

State Elections Enforcement Commission

Public Act 25-26

Agency Implementation Plan of Action

July 9, 2025



Sections of the Act – *effective July 1, 2025*

PA 25-26 Sections	Affected Statute	Descriptions
Sec. 1	§§9-601 (25) and (26)	CEP contribution solicitation changes
Sec. 2	§9-621 (a) to (c)	Elimination of attributions in certain circumstances
Sec. 3	§9-7b (a) (5) (B)	PER lottery: open to public; 20% rather than 50%; must be finished in a year & report to legislature if not
Sec. 4	§9-7b (a) (14)	Declaratory Rulings or Advisory Opinions may not be issued within 180 days of state election
Sec. 5	New	Must publish list of PER docs and can't ask for what isn't on list
Sec. 6	§9-7b (c)	review by Oversight Committee & Leadership of guidance over 40 pgs
Sec. 7	§9-704 (c) to (e)	Consumer Price Index adjustments & Provisions for return of buffer
Sec. 8	§9-706 (b) to (d)	Many changes to the CEP grant application & solicitation standards
Sec. 9	§9-7a (b) to (d)	Commission meetings must be livestreamed Executive Director hiring; superseded by PA 25-187, sec.226
Secs. 10 & 11	§§9-601a (b) & 9-601b (b)	House Party limits increased

General Plan for Moving Forward

- Revise and release guidance for ongoing municipal race, contribution amounts for 2026, attributions, and the requirements for the convention grant
- Identify interpretation issues for decision
- Explore clarifying through regulations or declaratory rulings
- Revise grant application processes
- Solidify Post Election Review process used for 2024 for future
- Hold lotteries in public and pull only 20% for post election review
- Issue regs with clarity on post election review documents & other changes

Section 1 & 8: CEP Contribution Solicitation

Summary of the Act

- Section 1 changes the definition of “organization expenditures” to allow party, leadership and caucus committees to allow:
 - 1-sharing the electronic sharing of content created by those committees or candidate on behalf of a candidate,
 - 2-the use of a personal electronic mail list or an existing electronic mail account for such purposes and other similar de minimis activity that may or may not be related to fundraising.
- also changes definition of solicitation to allow these committees to electronically share fundraising links & invitations
- Section 8 changes grant application process: Commission must now qualify contributions made in response to an electronically shared link to a fundraising internet site or invitation to a fundraising event.

Action Steps

- Clarify through regs or declaratory ruling
- Implement changes to grant application process
- Update guidance and, where guidance is over 40 pages, submit for review

Section 2: Changes to Attributions

Summary of the Act

- Removes the requirement to include the treasurer's name in the attribution
- Allows attributions for text messages to appear only in an initial text message or a link within the message body to an Internet web site with attribution
- Removes the requirement for videos to include an audio message from the candidate (in addition to the written attribution)

Action Steps

- Issue addendums to guidebooks and trainings related to the municipal cycle and submit for review - done
- Clarify through regs
- Update remaining guidance and, where guidance is over 40 pages, submit for review

Sec. 3: Post Election Review Lottery

Summary of the Act

- Requires public notice and access to lottery
- Limits review to only 20% of General Assembly (still review 100% of statewide committees)
- Requires completion of PERs within one year of holding the lottery
- Requires a January 1 report to Government Oversight Committee concerning post election reviews that the commission was unable to complete during the twelve-month period and, including the reasons for such inability to complete such audits

Action Steps

- Latest lottery held at Legislative Office Building –for latest special election
- Move lottery date from November to mid-March as July terminations will only provide nine months for lottery.
- Issue Regs concerning new process
- Update internal audit codes
- Report due by January 1, 2026 if unable to complete within one year period and why

Section 4: Declaratory Rulings & Advice of Counsel Opinions

Summary of the Act

- Declaratory Rulings and Advisory Opinions can not be issued during the one-hundred-eighty-day period immediately preceding a state election

Action Steps

- Publicly announce cut-off date prior to election
- Identify any issues that need clarified through rulings and address before May 7, 2026
- After this date advice will have to be issued by staff without a chance for public comment or Commission vote

Section 5: Documents Required for Audits

Summary of the Act

- Publish a list of documentation and internal records that a CEP treasurer is required to provide during post election review
- Include list in each guidance document that exceeds forty pages in length
- List to include only documentation and internal records that are required by statute, regulation, declaratory ruling or advisory opinion to be so maintained and furnished
- Treasurer may not be held liable for failing to maintain or furnish any documentation or internal record that is not contained in such list.

Action Steps

- Issue regulations on treasurer documents that must be maintained
- Update internal audit standards
- Include new guidance as an addendum to the CEP guide and submit to legislature

Section 6: Submission to Legislature of all written advice over 40 pages

Summary of the Act

- Prior to publication of new guidance documents over forty pages, or revisions to them, submit to each:
 - four legislative leaders
 - the joint standing committee of the General Assembly having cognizance of matters relating to government oversight
- They may then hold a hearing within thirty days after the date of submittal to such committee but no vote may be taken

Action Steps

- Already conducted an inventory of all agency guidance documents
- Submit guidance over 40 pages
- Have already submitted addendums to the three guidebooks relevant to the ongoing municipal races
- Are submitting to GO, GAE, state librarian, four caucuses and legislative clerks.

Section 7: CPI Adjustments

Summary of the Act

- Very little change for 2026 cycle
 - For the General Assembly, the cpi adjustment is made one month earlier
- Following the December 2025 cpi adjustment for inflation, contribution limits will remain at that level until the next upward adjustment is made
- For 2030 Statewide races, the cpi adjustment to the qualifying contribution amount will be made at the beginning of the four-year cycle

Action Steps

- Updated contribution chart was issued July 3 - done
- Adjustment to the qualifying contributions for General Assembly will be made December 15, 2025 rather than January 15, 2026 (Until then the qualifying contribution amount is \$250)
- Second round of cpi adjustments for statewide races January 15, 2026
- Updates to guidance each round
- Overview regarding Gubernatorial Convention Campaign Grants and differences in qualifying thresholds was issued July 3 - done

Section 7 & 8: Return of Non-Qualifying Contributions

Summary of the Act

- Advise CEP treasurer of determination that contribution did not qualify and cite reason and provision of law for determination
- return the contribution to such treasurer based on the information provided on the applicable contribution certification form
- Treasurer may return to contributor or give to 501 (c) (3) charity
- Special rules for contributions from an individual who does not provide the full name & complete address:
 - shall not be deemed to be a qualifying contribution
 - returned to the contributor by treasurer, if practicable, or transmitted to the State Elections Enforcement Commission for deposit in the Citizens' Election Fund.

Action Steps

- Establish return of non-qualifying contribution process – possibly through regulation
- Revise guidance
- Revise Form 10 and Form 15

Sections 7 & 8: Changes to grant application review

Summary of the Act

- New presumption that information provided on a contribution certification form is true and correct, which presumption may only be rebutted by proof to the contrary based on a prior investigative finding of the commission

Action Steps

- Analyze grant application codes and revise grant application process
- Clarification as to what “prior investigative finding of the commission” means?
- Clarification as to consequences for candidate, treasurer & contributor if contributions were fraudulent & discovered after election

Section 7 & 8: Changes to grant application review cont.

Summary of the Act

- No longer disqualify any contribution from being deemed a qualifying contribution for reason that
 - (i) the residential address associated with such contribution does not match the billing address associated with such contribution, or
 - (ii) such contribution was made in response to an electronically shared link to a fundraising Internet web site or invitation to a fundraising event.

Action Steps

- Analyze grant application codes and revise grant application process
- Clarification as to consequences for candidate, treasurer & contributor if contributions were fraudulent & discovered after election

Section 8 - Application of grant reduction schedule

Summary of the Act

9-706 (d) (3) If the commission approves an application, the commission shall determine the amount of the grant payable to the candidate committee for the applicant pursuant to section 9-705 from the fund, and notify the State Comptroller and the candidate of such candidate committee of such amount. In so notifying the State Comptroller, the commission shall

(A) ensure that the qualified candidate committee of an applicant is entitled to a full grant for the general election campaign only if

- (i) the applicant's written certification under subsection (b) of this section affirms that such committee received the required qualifying contributions under section 9-704, as amended by this act, prior to the seventieth day before the election, and
- (ii) the cumulative itemized accounting under subsection (c) of this section demonstrates that the applicant reasonably believes such written certification to be true and correct, and

(B) advise the State Comptroller accordingly.

Action Steps

- Clarify how this changes our current processes with respect to the grant reduction schedule
- Adjust guidance as needed

Section 9: Meetings in Public

Summary of the Act

- Commission meetings must be broadcast contemporaneously and continuously on internet web site that does not require that any member of the public create an account to gain access or reconnect to such broadcast after executive session.

Action Steps

- Have already moved to YouTube and adjusted processes
- New: must also broadcast in-person meetings

Sections 10 & 11: House Party Limits

Summary of the Act

- Increases the maximum for a single event by \$100, to \$500 and increases the cumulative maximum and the maximum for joint events by \$200, to \$1,000

Action Steps

- Update guidance with new limits to this exception to the definitions of contribution and expenditure –
 - Already revised FAQs for house party guidance
 - Already submitted change in handbook to legislature
 - Need to issue for state race guidance factsheet and handbook update