLATIVE LEADERSHIP, OR PARTY COMMITTEE</p> <p>[G.S. § 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>Reporting Requirements: CANDIDATE COMMITTEE</p> <p>[G.S. § 9-608 (c) (6)]</p>	<p>If a candidate committee benefits from an organization expenditure, the candidate committee's treasurer must file a statement with the Commission identifying:</p> <ul style="list-style-type: none"> ▪ the legislative caucus, legislative leadership, or party committee that made organization expenditures for the benefit of the candidate committee; AND ▪ the amount and purpose of such organization expenditure or expenditures.
<p>Valuation of the Organization Expenditure</p>	<p>The pro rata cost of an organization expenditure that benefits a participating candidate should be reported. To determine pro rata cost, a town 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, then \$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 three candidates.</p>