

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 25-26—sSB 1405**

*Government Oversight Committee*

*Appropriations Committee*

**AN ACT MODIFYING CAMPAIGN FINANCE LAWS AND THE POWERS  
OF THE STATE ELECTIONS ENFORCEMENT COMMISSION**

**TABLE OF CONTENTS:**

**§ 1 — CAMPAIGN FINANCE DEFINITIONS**

*Makes related changes to the state campaign finance law's definitions of the terms "organization expenditure" and "solicit" regarding the sharing of content created by a candidate committee or on behalf of a candidate by certain other committees*

**§ 2 — DISCLAIMER REQUIREMENTS**

*Modifies disclaimer requirements for certain political communications and advertisements by (1) modifying who must be listed in the disclaimer for certain committees, (2) generally applying them to text messages, and (3) removing certain requirements to include a personal audio disclaimer for certain video communications or advertisements*

**§ 3 — SEEC AUDITS**

*Reduces the maximum percentage of candidate committees SEEC may audit after an election or primary from 50% to 20%; requires SEEC to complete the audits within 12 months after a committee is selected and report to the legislature on its compliance*

**§§ 4-6 — SEEC AUTHORITY**

*Subjects SEEC declaratory rulings, advisory opinions, and guidance documents to certain restrictions or oversight requirements; requires SEEC to publish a list of materials that treasurers must maintain and submit for audit compliance*

**§§ 7 & 8 — CEP QUALIFYING CONTRIBUTIONS**

*Makes various changes regarding CEP qualifying contributions and aggregate fundraising amounts, including when and how they are adjusted for inflation, procedures for returning and reviewing nonqualifying contributions, and grant application requirements*

**§ 9 — LIVESTREAM OF COMMISSION MEETINGS**

*Requires SEEC to livestream its meetings*

**§ 9 — APPOINTMENT OF SEEC EXECUTIVE DIRECTOR**

*Modifies conditions under which SEEC may appoint or reappoint its executive director*

**§§ 10 & 11 — CONTRIBUTION AND EXPENDITURE EXEMPTIONS**

*Increases the maximum amounts an individual or group may spend on certain events for invitations, food, and beverages without being subject to certain campaign finance requirements*

## OLR PUBLIC ACT SUMMARY

**SUMMARY:** This act makes various changes to the state’s campaign finance laws as described in the section-by-section analysis below.

**EFFECTIVE DATE:** July 1, 2025, except the provisions increasing the maximum expenditure on invitations, food, and beverages that are exempt from the campaign finance requirements are effective upon passage (§§ 10 & 11).

### § 1 — CAMPAIGN FINANCE DEFINITIONS

*Makes related changes to the state campaign finance law’s definitions of the terms “organization expenditure” and “solicit” regarding the sharing of content created by a candidate committee or on behalf of a candidate by certain other committees*

#### *Organization Expenditure*

By law, organization expenditures are made by legislative caucus, legislative leadership, or party committees to benefit candidates or their committees. Under existing law, organization expenditures may be made to prepare, display, or distribute a party candidate listing. The act specifies that this includes (1) electronically sharing, posting, or forwarding content created by a candidate committee or a party, legislative caucus, or legislative leadership committee on behalf of a candidate; (2) using personal email lists or existing email accounts used for these activities; and (3) other similar de minimus activities that may or may not be related to fundraising.

#### *Solicit*

The state’s campaign finance law generally regulates when and how committees may solicit contributions for public office, and requires the filing of certain information relating to soliciting activities. Under existing law, to “solicit” is to (1) request contributions; (2) participate in fundraising activities for a committee; (3) serve as a committee’s chairperson, treasurer, or deputy treasurer; or (4) establish political committees for the sole purpose of obtaining contributions.

Prior law generally exempted (1) making permitted contributions, (2) informing a person about a candidate’s or public official’s position, (3) providing notice about a candidate’s activities or contact information, (4) serving as a party committee member or officer as allowed by law, and (5) attending a fundraiser.

The act additionally exempts electronically sharing a link to a fundraising website or an invitation to a fundraising event by a legislative caucus, legislative leadership, or party committee.

### § 2 — DISCLAIMER REQUIREMENTS

*Modifies disclaimer requirements for certain political communications and advertisements by (1) modifying who must be listed in the disclaimer for certain committees, (2) generally applying them to text messages, and (3) removing certain requirements to include a personal audio disclaimer for certain video communications or advertisements*

#### *Disclaimer Requirements*

## OLR PUBLIC ACT SUMMARY

Under state law, any written, typed, or printed communication (including online) from committees promoting a candidate's success or defeat, promoting or opposing a political party, or soliciting funds for a political party or a committee must generally include certain information (i.e. a disclaimer). The disclaimer must include the words (1) "paid for by" followed by a specified individual name or address, depending on the approving entity, and (2) "approved by" followed by the candidate's name.

Prior law specified that all committees, other than party committees, must have listed both the committee's and the treasurer's names after the words "paid for by." The act eliminates the requirement that the treasurer be listed by any committee. In doing so, it requires these committees to list only the committee's name, as is the case for party committees under existing law.

Similarly, under prior law, a political committee formed solely to promote the success or defeat of a referendum question had to disclose the name of its treasurer in any written, typed, or printed communication promoting the referendum's success or defeat. The act removes the requirement to include the treasurer's name but maintains existing law's requirement to include the name of the committee making the expenditure.

### *Text Messages*

The act extends existing law's disclaimer requirements for written, typed, or printed communications to include text messages. It also specifies that for text messages, displaying the required disclaimer in the initial text message or including a link in the message to a website where the disclaimer appears satisfies the act's requirement.

### *Television and Internet Video*

Prior law generally required that television or Internet video advertising by a candidate or exploratory committee that promotes the success or defeat of a candidate include a disclaimer at the end of the advertisement. The act requires that this disclaimer occur during the advertisement instead of at the end. It also eliminates the requirement that the advertisement include the candidate's voice and a simultaneous, personal audio message, in the following specific form: "I am .... (candidate's name) and I approved this message."

The act maintains the existing requirement for the advertisement to include the candidate's name and image in its narrative before the end and, for at least four seconds, a clearly (1) identifiable photo or similar image of the candidate who is making the expenditure and (2) readable printed statement identifying the candidate and indicating that he or she approved the advertising.

## § 3 — SEEC AUDITS

*Reduces the maximum percentage of candidate committees SEEC may audit after an election or primary from 50% to 20%; requires SEEC to complete the audits within 12 months after a committee is selected and report to the legislature on its compliance*

## OLR PUBLIC ACT SUMMARY

State law authorizes the State Elections Enforcement Commission (SEEC) to audit candidate committees after elections and primaries for compliance with campaign finance laws. The act reduces, from 50% to 20%, the maximum percentage of candidate committees that SEEC may audit as determined by a weighted lottery system. The act also requires that the weighted lottery be duly noticed and open to the public.

The act also creates a deadline by which the commission must complete these audits and issue its findings. Specifically, an audit of a candidate committee must be completed within 12 months of the committee's selection.

Relatedly, the act requires SEEC, starting by January 1, 2026, to annually submit a report to the Government Oversight Committee detailing any audits during the prior calendar year that it was unable to complete within the required period, along with the reasons for failing to do so.

### §§ 4-6 — SEEC AUTHORITY

*Subjects SEEC declaratory rulings, advisory opinions, and guidance documents to certain restrictions or oversight requirements; requires SEEC to publish a list of materials that treasurers must maintain and submit for audit compliance*

#### *SEEC Guidance Procedures (§ 4)*

The law generally authorizes SEEC to oversee and advise on state campaign finance laws. The act explicitly requires SEEC to issue declaratory rulings under the Uniform Administrative Procedures Act. It also (1) restricts SEEC from issuing declaratory rulings or advisory opinions on the Citizens' Election Program (CEP) within 180 days of a state election and (2) specifies that this restriction does not limit SEEC's ability to provide general guidance or clarification on the program during this period.

#### *List of Required SEEC Documentation (§ 5)*

The act requires SEEC, starting January 1, 2026, to publish a complete and detailed list of all documentation and internal records that a treasurer of a qualified candidate committee must maintain and give to SEEC to comply with an audit (see § 3 above). Additionally, SEEC must include this list in each guidance document for the CEP that is longer than 40 pages or the equivalent for nonpaginated material. The list may only include documentation and records required by statute, regulation, declaratory ruling, or advisory opinion. Under the act, treasurers may not be held liable for failing to maintain or provide items not on the list.

#### *Submission of Certain Guidance Documents (§ 6)*

Starting July 1, 2025, any new or revised SEEC guidance relating to campaign finance or the CEP that is more than 40 pages long (or the equivalent for nonpaginated material) must be submitted to the Government Oversight Committee

and the four legislative leaders. The committee may hold a hearing within 30 days after the guidance's submission.

The act applies these provisions to documents or materials providing general guidance on the state's campaign finance laws or laws regarding the CEP and any guidebooks, factsheets, FAQs, newsletters, and training modules, including presentation decks and slides. However, it does not apply to any regulations, declaratory rulings, or advisory opinions.

## §§ 7 & 8 — CEP QUALIFYING CONTRIBUTIONS

*Makes various changes regarding CEP qualifying contributions and aggregate fundraising amounts, including when and how they are adjusted for inflation, procedures for returning and reviewing nonqualifying contributions, and grant application requirements*

### *Inflationary Adjustments (§ 7)*

By law, candidates qualify for the CEP by raising a certain number of qualifying contributions (QCs), which must come from individual donors. Individual QC amounts may range from \$5 to \$250.

To qualify for the CEP, a candidate must also raise an overall threshold amount of QCs from individual donors. The law also requires candidates for (1) governor and other statewide offices to raise a specified amount from state residents and (2) state legislators to receive contributions from a minimum number of people residing in their district. The aggregate threshold amounts specified in law vary depending on the office sought.

State law requires SEEC to adjust the maximum individual QC amount and the aggregate contribution amounts for inflation. Under existing practice, candidates may obtain QCs before these adjustments occur, but the candidates cannot collect more than the statutory maximum of \$250 until the adjustment goes into effect.

The act requires that starting December 15, 2025, the adjusted individual QC amount continue to apply until SEEC makes its next inflationary adjustment. Under the act, if the maximum QC amount would be lower after being adjusted for inflation, the adjustment must not take effect, and the maximum from the immediately preceding adjustment must be maintained.

Under prior law, SEEC had to (1) publish the adjusted QC and aggregate contribution amounts by January 15 in the year of the applicable election and (2) base the adjusted amounts on inflationary changes from January 1 in a specified year through December 31 in the year before the adjustment must be made (e.g., through December 31, 2023, for the 2024 election).

Starting with the 2026 elections for legislative offices and the 2030 elections for statewide offices, the act shifts these dates back 16 days and requires SEEC to publish the adjusted QC and aggregate contribution amounts by December 15 in the applicable year and base them on inflationary changes between December 1, 2016, to November 30 of the adjustment year.

### *Return of QCs (§ 7)*

## OLR PUBLIC ACT SUMMARY

Under existing law and the act, a contribution is not a QC if (1) it is from a principal of a state contractor or prospective state contractor, (2) it is less than five dollars, (3) the contributor does not provide his or her full name and address, (4) it is from an out-of-state resident to a candidate for statewide office and exceeds the applicable limit on out-of-state contributions, or (5) the contributor is under age 12.

If a candidate committee receives a contribution that does not meet the QC criteria, prior law authorized the committee's treasurer to either (1) return it to the contributor or (2) submit it to SEEC for deposit in the Citizens' Election Fund (CEF, which funds the CEP).

The act instead generally requires treasurers to (1) return nonqualifying contributions if they were (a) received from state contractor principals, out-of-state residents, or underage children or (b) less than five dollars or (2) donate these nonqualifying contributions to a 501(c)(3) charitable organization. If the contribution is for five dollars or more and from a contributor who did not provide his or her full name and address, the treasurer must return the contribution, if practicable, or transmit it to SEEC for deposit in the CEF.

### *Grant Applications (§ 8)*

Under existing law, candidates seeking a CEP grant must file an application and a cumulative itemized accounting with SEEC and include a written certification that, among other things, the applicant has complied with the law's requirements for returning nonqualifying contributions.

Under the act, this certification must instead certify that the applicant has (1) whenever practicable, returned contributions of five dollars or more from a person who did not include their name and address; (2) taken reasonable efforts to return all other nonqualifying contributions; and (3) transmitted any excess contributions to the CEF.

### *SEEC Review of Grant Application (§ 8)*

For QCs submitted to SEEC as part of a CEP grant application, the act requires the commission to (1) notify the candidate committee about any contribution that does not meet the QC criteria and (2) return any nonqualifying contributions to the treasurer. Under the act, SEEC must also cite the applicable statutory reason for its determination. For deeming a contribution a qualifying contribution, the act also establishes a rebuttable presumption that all information on a contribution certification form is accurate, which may only be rebutted by proof to the contrary based on the commission's prior investigative findings.

The act prohibits the commission from disqualifying a contribution because the (1) residential and acting addresses associated with the contribution do not match or (2) contribution was made in response to an electronically shared link to a fundraising website or fundraising event invitation.

Under state law, when the commission approves a CEP grant application it must notify the state comptroller and the qualifying candidate committee about the total grant amount to be received. (Generally, committees that apply at least 71 days

before an election receive a full grant, while those that apply later receive a percentage of the full grant based on when they apply.)

The act requires the commission, when it notifies the comptroller, to ensure and advise him that the qualified candidate committee is entitled to the full grant because the committee has submitted (1) an affirmation, as part of its written certification, that the committee received the required QCs at least 71 days before the election and (2) a cumulative itemized accounting that demonstrates the committee reasonably believes the certification to be accurate (see above).

## § 9 — LIVESTREAM OF COMMISSION MEETINGS

*Requires SEEC to livestream its meetings*

The act requires all SEEC meetings noticed under the Freedom of Information Act to be livestreamed on an Internet website included in the meeting's notice. The website may not require any member of the public to (1) create an account to access the site or (2) take action to reconnect to the meeting if the commission goes into executive session. The act specifies that this does not require broadcasting an executive session of the commission.

## § 9 — APPOINTMENT OF SEEC EXECUTIVE DIRECTOR

*Modifies conditions under which SEEC may appoint or reappoint its executive director*

Under state law, SEEC may hire employees needed to administer the state's campaign finance laws, including its executive director. The act established a legislative appointment process for the executive director position, including when the position is vacant (PA 25-174, §§ 226-227 generally repeals and replaces these provisions).

This act's appointment process would have required (1) SEEC to submit a nomination for the executive director position to the legislature by February 1, 2027, and then every four years after that and (2) both chambers to immediately refer the nomination to the Executive and Legislative Nominations Committee, which would have had to report on the nomination by resolution within 15 days after the referral.

Both legislative chambers would have had to either confirm or reject the nomination through a resolution. If approved by both, the nominee would have taken office on March 1 of the year his or her appointment was submitted.

If either legislative chamber rejected the nominee before March 1, or if the position became vacant during the regular legislative session, the commission would have been required to submit a nominee within 30 days after the rejection or vacancy occurred. The act's process required the legislature to follow the regular appointment process for approving the nominee, except the committee resolution must have been made within 15 legislative days instead of 15 calendar days as under the initial process. If the nominee was approved by a resolution within 30 calendar days after the submission, he or she would have served at the commission's pleasure, but for no longer than the original appointment's remaining

term of office. If the House or Senate rejected the nomination within that period, SEEC generally would have had to submit a new nomination.

If a nomination was submitted less than 30 days before the General Assembly's constitutionally required adjournment date and it did not act on the nomination, or if a vacancy occurred while the legislature was not in session, the act would have allowed the commission to fill the position until the sixth Wednesday of the next regular legislative session. At the beginning of that session, SEEC would have had to submit a nominee, and the legislature would follow the process outlined above for a vacancy during a regular session. The act prohibited someone who was nominated and rejected by the legislature from serving as executive director during the legislative term in which he or she was rejected.

PA 25-174 generally repeals these provisions and instead requires the commission, by March 1, 2027, and every four years after, to appoint a person to serve at its pleasure for a four-year term starting March 1 of the nominating year. If a vacancy occurs, PA 25-174 requires the commission to appoint a replacement for the remainder of the term.

Under PA 25-174, before SEEC reappoints its executive director for an additional four-year term at the end of his or her first term, the Government Administration and Elections and Government Oversight committees must hold a joint public hearing for the executive director to appear and discuss SEEC's operations, achievements, and future initiatives, as well as the health of the CEP. PA 25-174 also limits an executive director to one reappointment.

## §§ 10 & 11 — CONTRIBUTION AND EXPENDITURE EXEMPTIONS

*Increases the maximum amounts an individual or group may spend on certain events for invitations, food, and beverages without being subject to certain campaign finance requirements*

Generally, state law subjects "expenditures" and "contributions" by candidate, party, and political committees to campaign finance reporting requirements, with certain exemptions. These exemptions include certain amounts spent by an individual on behalf of any candidate or committee for invitations, food, and beverages served at the individual's residence or a community room in the facility in which they reside. The invitation, food, and beverage may be provided on behalf of a candidate committee, regardless of CEP participation, and party, political, or slate committees.

Under prior law, the exempted amount for an individual could not exceed \$400 for a single event and \$800 for the calendar year or a single election. Prior law also exempted up to \$800 for any event hosted by two or more individuals, subject to the cumulative total noted above, if they owned or resided at the residential premises.

The act increases the maximum for a single event by \$100, to \$500. It also increases the cumulative maximum and the maximum for joint events by \$200, to \$1,000.