



General Assembly

January Session, 2025

Committee Bill No. 604

LCO No. 5559



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT REDEFINING "STATE CONTRACTOR", "PROSPECTIVE
STATE CONTRACTOR" AND "SUBCONTRACTOR" FOR PURPOSES
OF THE CAMPAIGN FINANCE LAWS.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (f) of section 9-612 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2025*):

4 (f) (1) As used in this subsection and subsections (g) and (h) of this
5 section:

6 (A) "Quasi-public agency" has the same meaning as provided in
7 section 1-120.

8 (B) "State agency" means any office, department, board, council,
9 commission, institution or other agency in the executive or legislative
10 branch of state government.

11 (C) "State contract" means an agreement or contract with the state or
12 any state agency or any quasi-public agency, let through a procurement

13 process or otherwise, having a value of fifty thousand dollars or more,
14 or a combination or series of such agreements or contracts having a
15 value of one hundred thousand dollars or more in a calendar year, for
16 (i) the rendition of services, (ii) the furnishing of any goods, material,
17 supplies, equipment or any items of any kind, (iii) the construction,
18 alteration or repair of any public building or public work, (iv) the
19 acquisition, sale or lease of any land or building, (v) a licensing
20 arrangement, or (vi) a grant, loan or loan guarantee. "State contract"
21 does not include any agreement or contract with the state, any state
22 agency or any quasi-public agency that is exclusively federally funded,
23 an education loan, a loan to an individual for other than commercial
24 purposes or any agreement or contract between the state or any state
25 agency and the United States Department of the Navy or the United
26 States Department of Defense.

27 (D) "State contractor" means a person, business entity or nonprofit
28 organization that enters into a state contract. Such person, business
29 entity or nonprofit organization shall be deemed to be a state contractor
30 until December thirty-first of the year in which such contract terminates.
31 "State contractor" does not include a municipality or any other political
32 subdivision of the state, including any entities or associations duly
33 created by the municipality or political subdivision exclusively amongst
34 themselves to further any purpose authorized by statute or charter, [or]
35 an employee in the executive or legislative branch of state government
36 or a quasi-public agency, whether in the classified or unclassified service
37 and full or part-time, and only in such person's capacity as a state or
38 quasi-public agency employee, or a person based solely on such
39 person's remittance of a fee to a state agency for a license required to
40 conduct business in this state.

41 (E) "Prospective state contractor" means a person, business entity or
42 nonprofit organization that (i) submits a response to a state contract
43 solicitation by the state, a state agency or a quasi-public agency, or a
44 proposal in response to a request for proposals by the state, a state
45 agency or a quasi-public agency, until the contract has been entered into,

46 or (ii) holds a valid prequalification certificate issued by the
47 Commissioner of Administrative Services under section 4a-100.
48 "Prospective state contractor" does not include a municipality or any
49 other political subdivision of the state, including any entities or
50 associations duly created by the municipality or political subdivision
51 exclusively amongst themselves to further any purpose authorized by
52 statute or charter, [or] an employee in the executive or legislative branch
53 of state government or a quasi-public agency, whether in the classified
54 or unclassified service and full or part-time, and only in such person's
55 capacity as a state or quasi-public agency employee, or a person based
56 solely on such person's remittance of a fee to a state agency for a license
57 required to conduct business in this state.

58 (F) "Principal of a state contractor or prospective state contractor"
59 means (i) any individual who is a member of the board of directors of,
60 or has an ownership interest of five per cent or more in, a state contractor
61 or prospective state contractor, which is a business entity, except for an
62 individual who is a member of the board of directors of a nonprofit
63 organization, (ii) an individual who is employed by a state contractor or
64 prospective state contractor, which is a business entity, as president,
65 treasurer or executive vice president, (iii) an individual who is the chief
66 executive officer of a state contractor or prospective state contractor,
67 which is not a business entity, or if a state contractor or prospective state
68 contractor has no such officer, then the officer who duly possesses
69 comparable powers and duties, (iv) an officer or an employee of any
70 state contractor or prospective state contractor who has managerial or
71 discretionary responsibilities with respect to a state contract, (v) the
72 spouse or a dependent child who is eighteen years of age or older of an
73 individual described in this subparagraph, or (vi) a political committee
74 established or controlled by an individual described in this
75 subparagraph or the business entity or nonprofit organization that is the
76 state contractor or prospective state contractor.

77 (G) "Dependent child" means a child residing in an individual's
78 household who may legally be claimed as a dependent on the federal

79 income tax return of such individual.

80 (H) "Managerial or discretionary responsibilities with respect to a
81 state contract" means having direct, extensive and substantive
82 responsibilities with respect to the negotiation of the state contract and
83 not peripheral, clerical or ministerial responsibilities.

84 (I) "Rendition of services" means the provision of any service to a state
85 agency or quasi-public agency in exchange for a fee, remuneration or
86 compensation of any kind from the state or through an arrangement
87 with the state.

88 (J) "State contract solicitation" means a request by a state agency or
89 quasi-public agency, in whatever form issued, including, but not limited
90 to, an invitation to bid, request for proposals, request for information or
91 request for quotes, inviting bids, quotes or other types of submittals,
92 through a competitive procurement process or another process
93 authorized by law waiving competitive procurement.

94 (K) "Subcontractor" means any person, business entity or nonprofit
95 organization that contracts to perform part or all of the obligations of a
96 state contractor's state contract. Such person, business entity or
97 nonprofit organization shall be deemed to be a subcontractor until
98 December thirty-first of the year in which the subcontract terminates.
99 "Subcontractor" does not include (i) a municipality or any other political
100 subdivision of the state, including any entities or associations duly
101 created by the municipality or political subdivision exclusively amongst
102 themselves to further any purpose authorized by statute or charter, [or]
103 (ii) an employee in the executive or legislative branch of state
104 government or a quasi-public agency, whether in the classified or
105 unclassified service and full or part-time, and only in such person's
106 capacity as a state or quasi-public agency employee, or (iii) a person
107 based solely on such person's remittance of a fee to a state agency for a
108 license required to conduct business in this state.

109 (L) "Principal of a subcontractor" means (i) any individual who is a

110 member of the board of directors of, or has an ownership interest of five
111 per cent or more in, a subcontractor, which is a business entity, except
112 for an individual who is a member of the board of directors of a
113 nonprofit organization, (ii) an individual who is employed by a
114 subcontractor, which is a business entity, as president, treasurer or
115 executive vice president, (iii) an individual who is the chief executive
116 officer of a subcontractor, which is not a business entity, or if a
117 subcontractor has no such officer, then the officer who duly possesses
118 comparable powers and duties, (iv) an officer or an employee of any
119 subcontractor who has managerial or discretionary responsibilities with
120 respect to a subcontract with a state contractor, (v) the spouse or a
121 dependent child who is eighteen years of age or older of an individual
122 described in this subparagraph, or (vi) a political committee established
123 or controlled by an individual described in this subparagraph or the
124 business entity or nonprofit organization that is the subcontractor.

125 (2) (A) No state contractor, prospective state contractor, principal of
126 a state contractor or principal of a prospective state contractor, with
127 regard to a state contract or a state contract solicitation with or from a
128 state agency in the executive branch or a quasi-public agency or a
129 holder, or principal of a holder, of a valid prequalification certificate,
130 shall make a contribution to, or, on and after January 1, 2011, knowingly
131 solicit contributions from the state contractor's or prospective state
132 contractor's employees or from a subcontractor or principals of the
133 subcontractor on behalf of (i) an exploratory committee or candidate
134 committee established by a candidate for nomination or election to the
135 office of Governor, Lieutenant Governor, Attorney General, State
136 Comptroller, Secretary of the State or State Treasurer, (ii) a political
137 committee authorized to make contributions or expenditures to or for
138 the benefit of such candidates, or (iii) a party committee;

139 (B) No state contractor, prospective state contractor, principal of a
140 state contractor or principal of a prospective state contractor, with
141 regard to a state contract or a state contract solicitation with or from the
142 General Assembly or a holder, or principal of a holder, of a valid

143 prequalification certificate, shall make a contribution to, or, on and after
144 January 1, 2011, knowingly solicit contributions from the state
145 contractor's or prospective state contractor's employees or from a
146 subcontractor or principals of the subcontractor on behalf of (i) an
147 exploratory committee or candidate committee established by a
148 candidate for nomination or election to the office of state senator or state
149 representative, (ii) a political committee authorized to make
150 contributions or expenditures to or for the benefit of such candidates, or
151 (iii) a party committee;

152 (C) If a state contractor or principal of a state contractor makes or
153 solicits a contribution as prohibited under subparagraph (A) or (B) of
154 this subdivision, as determined by the State Elections Enforcement
155 Commission, the contracting state agency or quasi-public agency may,
156 in the case of a state contract executed on or after February 8, 2007, void
157 the existing contract with such contractor, and no state agency or quasi-
158 public agency shall award the state contractor a state contract or an
159 extension or an amendment to a state contract for one year after the
160 election for which such contribution is made or solicited unless the
161 commission determines that mitigating circumstances exist concerning
162 such violation. No violation of the prohibitions contained in
163 subparagraph (A) or (B) of this subdivision shall be deemed to have
164 occurred if, and only if, the improper contribution is returned to the
165 principal by the later of thirty days after receipt of such contribution by
166 the recipient committee treasurer or the filing date that corresponds
167 with the reporting period in which such contribution was made;

168 (D) If a prospective state contractor or principal of a prospective state
169 contractor makes or solicits a contribution as prohibited under
170 subparagraph (A) or (B) of this subdivision, as determined by the State
171 Elections Enforcement Commission, no state agency or quasi-public
172 agency shall award the prospective state contractor the contract
173 described in the state contract solicitation or any other state contract for
174 one year after the election for which such contribution is made or
175 solicited unless the commission determines that mitigating

176 circumstances exist concerning such violation. The Commissioner of
177 Administrative Services shall notify applicants of the provisions of this
178 subparagraph and subparagraphs (A) and (B) of this subdivision during
179 the prequalification application process;

180 (E) The State Elections Enforcement Commission shall make
181 available to each state agency and quasi-public agency a written notice
182 advising state contractors and prospective state contractors of the
183 contribution and solicitation prohibitions contained in subparagraphs
184 (A) and (B) of this subdivision. Such notice shall: (i) Direct each state
185 contractor and prospective state contractor to inform each individual
186 described in subparagraph (F) of subdivision (1) of this subsection, with
187 regard to such state contractor or prospective state contractor, about the
188 provisions of subparagraph (A) or (B) of this subdivision, whichever is
189 applicable, and this subparagraph; (ii) inform each state contractor and
190 prospective state contractor of the civil and criminal penalties that could
191 be imposed for violations of such prohibitions if any such contribution
192 is made or solicited; (iii) inform each state contractor and prospective
193 state contractor that, in the case of a state contractor, if any such
194 contribution is made or solicited, the contract may be voided; (iv) inform
195 each state contractor and prospective state contractor that, in the case of
196 a prospective state contractor, if any such contribution is made or
197 solicited, the contract described in the state contract solicitation shall not
198 be awarded, unless the commission determines that mitigating
199 circumstances exist concerning such violation; and (v) inform each state
200 contractor and prospective state contractor that the state will not award
201 any other state contract to anyone found in violation of such
202 prohibitions for a period of one year after the election for which such
203 contribution is made or solicited, unless the commission determines that
204 mitigating circumstances exist concerning such violation. Each state
205 agency and quasi-public agency shall include in the bid specifications
206 or request for proposals for a state contract, a copy of or Internet link to
207 such notice. No state agency or quasi-public agency shall execute a state
208 contract unless such contract contains a representation that the chief
209 executive officer or authorized signatory of the contract has received

210 such notice; and

211 (F) (i) Any principal of the state contractor or prospective state
212 contractor submitting a bid or proposal for a state contract shall certify
213 that neither the contractor or prospective state contractor, nor any of its
214 principals, have made any contributions to, or solicited any
215 contributions on behalf of, any party committee, exploratory committee,
216 candidate for state-wide office or for the General Assembly, or political
217 committee authorized to make contributions to or expenditures to or for,
218 the benefit of such candidates, in the previous four years, that were
219 determined by the State Elections Enforcement Commission to be in
220 violation of subparagraph (A) or (B) of this subdivision, without
221 mitigating circumstances having been found to exist concerning such
222 violation. Each such certification shall be sworn as true to the best
223 knowledge and belief of the person signing the certification, subject to
224 the penalties of false statement. If there is any change in the information
225 contained in the most recently filed certification, such person shall
226 submit an updated certification not later than thirty days after the
227 effective date of any such change or upon the submittal of any new bid
228 or proposal for a state contract, whichever is earlier.

229 (ii) Each state agency and quasi-public agency shall include in the bid
230 specifications or request for proposals for a state contract a notice of the
231 certification requirements of this subparagraph. No state agency or
232 quasi-public agency shall execute a state contract unless the state agency
233 or quasi-public agency obtains the written certification described in this
234 subparagraph.

235 (iii) Any principal of the state contractor or prospective state
236 contractor submitting a bid or proposal for a state contract shall disclose
237 on the certification all contributions made by any of its principals to any
238 party committee, exploratory committee, candidate for state-wide office
239 or for the General Assembly, or political committee authorized to make
240 contributions to or expenditures to or for the benefit of such candidates
241 for a period of four years prior to the signing of the contract or date of

242 the response to the bid, whichever is longer, and certify that all such
243 contributions have been disclosed.

244 (3) (A) On and after December 31, 2006, neither the Governor,
245 Lieutenant Governor, Attorney General, State Comptroller, Secretary of
246 the State or State Treasurer, any candidate for any such office nor any
247 agent of any such official or candidate shall knowingly, wilfully or
248 intentionally solicit contributions on behalf of an exploratory committee
249 or candidate committee established by a candidate for nomination or
250 election to any public office, a political committee or a party committee,
251 from a person who he or she knows is prohibited from making
252 contributions, including a principal of a state contractor or prospective
253 state contractor with regard to a state contract solicitation with or from
254 a state agency in the executive branch or a quasi-public agency or a
255 holder of a valid prequalification certificate.

256 (B) On and after December 31, 2006, neither a member of the General
257 Assembly, any candidate for any such office nor any agent of any such
258 official or candidate shall knowingly, wilfully or intentionally solicit
259 contributions on behalf of an exploratory committee or candidate
260 committee established by a candidate for nomination or election to any
261 public office, a political committee or a party committee, from a person
262 who he or she knows is prohibited from making contributions,
263 including a principal of a state contractor or prospective state contractor
264 with regard to a state contract solicitation with or from the General
265 Assembly or a holder of a valid prequalification certificate.

266 (4) The provisions of this subsection shall not apply to the campaign
267 of a principal of a state contractor or prospective state contractor or to a
268 principal of a state contractor or prospective state contractor who is an
269 elected public official.

270 (5) Each state contractor and prospective state contractor shall make
271 reasonable efforts to comply with the provisions of this subsection. If
272 the State Elections Enforcement Commission determines that a state
273 contractor or prospective state contractor has failed to make reasonable

274 efforts to comply with this subsection, the commission may impose civil
275 penalties against such state contractor or prospective state contractor in
276 accordance with subsection (a) of section 9-7b.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2025	9-612(f)
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Statement of Purpose:

To redefine "state contractor", "prospective state contractor" and "subcontractor" to exclude persons who simply pay licensing fees for purposes of the campaign finance laws.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. BERTHEL, 32nd Dist.

S.B. 604