

Connecticut Amends Its Pay-to-Play Law

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Through legislation (former SB 1112) signed by Governor Rell on February 8, 2007, (and effective on that date), Connecticut made several changes to its broad pay-to-play contribution and solicitation ban applicable to state contractors, prospective state contractors, and their principals. Among other things, the amendments implemented a cure provision so that certain impermissible contributions could be recalled and would not trigger contract debarment or other penalties. The new law also eliminated senior vice presidents as well as the minor children of principals from the coverage of the contribution and solicitation ban. In addition, as of February 8, 2007, the State Elections Enforcement Commission (SEEC) is no longer required to maintain lists of principals of state contractors or prospective state contractors. Finally, the state has ceased to mandate that a CEO of a state contractor or prospective state contractor certify future compliance by the principals or submit a list of covered "principals" to the SEEC. Nonetheless, the CEO must continue to notify the "principals" of the company, as redefined, that they may not make or solicit contributions to covered officials or committees.

As noted in the November 2006 issue of *Election Law News*, Connecticut's law imposes a contribution and solicitation ban on state contractors, prospective state contractors, and their principals. A few, but not all, of the principals now covered under the law are as follows:

- Members of the company's Board of Directors;
- Individuals owning 5% or more of the company's stock;
- Individuals at the company living or working in Connecticut with the title of president, treasurer, or executive vice president;

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- Spouses, civil union partners, and dependent children (age 18 or older and living at home) of the above; and
- A political committee established or controlled by an individual described above or by the state contractor or prospective state contractor.

Under a different provision, a complete state contribution and solicitation ban applies to all "communicator lobbyists," the lobbyists' immediate families and any PAC controlled by the lobbyists or their family members.