

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In re. Commission Initiated Investigation: Bosak for Senate

File No. 2021-158B

AGREEMENT CONTAINING CONSENT ORDER

This agreement by and between Gerald Bosak of the City of Stamford, County of Fairfield, State of Connecticut (hereinafter “Respondent”) and the authorized representative of the State Elections Enforcement Commission is entered into in accordance with § 9-7b-54 of the Regulations of Connecticut State Agencies and § 4-177(c) of the General Statutes of Connecticut. In accordance herewith, the parties agree that:

1. The Commission initiated this enforcement matter against the candidate and treasurer for the *Bosak for Senate* candidate committee following an audit of the committee by the Commission’s Campaign Disclosure & Audit Unit.
2. The Commission performed an in-depth review of the expenditures of the *Bosak for Senate* candidate committee after the committee’s selection in the random audit lottery conducted following the 2018 election cycle. The candidate Gerald R. Bosak formed the candidate committee on April 16, 2018, to finance his candidacy for election to the 27th state senate seat in the 2018 election cycle. Bosak named Rashmi Patel as his committee treasurer. The candidate committee applied for a grant from the Citizens’ Election Fund and received \$95,710 in grant funds. The candidate committee returned a surplus of \$5,494.84 to the Citizens’ Election Fund after the election.
3. The Commission’s audit of the Bosak committee identified that candidate committee reimbursed the candidate for a political contribution that he had made to a municipal candidate committee.
4. The candidate maintains that the candidate committee inadvertently reimbursed candidate Bosak for a \$250 contribution that he made to the candidate committee of Jackie Pioli, a municipal candidate running for the Stamford Board of Education. The candidate stated that he had paid for the contribution out of his personal funds. Said contribution, which was

made via credit card, was mistakenly included with the credit card receipts which Bosak sought reimbursement from the candidate committee.¹

5. General Statutes § 9-607 requires that all expenditures paid for by a candidate committee must be made to further the election of the candidate who established the candidate committee. Regulations, Conn. State Regs. § 9-706-1 (a) requires that funds in a qualified candidate committee's bank account must be used "to directly further the participating candidate's . . . election." Candidate committees are not permitted to make contributions to other candidate committees. *See* General Statutes § 9-616 (a)(5) (prohibiting contributions from candidate committees to other candidate committees). The candidate committee may only reimburse expenditures that are permissible expenditures that are supported by receipts detailing the nature of the expenditures and how they support the candidate's candidacy.²
6. The candidate bears the responsibility to reimburse the fund for any "impermissible expenditures" that a qualified candidate committee made.³ Candidate Bosak acknowledged that liability when he declared himself a "participating candidate" and agreed to operate under the terms of the Citizens' Election Program.⁴ In this case, the payment that the candidate committee made to the candidate to reimburse him for a political contribution that he made to a municipal candidate committee was an impermissible expenditure. Under General Statutes § 9-703, the candidate must return the money spent on that reimbursement to the Citizens' Election Fund.
7. It is understood and agreed that this agreement will be submitted to the Commission at its next meeting and, if it is not accepted by the Commission, it is withdrawn by the Respondent and may not be used by either party as an admission in any subsequent hearing or against the Company in any proceeding, if the same becomes necessary.

¹ According to the treasurer's response to this complaint, the payment to Pioli by Bosak was made via Bosak's credit card. Bosak provided treasurer Patel his credit card statement, seeking reimbursement for expenses related to his candidate committee. Patel stated that she wrongly reimbursed Bosak for the \$250 contribution to Pioli, believing that the \$250, which was listed as "Jackie Pioli BOE," was a payment to a vendor for campaign services.

² *See* General Statutes § 9-607 (j) (detailing required documentation and information necessary to support reimbursement to candidate for expenditures).

³ General Statutes § 9-703 (a) (2) (requiring candidate to repay any funds that were not expended in accordance with General Statutes § 9-607 (g) and regulations adopted by Commission related to expenditures for qualified candidate committees).

⁴ *See* SEEC Form CEP 10 – Affidavit of Intent to Abide by Expenditure Limits and Other Citizens' Election Program Requirements (*Bosak for Senate*, July 6, 2018) at Section B. 2 (reflecting candidate's acknowledgement that he must repay any expenditures made that violated General Statutes § 9-607 (g) or Commission regulations).

8. Respondent waives:

- a. any further procedural steps;
- b. the requirement that the Commission's decision contain a statement of findings of fact and conclusions of law, separately stated; and
- c. all rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered into pursuant to this agreement.

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ORDER

IT IS HEREBY ORDERED THAT the Respondent shall pay the Citizens' Election Fund a total of \$250 for the political contribution that he made, for which he impermissibly received reimbursement from his candidate committee.

The Respondent:

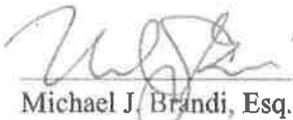
BY:


Gerald Bosak
30 Brightside Drive
Stamford, Connecticut

Dated: 03/31/2022

For the State of Connecticut:

BY:


Michael J. Brandi, Esq.
Executive Director and General Counsel
And Authorized Representative of the
State Elections Enforcement Commission
55 Farmington Ave., 8th Floor
Hartford, Connecticut

Dated: 4/8/22

Adopted this 12th day of April, 2022, at Hartford, Connecticut


Commissioner STEPHEN T. MURPHY
By Order of the Commission