



# STATE ELECTIONS ENFORCEMENT COMMISSION CITIZENS' ELECTION PROGRAM OVERVIEW

## 2016 General Assembly Primary and General Elections

Chapter 157 of the Connecticut General Statutes establishes the Citizens' Election Program (the "Program"), a voluntary program which provides public financing to qualified candidates for statewide offices and the General Assembly. The Program is financed by the Citizens' Election Fund, which receives funds primarily from the proceeds of the sale of abandoned property in the State of Connecticut's custody, as well as voluntary donations.

Candidates running for the office of State Senator or State Representative in 2016 may join the Program.

Although participation in the Program is voluntary, certain requirements apply to *all* candidate committees for candidates for the General Assembly. For example, all such candidates must file an affidavit of intent to abide by Program requirements (SEEC Form CEP 10) or an affidavit of intent not to abide by Program requirements (SEEC Form CEP 11) (with the exception of candidates who have filed a 1B exemption from forming a candidate committee – they are presumed to be nonparticipating and are not required to file either form). Additionally, all candidates must be aware of various disclosure requirements, including supplemental campaign finance disclosure reports.

The State Elections Enforcement Commission (the "Commission") is the filing repository for all campaign forms and disclosure statements filed for General Assembly candidates. The Commission is also responsible for administering the Program and monitoring compliance with Program requirements.

### Program Goals

The voluntary public financing Program is designed to improve the electoral process in the following ways:

1. Allowing candidates to compete without reliance on special interest money;
2. Allowing statewide officers and legislators the ability to make decisions free of the influence of, or the appearance that they have been influenced by, donations from special interests;



3. Restoring public confidence in the electoral and legislative processes;
4. Increasing meaningful citizen participation; and
5. Providing the public with useful and timely disclosure of campaign finances.

To participate, candidates must agree to abide by certain requirements, including strict contribution and expenditure limits and mandatory financial disclosures.

### **Affidavit of Intent to Abide or Affidavit of Intent Not to Abide**

All General Assembly candidates are required to file an affidavit with the Commission, with the exception of candidates who have filed a 1B exemption from forming a candidate committee - they are presumed to be nonparticipating and are not required to file either form. Candidates who elect to participate in the Program ("participating candidates") must complete the Affidavit of Intent to Abide by Expenditure Limits and Other Program Requirements (SEEC Form CEP 10). Candidates who elect not to participate in the Program ("nonparticipating candidates") must complete the Affidavit of Intent Not to Abide by Expenditure Limits (SEEC Form CEP 11). *Candidates in an exploratory committee should not file an Affidavit of Intent until they dissolve the exploratory committee and form a candidate committee.*

The deadline to opt in or out of the Program depends on whether or not a candidate is in a primary. A candidate in a primary who does not join the Program by the primary deadline cannot later join the Program for the general election.

<b>Election Cycle</b>	<b>Filing Deadline for Affidavit</b>
<b>Primary</b>	July 15, 2016 4:00 PM
<b>General Election</b>	September 29, 2016 4:00 PM

**Important Note:** Candidates who intend to participate in the Program must declare their party status on the Affidavit of Intent to Abide by Expenditure Limits and Other Program Requirements (SEEC Form CEP 10). A candidate who changes his or her party status, or becomes a candidate for a different party or a petitioning candidate *after* filing the Affidavit of Intent, will *not* be eligible to apply for a Program grant.



## Qualifying Threshold – Demonstrating Public Support

To qualify for public financing, candidates must demonstrate they have adequate support from the public. Candidates accomplish this by meeting a three-part “threshold”:

1. Candidates must raise an *aggregate amount* of small-dollar monetary contributions (between \$5 and \$100) from individuals (“qualifying contributions”). The threshold amount varies based on the office sought, as set forth in the chart below;
2. Candidates must receive such contributions from a certain number of individuals residing in the district (“in-district contributions”) where the candidate seeks nomination or election for General Assembly. The threshold number of such individual contributors varies based on the office sought, as set forth in the chart below; **and**
3. Candidates must obtain access to the ballot, as discussed below. The method of ballot access is part of the process to measure public support and therefore determine the grant amount of a qualified candidate committee.

## Qualifying Contributions

Qualifying contributions are small-dollar monetary contributions from individuals, and do not include in-kind contributions, personal funds or loans. Qualifying contributions must be fully disclosed and adequately documented. Principals of current and prospective state contractors, as well as minors under the age of twelve, may *not* make qualifying contributions.

Qualification Thresholds for General Assembly Offices		
Office Sought	Aggregate Contribution Requirement— Individuals Only	Minimum Individual Resident Contributions Between \$5 - \$100
State Senator	\$15,000	300 residents of municipalities included, in whole or in part, in the district
State Representative	\$5,000	150 residents of municipalities included, in whole or in part, in the district



**Important Note:** The Commission has sample contributor certification forms, available on its website, which committees are **strongly encouraged** to use as they assist in collecting all required contributor information, including state contractor certifications. Committees that will be collecting online contributions should contact their Candidate Services Liaisons **before** their website goes live so that agency staff can first review the site and ensure that it is compliant. The Commission also has sample online contribution forms available on its website which committees are encouraged to model their websites after, including using the same field names and certification language.

### Candidate’s Personal Funds

The Program permits participating candidates to provide a limited amount of personal funds to their campaigns. Candidates may only provide such personal funds to their campaigns **before applying for an initial grant**. The grant will be reduced by the amount of any *allowable personal funds provided*. Personal funds do *not* constitute qualifying contributions.

Office Sought	Maximum Allowable Personal Funds
State Senator	\$2,000
State Representative	\$1,000

### Loans to the Candidate Committee

The Program expressly limits the aggregate amount and permissible sources of any loans provided to the candidate committees of candidates intending to participate in the Program to an aggregate of \$1,000 from financial institutions. The term “financial institution” includes a bank, Connecticut credit union, federal credit union, an out-of-state bank that maintains a branch in this state and an out-of-state credit union that maintains an office in this state.

The \$1,000 loan limit applies to candidate committees of candidates seeking any legislative office covered by the Program. Program requirements further provide that any such borrowed funds do *not* constitute qualifying contributions. The candidate committee of a participating candidate must repay all outstanding loans *before* applying for a grant from the Citizens’ Election Fund.



No person, political committee, or party committee can endorse or guarantee a loan or aggregate loans exceeding \$500, except the candidate. In a general election, a state central committee may endorse or guarantee a loan or aggregate loans from financial institutions up to \$1,000.

## **Ballot Requirement**

As noted earlier, in addition to raising the required amount of qualifying contributions, candidates must also qualify for the ballot to be eligible to receive public funds. This ballot requirement applies in any primary, election or special election. The Office of the Secretary of the State administers the ballot qualification process. For more information, contact the Office of the Secretary of the State, Legislative and Election Administration Division at 860-509-6100 (or toll-free at 800-540-3764).

**Important Note:** The grant amount may vary depending on how a candidate qualifies for the ballot.

## **Voluntary Opportunity for Early Filing and Review**

The Commission has created a program whereby interested candidate committees may voluntarily submit a disclosure, which will allow for a preliminary review of contributions reported therein. The feedback provided by this review will let you know, in advance of your application, which contributions will likely be deemed qualifying, so you have a better sense of how many more contributions you will need to collect. In addition, this preliminary review will identify any mistakes that you have made in reporting or documenting contributions so that you will have more time to correct them. This process also teaches you how to avoid similar errors for future contributions you collect.

Taking advantage of this early review greatly increases a committee's likelihood of avoiding grant application continuances and delays in the release of grant monies.

The interim filing is done in the same manner as any other filing, using SEEC Form 30 in eCRIS. Contact your Candidate Services Liaison for more information on how to submit the filing through eCRIS.



## Grant Application Package

The grant application package contains four parts:

1. A completed and signed grant application form (SEEC Form CEP 15);
2. A completed and signed campaign finance disclosure statement (SEEC Form 30) that itemizes all financial activity since the last filed disclosure statement, complete as of no more than three days before the date of submission;
3. Copies of documentation of qualifying contributions provided to the candidate committee (Qualifying Contribution Certification Forms or other required documentation); and
4. A committee check made out to "Citizens' Election Fund" for the amount of any excess qualifying contributions (i.e., the "buffer").

The 2016 Grant Application Calendar of weekly application deadlines is published on the Commission's website, [www.ct.gov/seec](http://www.ct.gov/seec).

Candidates are encouraged to apply for a grant as soon as they have obtained ballot access and raised qualifying contributions to the qualifying thresholds. Candidates may apply as early as the third week in May. The **final application deadline** for a **primary grant is by 5:00 p.m. on July 15, 2016**. The **final application deadline** for a **general election grant is by 5:00 p.m. on October 14, 2016**.

**Important Note:** Candidates, treasurers, and deputy treasurers are encouraged to review the Grant Application Checklist, available on the [Commission's website](http://www.ct.gov/seec), **at the start of the campaign and throughout**, to ensure that the campaign will be in good shape when it is ready to apply.

## Grant Amounts

A candidate's eligibility for a public grant hinges on demonstrating significant public support. The Program bases a candidate committee's grant amount on the level of public support as demonstrated by how each candidate qualifies for the ballot, and, in some instances, by a show of support based on the number of nominating petition signatures a candidate obtains (as set forth below). In some circumstances, a candidate may utilize the nominating petition process to qualify for a grant, or, if already eligible for a partial grant, to increase the amount of the grant if the candidate receives enough nominating petition signatures to meet certain thresholds demonstrating significant public support.



## Primary Grants

Eligible candidates who qualify for the ballot in a primary may apply for a primary grant. After the party conventions, caucuses or town committee meetings are held to endorse a party candidate, the Secretary of the State certifies which candidates will face primary contests. In order to be eligible for a primary grant, the candidate must qualify for a place on the ballot pursuant to state election laws and the primary must be scheduled.

The following chart sets forth the primary grant amounts for eligible candidate committees. The amount of the primary grant is reduced by the allowable amount of personal funds, if any, provided by the candidate during the qualifying period.

Nomination Sought	Primary Grant Amount
State Senator	\$39,410
State Representative	\$11,260

**Important Note:** The qualified committee of a candidate who receives a primary grant, and then wins the party nomination through a primary election, does *not* have to re-apply for a grant for the general election. However, any unspent primary grant funds that remain in the candidate's account will be subtracted from the general election grant. Any such candidate who wins the primary is required to submit a campaign finance disclosure statement after the primary in order to determine the amount of the general election grant.

## General Assembly Candidates in "Party-Dominant" Districts

A "party-dominant" district is one in which the percentage of active electors (registered voters) in the district who are enrolled in a major party exceeds the percentage of active electors in the district who are enrolled in the other major party by at least twenty percentage points.

Candidates in the dominant party in the "party-dominant" district are eligible for larger grants in primary campaigns.

"Party Dominant" Districts	"Party Dominant" Grant Amount
State Senator	\$84,450
State Representative	\$28,150



## General Election Grants

### **Full General Election Grants (20% threshold)**

A candidate committee of a qualified candidate who obtains ballot access for the general election by meeting at least a *20% threshold*, and who raises the required threshold of qualifying contributions, may be eligible to receive a full general election grant. A candidate may achieve the 20% threshold as follows:

- **Obtaining the nomination of a major party.** A major party is defined as a political party or organization whose candidate for Governor in the most recent gubernatorial election received *at least 20%* of the whole number of votes cast for all candidates for Governor while running as a member of that party, or a political party having a number of enrolled members on the active registry list equal to *at least 20%* of the total number of enrolled members of all political parties on the active registry list in the state at the time of the last gubernatorial election.
- **Obtaining the nomination of a minor party whose candidate seeking election for the same office in the same district at the last preceding regular election received at least 20% of the votes cast for that office.** A minor party is defined as a political party that is not a major party and whose candidate for the office in question received at the last-preceding regular election for such office, under the designation of that political party or organization, at least 1% of the whole number of votes cast for all candidates for such office at such election.
- **Utilizing the nominating petition procedure to obtain ballot access (petitioning candidates), and to further obtain petition signatures by electors equaling at least 20% of the votes cast for that office in the prior general election.**

Nomination Sought	Full General Election Grant Amount
State Senator	\$95,710
State Representative	\$28,150

Grant amounts are reduced by the amount of any unspent primary funds (if the candidate's committee received a primary grant) and by any personal funds provided by the candidate.





**Important Note:** Grant amounts for candidates nominated by a major party may be reduced to 30% of the full amount if the candidate is unopposed in the general election, and may be reduced to 60% of the full amount if the candidate faces only a minor party or petitioning opponent who has not raised an amount equal to the qualifying threshold level for that office.

Office Sought	30% Grant Amount (unopposed major party candidate)	60% Grant Amount
State Senator	\$28,713	\$57,426
State Representative	\$8,445	\$16,890

### ***Two-Thirds Grant Amount (15% threshold)***

A candidate committee of a qualified candidate who obtains ballot access for the general election by meeting at least a *15% threshold*, and who raises the required threshold of qualifying contributions, may be eligible to receive a general election grant in the amount of two-thirds of the full amount. A candidate may achieve the fifteen percent (15%) threshold as follows:

- ***Obtaining the nomination of a minor party whose candidate is seeking election for the same office in the same district at the last preceding regular election received at least 15% of the votes cast for that office.***
- ***Utilizing the nominating petition procedure to obtain ballot access (petitioning candidates), and to further obtain petition signatures by electors equaling at least 15% of the votes cast for that office in the prior general election.***

Nomination Sought	Two-Thirds Grant Amount
State Senator	\$63,806.67
State Representative	\$18,766.67



### **One-Third Grant Amount (10% threshold)**

A candidate committee of a qualified candidate who obtains ballot access for the general election by meeting at least a *10% threshold*, and who raises the required threshold of qualifying contributions, may be eligible to receive a general election grant in the amount of one-third of the full amount. A candidate may achieve the 10% threshold as follows:

- ***Obtaining the nomination of a minor party whose candidate seeking election for the same office in the same district at the last preceding regular election received at least 10% of the votes cast for that office.***
- ***Utilizing the nominating petition procedure to obtain ballot access (petitioning candidates), and to further obtain petition signatures by electors equaling at least 10% of the votes cast for that office in the prior general election.***

<b>Nomination Sought</b>	<b>One-Third Grant Amount</b>
<b>State Senator</b>	\$31,903.33
<b>State Representative</b>	\$9,383.33

**Important Note:** If a candidate nominated by a minor party for the same office representing the same minor party in the prior regular election received less than ten percent (10%) of the votes cast for that office, the eligible minor party candidate in the current election may qualify for a grant by gathering signatures on nominating petitions approved by the Secretary of the State.

### **Committees of Candidates Who Receive One-Third or Two-Thirds of the Full Grant Amount May Raise “Differential Contributions”**

Minor party or petitioning candidates who receive less than the full grant amount may continue to raise and spend additional contributions, known as “differential contributions,” which must meet the criteria for qualifying contributions, up to the amount of the full applicable grant for the general election for that office.



## **Committees of Candidates Who Receive One-Third or Two-Thirds of the Full Grant Amount May Be Eligible For Post-Election Grant**

Minor party or petitioning candidates who receive a one-third or two-thirds grant amount and report a deficit in post-election disclosure statements may also be eligible to receive supplemental grant money, depending on the percentage of votes received by such candidate.

### **Expenditure Limits**

- Expenditures made or incurred during the period before a primary campaign or general election campaign (the "**pre-primary/pre-general election period**") are limited to the required amount of qualifying contributions, plus any allowable personal funds the candidate provides to the candidate committee. This period ends with the commencement of the primary campaign period or the general election campaign period, as discussed below.

<b>Expenditure Limits During "Pre-Primary/Pre-General Election Period"</b>			
<b>Office Sought</b>	<b>Qualifying Amount</b>	<b>Maximum Allowable Amount of Candidate's Personal Funds</b>	<b>Maximum Expenditures During Period</b>
<b>State Senator</b>	\$15,000	\$2,000	\$15,000 - \$17,000
<b>State Representative</b>	\$5,000	\$1,000	\$5,000 - \$6,000

- For candidates for the district office of State Senator or State Representative, the **primary campaign period** begins the day after the close of the state or district convention held to endorse such candidate. For candidates for the municipal office of State Senator or State Representative, the primary campaign period begins the day after the close of the caucus, convention, or town committee meeting held to endorse such candidate. The primary campaign period ends on the day of the primary election.
  - The **primary campaign period** limit is calculated by adding the amount of the primary grant, and any unspent qualifying contributions or unspent personal funds provided by the candidate.



- If a primary is held, the **general election campaign period** for the candidate nominated at the primary begins the day after the primary. If there is no primary, the general election campaign period begins the day after the candidate is nominated. The general election campaign period ends the day the campaign treasurer files the final required campaign finance disclosure statement.
  - The **general election campaign period** limit is calculated by adding the amount of the general election grant, and any unspent qualifying contributions or unspent personal funds provided by the candidate.

## Permissible Expenditures

- Public funds may be used only for campaign-related expenditures made to advance the participating candidate's campaign.
- Campaigns must maintain detailed documentation indicating that campaign expenditures were made to directly further the participating candidate's campaign. Such documentation should be created at the time of the transaction.
- Campaign records are subject to comprehensive examinations to ensure compliance with Program requirements.

### Permissible Expenditures for participating candidates include, but are not limited, to:

- **Political campaign advertising expenses**, such as advertisements in any communication medium; production or postage costs related to customary campaign items, such as flyers, signs, stickers, t-shirts, hats, buttons;
- **Campaign promotional events**, including expenditures for food, space rental, staff and entertainment at such events;
- **Polling or get-out-the-vote activities** in furtherance of the participating candidate's campaign;
- **Food and beverages for campaign workers** not to exceed \$15 per person for breakfast, \$20 per person for lunch, or \$30 per person for dinner;
- **Salaries for campaign staff or consultants**, provided a written agreement is signed *before* the performance of any work or services, and contemporaneous detailed records are kept documenting the work performed or services rendered (for example, timesheets, work logs, etc.);



- **Campaign office expenses**, including office rent (with a written lease) and office supplies, equipment, and furniture; and
- **Limited post-election expenses**, such as costs of photocopies associated with compliance with the Commission's post-election audit of the participating candidate's campaign.

### **Examples of *Impermissible Expenditures* include:**

- Spending for the personal use of any candidate or individual;
- Payments to the candidate or candidate's family members or the businesses of the participating candidate or any of the candidate's family members;
- Contributions, loans or expenditures to other candidates or committees;
- Payments above fair market value for goods or services received; and
- Expenditures lacking sufficient contemporaneous documentation.

For additional guidance, please see the Commission's Citizens' Election Program Regulations, which can be found on the Commission's website ([www.ct.gov/seec](http://www.ct.gov/seec)).

## **Supplemental Reporting**

### **Candidates in Campaigns with any Participating Candidates**

- Every candidate committee in a primary or general election campaign in which there is at least one participating candidate must file weekly supplemental campaign finance statements with the Commission according to schedules available on the Commission's website ([www.ct.gov/seec](http://www.ct.gov/seec)).
- If you are in a **primary race** with at least one participating candidate, you are required to file an initial supplemental statement on the second Thursday following the July 10th statement and a subsequent supplemental statement is due every Thursday until the date of the primary.
- If you are in a **general election** race with at least one participating candidate, you are required to file an initial supplemental statement on the second Thursday following the October 10th statement and a subsequent supplemental statement is due every Thursday until the date of the general election.

**For more information on the deadline for these filings, please visit the Commission's website at [www.ct.gov/seec](http://www.ct.gov/seec).**



## Excess Expenditure Reporting within 24 to 48 Hours

- Excess expenditures are expenditures made, or obligated to be made, by a participating candidate that in the aggregate exceed the applicable expenditure limit for a participating candidate. A participating candidate's applicable expenditure limit is the sum of the amount of required qualifying contributions plus the amount of the full grant for the applicable primary or general election period.
- Nonparticipating candidates are not required to follow the Program's expenditure limits; however, participating candidates are required to follow the Program's expenditure limits. Accordingly, participating candidates should *not* make excess expenditures. A participating candidate and treasurer of a candidate committee which has received public funds are subject to various penalties if the committee receives excess funds or makes or incurs an obligation to make an excess expenditure.
- If a participating candidate's committee makes or incurs an expenditure exceeding the participating candidate's applicable expenditure limit **more than 20 days before a primary or election**, the treasurer must file a declaration of excess expenditures **within 48 hours** of making or incurring the expenditure.
- If a participating candidate committee makes or incurs an expenditure exceeding the participating candidate's applicable expenditure limit **20 days or less before a primary or election**, the treasurer must file a declaration of excess expenditures **within 24 hours** of making or incurring the expenditure.

## Purpose of Overview Materials

The purpose of this overview is to provide general information about the various rules and requirements of the Program. This document however, is not a substitute for the law, which can be found on the Commission's website, [www.ct.gov/seec](http://www.ct.gov/seec). If you have specific questions you may contact the Commission's Candidate Services Unit at 860-256-2985.