



# Senate

General Assembly

**File No. 251**

February Session, 2000

Senate Joint Resolution No. 15

*Senate, March 28, 2000*

The Committee on Judiciary reported through SEN. WILLIAMS of the 29<sup>th</sup> Dist., Chairperson of the Committee on the part of the Senate, that the joint resolution ought to be adopted.

## ***Resolution Proposing An Amendment To The Constitution To Eliminate County Sheriffs.***

Resolved by this Assembly:

1 That the following be proposed as an amendment to the  
2 Constitution of the State, which, when approved and adopted in the  
3 manner provided by the Constitution, shall, to all intents and  
4 purposes, become a part thereof:

5 Section 1. Section 25 of article fourth of the Constitution is repealed.

6 Sec. 2. Subsection a. of article twenty-sixth of the amendments to the  
7 Constitution is amended to read as follows:

8 a. The assembly and senatorial districts and congressional districts  
9 as now established by law shall continue until the regular session of  
10 the general assembly next after the completion of the taking of the next  
11 census of the United States. On or before the fifteenth day of February  
12 next following the year in which the decennial census of the United

13 States is taken, the general assembly shall appoint a reapportionment  
14 committee consisting of four members of the senate, two who shall be  
15 designated by the president pro tempore of the senate and two who  
16 shall be designated by the minority leader of the senate, and four  
17 members of the house of representatives, two who shall be designated  
18 by the speaker of the house of representatives and two who shall be  
19 designated by the minority leader of the house of representatives,  
20 provided there are members of no more than two political parties in  
21 either the senate or the house of representatives. In the event that there  
22 are members of more than two political parties in a house of the  
23 general assembly, all members of that house belonging to the parties  
24 other than that of the president pro tempore of the senate or the  
25 speaker of the house of representatives, as the case may be, shall select  
26 one of their number, who shall designate two members of the  
27 committee in lieu of the designation by the minority leader of that  
28 house. Such committee shall advise the general assembly on matters of  
29 apportionment. Upon the filing of a report of such committee with the  
30 clerk of the house of representatives and the clerk of the senate, the  
31 speaker of the house of representatives and the president pro tempore  
32 of the senate shall, if the general assembly is not in regular session,  
33 convene the general assembly in special session for the sole purpose of  
34 adopting a plan of districting. Upon the request of the speaker of the  
35 house of representatives and the president pro tempore of the senate,  
36 the secretary of the state shall give notice of such special session by  
37 mailing a true copy of the call of such special session, by registered or  
38 certified mail, return receipt requested, to each member of the house of  
39 representatives and of the senate at his or her address as it appears  
40 upon the records of said secretary not less than ten nor more than  
41 fifteen days prior to the date of convening of such special session or by  
42 causing a true copy of the call to be delivered to each member by a  
43 [sheriff, deputy sheriff,] constable, state policeman or indifferent  
44 person at least twenty-four hours prior to the time of convening of  
45 such special session. Such general assembly shall, upon roll call, by a

46 yea vote of at least two-thirds of the membership of each house, adopt  
47 such plan of districting as is necessary to preserve a proper  
48 apportionment of representation in accordance with the principles  
49 recited in this article. Thereafter the general assembly shall decennially  
50 at its next regular session or special session called for the purpose of  
51 adopting a plan of districting following the completion of the taking of  
52 the census of the United States, upon roll call, by a yea vote of at least  
53 two-thirds of the membership of each house, adopt such plan of  
54 districting as is necessary in accordance with the provisions of this  
55 article.

56       RESOLVED: That the foregoing proposed amendment to the  
57 Constitution be continued to the next session of the General Assembly  
58 elected at the general election to be held on November 7, 2000, and  
59 published with the laws passed at the present session, or be presented  
60 to the electors at the general election to be held on November 7, 2000,  
61 whichever the case may be, according to article sixth of the  
62 amendments to the Constitution. The designation of said proposed  
63 amendment to be used on the voting machine ballot labels and  
64 absentee ballots at such election shall be "Shall the Constitution of the  
65 State be amended to eliminate county sheriffs?"

**JUD   Committee Vote:**   Yea   34   Nay   5    JF

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The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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### **OFA Fiscal Note**

**State Impact:** Minimal Cost

**Affected Agencies:** Secretary of State, County Sheriffs

**Municipal Impact:** None

### **Explanation**

**State Impact:**

The resolution proposes a constitutional amendment eliminating the county sheriffs as constitutional officers. It is anticipated that the Office of the Secretary of the State will be able to cover the costs associated with printing the explanation of the proposed constitutional amendment, and the required posters within the anticipated budgetary resources of the agency.

The approval of the resolution's amendment to the constitution by the voters would result in the elimination of the county sheriffs as constitutional officers. It would not result in the elimination of the sheriffs' system and related costs since these are contained within statute.

### **High Sheriff and Chief Deputy Salaries and Expenses**

C.G.S. Sections 6-33 and 6-40 contain salaries for the state's eight high sheriffs and eight chief deputy sheriffs. The salaries of these individuals are indicated below:

County	High Sheriff	Chief Dep. Sheriff	County Total
<i>Hartford</i>	\$37,000	\$11,000	\$48,000
<b>New Haven</b>	37,000	11,000	48,000
<b>New London</b>	37,000	11,000	48,000
<b>Fairfield</b>	37,000	11,000	48,000
<b>Windham</b>	35,000	10,500	45,500
<b>Litchfield</b>	35,000	10,500	45,500
<b>Middlesex</b>	35,000	10,500	45,500
<b>Tolland</b>	35,000	10,500	45,500
<b>Total</b>	<b>288,000</b>	<b>86,000</b>	<b>374,000</b>

In addition, high sheriffs are currently entitled to the usage of state vehicles. These ten vehicles are leased by the state at an annual cost of \$43,800.

***Municipal Impact:***

Since most of the materials, which municipalities will use for consideration of the constitutional amendment, will be provided by the State, passage of this bill is not expected to result in any immediate additional costs beyond those which municipalities typically incur during a general election.

**OLR Bill Analysis**

SJ 15

**RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION TO ELIMINATE COUNTY SHERIFFS.****SUMMARY:**

This resolution proposes a constitutional amendment that would eliminate sheriffs as constitutional officers. It would eliminate provisions for sheriffs on bonding, removal from office, filling vacancies, and delivering notice for a special session on redistricting.

The ballot designation to be used when the amendment is presented at the general election is: "Shall the Constitution of the State be amended to eliminate county sheriffs?"

**EFFECTIVE DATE:** If the resolution passes by at least three-fourths of the membership of each house, it will be placed on the ballot in the 2000 general election. If it passes by a majority of the membership of each house but less than three-fourths, it will be referred to the 2001 session of the General Assembly. If it passes in that session by a majority of each house, it will appear on the general election ballot in 2002. If a majority of those voting in the general election approves the amendment, it will become part of the state constitution.

**BACKGROUND*****Related Bills***

sSB 416, favorably reported by the Program Review and Investigations and Judiciary committees makes (1) the Judicial Department responsible for courthouse security, (2) either the Judicial Department or the Department of Correction responsible for prisoner transportation and lock-up, and (3) the chief court administrator responsible for licensing process servers. It also deletes references to county sheriffs on approval of a constitutional amendment abolishing

their office.

sHB 5832, favorably reported by the Judiciary Committee, transfers the powers and duties of sheriffs, deputy sheriffs, and special deputy sheriffs for prisoner transportation to courthouse, prisoner custody at courthouses, and court house security to the Judicial Department and creates state marshals for process serving functions. It eliminates most references to sheriffs in the statutes.

### **COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Report

Yea 34    Nay 5