

**Section 1.** The Regulations of Connecticut State Agencies are amended by adding Sections 9-7b-99 to 9-7b-102, inclusive, as follows:

**(NEW) Article 6. Post-Election Review**

**Sec. 9-7b-99. Eligibility for Post-Election Review**

(a) For purposes of post-election review, a candidate committee is eligible if (1) its candidate is required by law to register a candidate committee, based on the information available at the time of post-election review; and (2) either (A) its candidate is qualified for a position on the primary or general election ballot in the relevant district, (B) it received a grant from the Citizens' Election Program, or (C) both.

(b) The following shall be ineligible and not subject to post-election review:

- (1) write-in candidates;
- (2) candidates who registered a committee but neither appeared on the ballot nor received a grant;
- (3) candidates exempt from forming a committee under subsection (b) of section 9-604 of the General Statutes; and
- (4) candidates whose committees are not required to file statements under subsection (b) of section 9-608 of the General Statutes.

**Sec. 9-7b-100. Candidate Committees Subject to Mandatory or Random Post-Election Reviews.**

The Commission shall conduct post-election reviews as follows:

(a) The Commission shall review all eligible candidate committees for statewide office.

(b) The Commission shall review all eligible candidate committees in General Assembly special election districts.

(c) Following any General Assembly general or primary election, the Commission shall select up to twenty percent (20%) of eligible candidate committees for review, in accordance with section 9-7b-101 of these regulations and subparagraph (B) subdivision (5) of subsection (a) of section 9-7b of the General Statutes.

(d) A candidate committee may use public funds, private funds, or a combination of both to comply with a post-election review conducted pursuant to section 9-7b-101 of these regulations. Prior to termination, a candidate committee participating in the Citizens' Election Program may use surplus public funds for this purpose, in accordance with subparagraph (H) of subsection (e) of section 9-608 of the General Statutes. Permissible expenses include reasonable costs incurred

for copying, printing, or reproducing documents and records requested by the Commission.

## **Sec. 9-7b-101. Lottery Selection of General Assembly Candidate Committees**

(a) The Commission shall determine, by random selection, which eligible candidate committees in General Assembly districts are to be reviewed, subject to the following provisions:

- (1) Separate lotteries shall be conducted for House and Senate districts.
- (2) The number of candidate committees selected for review shall not exceed twenty percent (20%) of the total number of eligible candidate committees for each office.
- (3) The random selection shall be conducted through a weighted lottery that adjusts the probability of selection based on how frequently a district has been selected for post-election review in the three most recent regular elections for that office. Districts selected more frequently shall have a lower probability of selection; districts selected less frequently shall have a higher probability, as outlined in subsection (c) of this section.

(b) If a district is selected, all eligible candidate committees from that district shall be subject to post-election review, including those formed for both the primary and general elections.

(c) The weighted random selection shall be conducted as follows:

- (1) The Commission staff shall utilize two spreadsheets, separately prepared for the Senate and House:
  - (A) A Unique Identifiers spreadsheet, assigning five cells per district: one non-selection, one selection, and three linked to the district's post-election review selection history in the prior three cycles; and
  - (B) A Lottery Calculator spreadsheet, listing each district along with the count of eligible candidate committees for the primary and general elections.
- (2) The Commission shall use a random number generator to assign five random numbers to each district, corresponding to the five cells described in the Unique Identifiers spreadsheet. Based on the district's selection history:
  - (A) Districts not selected in any of the past three cycles shall be assigned four selection entries;
  - (B) Districts selected once shall be assigned three selection entries;
  - (C) Districts selected twice shall be assigned two selection entries;
  - (D) Districts selected in all three cycles shall be assigned one selection entry.

If a selected district contains no eligible candidate committees, it shall still be marked as "selected" and shall appear in the Lottery Calculator spreadsheet with a value of zero in the "Count of Candidates in District" column.

(3) After the random numbers are generated, Commission staff shall enter the results into the spreadsheets described in paragraph (1), in sequence, until the maximum number of candidate committees has been selected.

(d) In districts where a primary has been held, unsuccessful primary candidate committees shall be deemed “selected” for purposes of the deadlines set forth in subsection (e) of section 9-608 of the General Statutes, including the extended termination and surplus distribution deadline provided for the purposes of subparagraph (H) of said subsection, until the lottery results indicate otherwise. During this period, no enforcement action shall be taken against such committees for failure to comply with the distribution or termination requirements of subsection (e) of section 9-608 prior to the expiration of the extended deadline.

### **Sec. 9-7b-101a. Completion of Post-Election Review for Lottery-Selected Committees**

(a) No later than twelve months after the selection of eligible candidate committees through the lottery described in section 9-7b-101, the Commission shall complete its post-election review of each selected candidate committee by either:

(1) issuing a final report with findings to the candidate committee; or  
(2) referring the matter, through Commission vote, to the Enforcement Unit for investigation and potential penalties. A referral to the Enforcement Unit shall constitute completion of the post-election review.

(b) If a review is not completed within twelve months, the Commission shall document the reasons for the delay, notify the affected candidate committee(s) of a revised timeline for completion, and may adopt other remedial measures consistent with applicable law and Commission procedures.

(c) The Commission shall submit an annual report, on or before January first of each year, to the joint standing committee of the General Assembly having cognizance of matters relating to government oversight, in accordance with the provisions of section 11-4a of the General Statutes. The report shall indicate whether there were any post-election reviews during the preceding calendar year that the Commission was unable to complete within the twelve-month period, and, if so, the reasons for such inability.

### **Sec. 9-7b-102. Notice, Publication, and Compliance Obligations for Lottery-Selected Committees**

(a) Any lottery conducted pursuant to these regulations shall be open to the public.

(b) Notice of the lottery shall be publicly posted on the Commission’s website at least five calendar days prior to the lottery.

(c) Written notice to selected candidate committees shall be issued no later

than May thirty-first of the calendar year following the relevant election.

(d) Each candidate committee is responsible for ensuring that the Commission has accurate and current contact information on file by properly and promptly updating its registration form “SEEC Form 1”, including a valid mailing address and email address, for the purposes of receiving notice under this section.

(e) Lottery results shall be published on the Commission’s website within a reasonable time after the lottery is conducted.

(f) If the Commission fails to issue a notice of selection using the contact information provided on a candidate committee’s SEEC Form 1, in accordance with subsection (c) of this section, such candidate committee shall not be subject to post-election review for that cycle.

(g) Treasurers of unsuccessful primary candidate committees selected for post-election review shall submit all required documents, as detailed in section 9-607 of the General Statutes, not later than ten calendar days after the Commission issues the selection notice pursuant to subsection (c) of this section.

(h) Treasurers of general election candidate committees selected for post-election review shall submit all required documents, as detailed in section 9-607 of the General Statutes, not later than seven calendar days after the committee’s termination pursuant to subsection (e) of section 9-608.

(i) The treasurer of a selected candidate committee shall maintain all records required for post-election review until the final resolution of all review and audit issues.

(j) Failure to submit requested documents pursuant to subsections (g), (h), or (i) of this section may result in penalties and other legal remedies, including those authorized by the Commission pursuant to subdivision (2) of subsection (a) of section 9-7b of the Connecticut General Statutes.

**Statement of Purpose:**

The proposed regulation establishes procedures governing the post-election review of candidate committees following general elections, primaries, and special elections. It sets eligibility criteria, defines the process for weighted random selection, outlines timeframes for audit completion, and provides notice and transparency requirements. The proposal is intended to ensure uniformity, fairness, and accountability in the review of campaign finance activity conducted under Chapters 141, 155 and 157 of the Connecticut General Statutes, as amended by P.A. 25-26.