



General Assembly

January Session, 2005

Raised Bill No. 1044

LCO No. 3370

03370_____GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT INCREASING SANCTIONS AND PENALTIES FOR VIOLATIONS OF STATE ELECTION LAWS.

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

1 Section 1. Subsection (a) of section 9-7b of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2005*):

4 (a) The State Elections Enforcement Commission shall have the
5 following duties and powers:

6 (1) To make investigations on its own initiative or with respect to
7 statements filed with the commission by the Secretary of the State or
8 any town clerk, or upon written complaint under oath by any
9 individual, with respect to alleged violations of any provision of the
10 general statutes relating to any election or referendum, any primary
11 held pursuant to section 9-423, 9-425 or 9-464 or any primary held
12 pursuant to a special act, and to hold hearings when the commission
13 deems necessary to investigate violations of any provisions of the
14 general statutes relating to any such election, primary or referendum,

15 and for the purpose of such hearings the commission may administer
16 oaths, examine witnesses and receive oral and documentary evidence,
17 and shall have the power to subpoena witnesses under procedural
18 rules the commission shall adopt, to compel their attendance and to
19 require the production for examination of any books and papers which
20 the commission deems relevant to any matter under investigation or in
21 question. In connection with its investigation of any alleged violation
22 of any provision of chapter 145, or of any provision of section 9-359 or
23 section 9-359a, the commission shall also have the power to subpoena
24 any municipal clerk and to require the production for examination of
25 any absentee ballot, inner and outer envelope from which any such
26 ballot has been removed, depository envelope containing any such
27 ballot or inner or outer envelope as provided in sections 9-150a and 9-
28 150b and any other record, form or document as provided in section 9-
29 150b, in connection with the election, primary or referendum to which
30 the investigation relates. In case of a refusal to comply with any
31 subpoena issued pursuant to this subsection or to testify with respect
32 to any matter upon which that person may be lawfully interrogated,
33 the superior court for the judicial district of Hartford, on application of
34 the commission, may issue an order requiring such person to comply
35 with such subpoena and to testify; failure to obey any such order of the
36 court may be punished by the court as a contempt thereof. In any
37 matter under investigation which concerns the operation or inspection
38 of or outcome recorded on any voting machine, the commission may
39 issue an order to the municipal clerk to impound such machine until
40 the investigation is completed;

41 (2) To levy a civil penalty not to exceed (A) two thousand dollars
42 per offense against any person the commission finds to be in violation
43 of any provision of chapter 145, part V of chapter 146, part I of chapter
44 147, chapter 148, section 7-9, section 9-12, subsection (a) of section 9-17,
45 section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h,
46 9-23j to 9-23o, inclusive, 9-23r, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-
47 40a, 9-42, 9-43, 9-50a, 9-56, 9-59, 9-168d, 9-170, 9-171, 9-172, 9-232i to 9-
48 232o, inclusive, 9-404a to 9-404c, inclusive, 9-409, 9-410, 9-412, 9-436, 9-

49 436a, 9-453e to 9-453h, inclusive, 9-453k or 9-453o, [or] (B) two
50 thousand dollars per offense against any town clerk, registrar of
51 voters, an appointee or designee of a town clerk or registrar of voters,
52 or any other election or primary official whom the commission finds to
53 have failed to discharge a duty imposed by any provision of chapter
54 146 or 147, (C) two thousand dollars per offense against any person the
55 commission finds to have (i) improperly voted in any election, primary
56 or referendum, and (ii) not been legally qualified to vote in such
57 election, primary or referendum, or (D) two thousand dollars per
58 offense or twice the amount of any improper payment or contribution,
59 whichever is greater, against any person the commission finds to be in
60 violation of any provision of chapter 150. The commission may levy a
61 civil penalty against any person under subparagraph (A), [or] (B), (C)
62 or (D) of this subdivision only after giving the person an opportunity
63 to be heard at a hearing conducted in accordance with sections 4-176e
64 to 4-184, inclusive. In the case of failure to pay any such penalty levied
65 pursuant to this subsection within thirty days of written notice sent by
66 certified or registered mail to such person, the superior court for the
67 judicial district of Hartford, on application of the commission, may
68 issue an order requiring such person to pay the penalty imposed and
69 such court costs, state marshal's fees and attorney's fees incurred by
70 the commission as the court may determine. Any civil penalties paid,
71 collected or recovered under subparagraph [(B)] (D) of this subdivision
72 for a violation of any provision of chapter 150 applying to the office of
73 the Treasurer shall be deposited on a pro rata basis in any trust funds,
74 as defined in section 3-13c, affected by such violation;

75 (3) (A) To issue an order requiring any person the commission finds
76 to have received any contribution or payment which is prohibited by
77 any of the provisions of chapter 150, after an opportunity to be heard
78 at a hearing conducted in accordance with the provisions of sections 4-
79 176e to 4-184, inclusive, to return such contribution or payment to the
80 donor or payor, or to remit such contribution or payment to the state
81 for deposit in the General Fund, whichever is deemed necessary to
82 effectuate the purposes of chapter 150;

83 (B) To issue an order when the commission finds that an intentional
84 violation of any provision of chapter 150 has been committed, after an
85 opportunity to be heard at a hearing conducted in accordance with
86 sections 4-176e to 4-184, inclusive, which order may contain one or
87 more of the following sanctions: (i) Removal of a campaign treasurer,
88 deputy campaign treasurer or solicitor; (ii) prohibition on serving as a
89 campaign treasurer, deputy campaign treasurer or solicitor, for a
90 period not to exceed four years; and (iii) in the case of a party
91 committee or a political committee, suspension of all political
92 activities, including, but not limited to, the receipt of contributions and
93 the making of expenditures, provided the commission may not order
94 such a suspension unless the commission has previously ordered the
95 removal of the campaign treasurer and notifies the officers of the
96 committee that the commission is considering such suspension;

97 (C) To issue an order revoking any person's eligibility to be
98 appointed or serve as an election, primary or referendum official or
99 unofficial checker or in any capacity at the polls on the day of an
100 election, primary or referendum, when the commission finds such
101 person has intentionally violated any provision of the general statutes
102 relating to the conduct of an election, primary or referendum, after an
103 opportunity to be heard at a hearing conducted in accordance with
104 sections 4-176e to 4-184, inclusive;

105 (D) To issue an order to enforce the provisions of the Help America
106 Vote Act, P.L. 107-252, as amended from time to time, as the
107 commission deems appropriate;

108 (4) To inspect or audit at any reasonable time and upon reasonable
109 notice the accounts or records of any campaign treasurer or principal
110 campaign treasurer, as required by chapter 150 and to audit any such
111 election, primary or referendum held within the state; provided, (A) (i)
112 not later than two months preceding the day of an election at which a
113 candidate is seeking election, the commission shall complete any audit
114 it has initiated in the absence of a complaint that involves a committee

115 of the same candidate from a previous election, and (ii) during the
116 two-month period preceding the day of an election at which a
117 candidate is seeking election, the commission shall not initiate an audit
118 in the absence of a complaint that involves a committee of the same
119 candidate from a previous election, and (B) the commission shall not
120 audit any caucus, as defined in subdivision (1) of section 9-372;

121 (5) To attempt to secure voluntary compliance, by informal methods
122 of conference, conciliation and persuasion, with any provision of
123 chapters 149 to 153, inclusive, or any other provision of the general
124 statutes relating to any such election, primary or referendum;

125 (6) To consult with the Secretary of the State, the Chief State's
126 Attorney or the Attorney General on any matter which the commission
127 deems appropriate;

128 (7) To refer to the Chief State's Attorney evidence bearing upon
129 violation of any provision of chapters 149 to 153, inclusive, or any
130 other provision of the general statutes pertaining to or relating to any
131 such election, primary or referendum;

132 (8) To refer to the Attorney General evidence for injunctive relief
133 and any other ancillary equitable relief in the circumstances of
134 subdivision (7) of this subsection. Nothing in this subdivision shall
135 preclude a person who claims that he is aggrieved by a violation of any
136 provision of chapter 152 or any other provision of the general statutes
137 relating to referenda from pursuing injunctive and any other ancillary
138 equitable relief directly from the Superior Court by the filing of a
139 complaint;

140 (9) To refer to the Attorney General evidence pertaining to any
141 ruling which the commission finds to be in error made by election
142 officials in connection with any election, primary or referendum. Those
143 remedies and procedures available to parties claiming to be aggrieved
144 under the provisions of sections 9-323, 9-324, 9-328 and 9-329a shall
145 apply to any complaint brought by the Attorney General as a result of

146 the provisions of this subdivision;

147 (10) To consult with the United States Department of Justice and the
148 United States Attorney for Connecticut on any investigation pertaining
149 to a violation of this section, section 9-12, subsection (a) of section 9-17
150 or section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-
151 23h, 9-23j to 9-23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a,
152 9-42, 9-43, 9-50a, 9-56 or 9-59 and to refer to said department and
153 attorney evidence bearing upon any such violation for prosecution
154 under the provisions of the National Voter Registration Act of 1993,
155 P.L. 103-31, as amended from time to time;

156 (11) To inspect reports filed with the Secretary of the State and with
157 town clerks pursuant to chapter 150 and refer to the Chief State's
158 Attorney evidence bearing upon any violation of law therein if such
159 violation was committed knowingly and wilfully;

160 (12) To intervene in any action brought pursuant to the provisions
161 of sections 9-323, 9-324, 9-328 and 9-329a upon application to the court
162 in which such action is brought when in the opinion of the court it is
163 necessary to preserve evidence of possible criminal violation of the
164 election laws;

165 (13) To adopt and publish regulations pursuant to chapter 54 to
166 carry out the provisions of section 9-7a, this section and chapter 150; to
167 issue upon request and publish advisory opinions in the Connecticut
168 Law Journal upon the requirements of chapter 150, and to make
169 recommendations to the General Assembly concerning suggested
170 revisions of the election laws;

171 (14) To the extent that the Elections Enforcement Commission is
172 involved in the investigation of alleged or suspected criminal
173 violations of any provision of the general statutes pertaining to or
174 relating to any such election, primary or referendum and is engaged in
175 such investigation for the purpose of presenting evidence to the Chief
176 State's Attorney, the Elections Enforcement Commission shall be

177 deemed a law enforcement agency for purposes of subdivision (3) of
178 subsection (b) of section 1-210, provided nothing in this section shall be
179 construed to exempt the Elections Enforcement Commission in any
180 other respect from the requirements of the Freedom of Information
181 Act, as defined in section 1-200;

182 (15) To enter into such contractual agreements as may be necessary
183 for the discharge of its duties, within the limits of its appropriated
184 funds and in accordance with established procedures;

185 (16) To provide the Secretary of the State with notice and copies of
186 all decisions rendered by the commission in contested cases, advisory
187 opinions and declaratory judgments, at the time such decisions,
188 judgments and opinions are made or issued;

189 (17) To receive and determine complaints filed under the Help
190 America Vote Act, P.L. 107-252, as amended from time to time, by any
191 person who believes there is a violation of any provision of Title III of
192 P.L. 107-252, as amended. Any complaint filed under this subdivision
193 shall be in writing, notarized and signed and sworn by the person
194 filing the complaint. At the request of the complainant, there shall be a
195 hearing on the record, conducted in accordance with sections 4-167e to
196 4-184, inclusive. The commission shall make a final determination with
197 respect to a complaint prior to the expiration of the ninety-day period
198 beginning on the date the complaint is filed, unless the complainant
199 consents to a longer period for making such determination. If the
200 commission fails to meet the applicable deadline under this
201 subdivision with respect to a complaint, the commission shall resolve
202 the complaint within sixty days after the expiration of such ninety-day
203 period under an alternative dispute resolution procedure established
204 by the commission.

205 Sec. 2. Section 9-311 of the general statutes is repealed and the
206 following is substituted in lieu thereof (*Effective July 1, 2005*):

207 (a) (1) A person may appeal a decision of an admitting official of a

208 town concerning the right of such person to be or remain an elector or
209 any elector residing in such town may appeal such decision. Any such
210 appeal [from a decision of an admitting official concerning the right of
211 a person to be or remain an elector] shall be made to the registrars of
212 voters of [the] such town, [where such right is in dispute, except that
213 an appeal from the decision of a registrar] except that if the admitting
214 official who made such decision is a registrar of voters, the appeal shall
215 be made to the board for admission of electors of such town.

216 [(b)] (2) Notice of an appeal shall be in writing and delivered to the
217 registrars or to the board for admission of electors. Within seven days
218 after receipt of a notice of appeal, the registrars or the board, as the
219 case may be, shall give written notice of the time and place where such
220 appeal will be heard to the appellant, to the person whose right to be
221 or remain an elector is in dispute if the such person is not the appellant
222 and to the admitting official whose decision is the subject of the
223 appeal. Such appeal shall be heard within twenty-one days after notice
224 of the appeal is delivered to the registrars or the board. [A] Neither a
225 registrar whose decision is the subject of the appeal nor a registrar who
226 is an appellant shall [not] be a voting member of the board which hears
227 the appeal.

228 [(c)] (3) The registrars or the board may receive sworn testimony
229 and any other evidence relating to the qualifications of such person to
230 be or remain an elector.

231 [(d)] (4) Within seven days after hearing an appeal, the registrars or
232 the board shall render a decision and shall send written notice of the
233 decision to the appellant, the admitting official whose decision was the
234 subject of the appeal and [, if he is not the appellant,] the person whose
235 right to be or remain an elector [was] is in dispute if such person is not
236 the appellant.

237 (b) (1) Either the appellant or the person whose right to be or remain
238 an elector is in dispute may appeal the decision of the registrars or the
239 board for the admission of electors under subsection (a) of this section

240 to the State Elections Enforcement Commission. If an appeal is not
241 made to the commission as provided in this subsection, the decision of
242 the registrars or the board shall be final.

243 (2) Any such appeal shall be in writing and filed with the State
244 Elections Enforcement Commission at its principal offices not later
245 than fourteen days following the hearing that preceded the decision of
246 the registrars or the board. A copy of any such notice of appeal shall
247 also be delivered within such time to (A) the registrars or the board
248 that rendered the decision under subsection (a) of this section, (B) the
249 person whose right to be or remain an elector is in dispute if such
250 person is not the appellant to the commission, and (C) the appellant
251 before the registrars or the board if such appellant is not the appellant
252 to the commission.

253 (3) The registrars or the board shall, not later than ten days after
254 receipt of a copy of the notice of appeal, deliver the record of the
255 hearing of the registrars or board under subsection (a) of this section to
256 the commission.

257 (4) The commission shall hear such appeal not later than twenty-one
258 days after notice of appeal is filed with the commission and shall be
259 conducted in accordance with the provisions of sections 4-176e to 4-
260 180a, inclusive, and section 4-181a. The commission may consider the
261 record of the hearing delivered by the registrars or the board and may
262 examine witnesses, documents and any other evidence that it
263 determines may have a bearing on the proper determination of the
264 issues brought on appeal. The commission's hearing shall be recorded.

265 (5) The commission shall render its decision not later than sixty days
266 after the close of its hearing, except that an extension of time may be
267 granted by the commission upon application of any party that sets
268 forth circumstances that the commission determines is appropriate to
269 granting an extension of time. The commission may also initiate an
270 extension of time for rendering its decision, after written notice to the
271 parties, provided all of the parties before the commission give their

272 prior written consent.

273 (6) The decision of the commission shall determine the person's
274 right to be or remain an elector. If any such decision is adverse to such
275 individual's right, the commission shall order both registrars to
276 remove the elector's name from the town's active and inactive registry
277 list and any enrollment list. Any person whose name has been so
278 removed may reapply for admission as an elector with the registrars of
279 voters of the same town at any time. If such application is made within
280 four years after the commission's decision, both registrars may
281 approve such application only after they find that there has been a
282 substantial change in the circumstances that provided the basis for the
283 commission's decision and that the individual is eligible to be an
284 elector. Registrars who approve an individual's application for
285 admission within this time period without a substantial change in
286 circumstances may be subject to a civil penalty imposed by the
287 commission in accordance with subdivision (2) of subsection (a) of
288 section 9-7b, as amended by this act, if the commission determines,
289 following a written complaint filed with the commission pursuant to
290 said section 9-7b, that the registrars' action was without good cause
291 and constitutes a wilful violation of a prior order of the commission.

292 Sec. 3. Section 9-358 of the general statutes is repealed and the
293 following is substituted in lieu thereof (*Effective July 1, 2005*):

294 Any person who, upon oath or affirmation, legally administered,
295 wilfully and corruptly testifies or affirms, before any registrar of
296 voters, [or the] moderator of any election, [or] primary or referendum,
297 any board for admission of electors or the State Elections Enforcement
298 Commission, falsely, to any material fact concerning the identity, age,
299 residence or other qualifications of any person whose right to be
300 registered or admitted as an elector or to vote at any election, [is before
301 such registrar, moderator or board] primary or referendum for the
302 purpose of being passed upon and decided, shall be [imprisoned not
303 more than two years] guilty of a class D felony and shall be

304 disfranchised.

305 Sec. 4. Section 9-360 of the general statutes is repealed and the
306 following is substituted in lieu thereof (*Effective July 1, 2005*):

307 Any person not legally qualified who fraudulently votes in any
308 town meeting, primary, [or] election or referendum in which [he] the
309 person is not qualified to vote, and any legally qualified person who,
310 at such meeting, primary, [or] election or referendum, fraudulently
311 votes more than once at the same meeting, primary, [or] election or
312 referendum, shall be fined not less than three hundred dollars nor
313 more than five hundred dollars and shall be imprisoned not less than
314 one year nor more than two years and shall be disfranchised. Any
315 person who votes or attempts to vote at any election, primary,
316 referendum or town meeting by assuming the name of another [who is
317 registered or enrolled, as the case may be, shall be fined five hundred
318 dollars and be imprisoned one year] legally qualified person shall be
319 guilty of a class D felony and shall be disfranchised.

320 Sec. 5. Section 9-361 of the general statutes is repealed and the
321 following is substituted in lieu thereof (*Effective July 1, 2005*):

322 The following persons shall be guilty of primary or enrollment
323 violations: (1) Any person unlawfully voting or participating or
324 attempting to vote or participate in any primary in which he is not
325 eligible to vote or participate; (2) in towns divided into voting districts,
326 any elector who registers or votes at any primary in a voting district
327 other than the district in which such elector is legally entitled to vote at
328 the time of such primary; (3) any elector who signs the name of
329 another to a written application to register, without the knowledge and
330 consent of the person whose name is signed thereto, or who falsely
331 represents the contents of any written or printed form of application
332 for enrollment with intent to secure the application of an elector for
333 enrollment upon a list other than that of his true political preference;
334 (4) any registrar or deputy registrar of voters who fails to hold sessions
335 as provided in sections 9-51 and 9-53 or who fails to register an elector

336 upon the oral or written application for enrollment of such elector,
337 except as provided by law, or who fails to erase an elector's name as
338 provided in section 9-59 or who registers any elector upon an
339 enrollment list other than that declared by such elector in his
340 application as his political preference, or who removes or erases the
341 name of any elector from any enrollment list except as provided by
342 law; (5) any person who fails to properly serve any notice or citation
343 required by sections 9-60 and 9-61 when directed so to do by any
344 registrar or deputy registrar, or who makes any false return as to any
345 such notice or citation; and (6) any moderator of a primary of the
346 enrolled electors of a specified party, such primary being legally called
347 for the nomination of candidates for any public elective office, who
348 fails to comply with the requirements of chapter 153. The penalty for
349 any such violation shall be a fine of not more than one hundred dollars
350 or imprisonment of not more than sixty days, or both, except that any
351 person found to have violated subdivision (1) or (2) of this section shall
352 be guilty of a class D felony and shall be disfranchised.

353 Sec. 6. Section 9-333y of the general statutes is repealed and the
354 following is substituted in lieu thereof (*Effective July 1, 2005*):

355 (a) Any person who knowingly and wilfully violates any provision
356 of this chapter shall be fined not more than five thousand dollars or
357 imprisoned not more than five years or both. The Secretary of the State
358 or the town clerk shall notify the State Elections Enforcement
359 Commission of any such violation of which said secretary or such
360 town clerk may have knowledge. Any such fine for a violation of any
361 provision of this chapter applying to the office of the Treasurer shall be
362 deposited on a pro rata basis in any trust funds, as defined in section 3-
363 13c, affected by such violation.

364 (b) (1) If any campaign treasurer or lobbyist fails to file the
365 statements required by section 9-333j or subsection (g) of section 9-333l,
366 [as the case may be] or if any candidate fails to file either (A) a
367 statement for the formation of a candidate committee as required by

368 section 9-333f, or (B) a certification pursuant to section 9-333e that the
369 candidate is exempt from forming a candidate committee as required
370 by section 9-333f, within the time required, [he] the campaign
371 treasurer, lobbyist or candidate, as the case may be, shall pay a late
372 filing fee of [fifty-five] one hundred dollars.

373 (2) In the case of [a] any such statement or certification that is
374 required to be filed with the Secretary of the State, the secretary shall,
375 within ten days after the filing deadline is, or should be, known to
376 have passed, notify by certified mail, return receipt requested, the
377 person required to file that, if such statement is not filed within
378 twenty-one days after [the deadline] such notice, the person is in
379 violation of said section or subsection. If the person does not file such
380 statement or certification within twenty-one days after the [deadline]
381 the secretary mails such notice, the secretary shall notify the State
382 Elections Enforcement Commission within [twenty-eight days after the
383 deadline] seven days after such mailing.

384 (3) In the case of [a] any such statement or certification that is
385 required to be filed with a town clerk, the town clerk shall forthwith
386 after the filing deadline is, or should be, known to have passed, notify
387 by certified mail, return receipt requested, the person required to file
388 that, if such statement or certification is not filed within seven days
389 after [receiving] the town clerk mails such notice, the town clerk shall
390 notify the State Elections Enforcement Commission that the person is
391 in violation of said section or subsection.

392 (4) The penalty for any violation of said section or subsection for
393 which notice is provided to the State Elections Enforcement
394 Commission by the Secretary of the State or the town clerk shall be a
395 fine of not less than two hundred dollars nor more than [one] two
396 thousand dollars or imprisonment for not more than one year, or both.

397 Sec. 7. Subsection (b) of section 12-15 of the general statutes is
398 repealed and the following is substituted in lieu thereof (*Effective July*
399 *1, 2005*):

400 (b) The commissioner may disclose (1) returns or return information
401 to (A) an authorized representative of another state agency or office,
402 upon written request by the head of such agency or office, when
403 required in the course of duty or when there is reasonable cause to
404 believe that any state law is being violated, or (B) an authorized
405 representative of an agency or office of the United States, upon written
406 request by the head of such agency or office, when required in the
407 course of duty or when there is reasonable cause to believe that any
408 federal law is being violated, provided no such agency or office shall
409 disclose such returns or return information, other than in a judicial or
410 administrative proceeding to which such agency or office is a party
411 pertaining to the enforcement of state or federal law, as the case may
412 be, in a form which can be associated with, or otherwise identify,
413 directly or indirectly, a particular taxpayer except that the names and
414 addresses of jurors or potential jurors and the fact that the names were
415 derived from the list of taxpayers pursuant to chapter 884 may be
416 disclosed by the judicial branch; (2) returns or return information to
417 the Auditors of Public Accounts, when required in the course of duty
418 under chapter 23; (3) returns or return information to tax officers of
419 another state or of a Canadian province or of a political subdivision of
420 such other state or province or of the District of Columbia or to any
421 officer of the United States Treasury Department or the United States
422 Department of Health and Human Services, authorized for such
423 purpose in accordance with an agreement between this state and such
424 other state, province, political subdivision, the District of Columbia or
425 department, respectively, when required in the administration of taxes
426 imposed under the laws of such other state, province, political
427 subdivision, the District of Columbia or the United States, respectively,
428 and when a reciprocal arrangement exists; (4) returns or return
429 information in any action, case or proceeding in any court of
430 competent jurisdiction, when the commissioner or any other state
431 department or agency is a party, and when such information is directly
432 involved in such action, case or proceeding; (5) returns or return
433 information to a taxpayer or its authorized representative, upon

434 written request for a return filed by or return information on such
435 taxpayer; (6) returns or return information to a successor, receiver,
436 trustee, executor, administrator, assignee, guardian or guarantor of a
437 taxpayer, when such person establishes, to the satisfaction of the
438 commissioner, that such person has a material interest which will be
439 affected by information contained in such returns or return
440 information; (7) information to the assessor or an authorized
441 representative of the chief executive officer of a Connecticut
442 municipality, when the information disclosed is limited to (A) a list of
443 real or personal property that is or may be subject to property taxes in
444 such municipality, or (B) a list containing the name of each person who
445 is issued any license, permit or certificate which is required, under the
446 provisions of this title, to be conspicuously displayed and whose
447 address is in such municipality; (8) real estate conveyance tax return
448 information or controlling interest transfer tax return information to
449 the town clerk or an authorized representative of the chief executive
450 officer of a Connecticut municipality to which the information relates;
451 (9) estate tax returns and estate tax return information to the Probate
452 Court Administrator or to the court of probate for the district within
453 which a decedent resided at the date of the decedent's death, or within
454 which the commissioner contends that a decedent resided at the date
455 of the decedent's death or, if a decedent died a nonresident of this
456 state, in the court of probate for the district within which real estate or
457 tangible personal property of the decedent is situated, or within which
458 the commissioner contends that real estate or tangible personal
459 property of the decedent is situated; (10) returns or return information
460 to the Secretary of the Office of Policy and Management for purposes
461 of subsection (b) of section 12-7a; (11) return information to the Jury
462 Administrator, when the information disclosed is limited to the names,
463 addresses, federal Social Security numbers and dates of birth, if
464 available, of residents of this state, as defined in subdivision (1) of
465 subsection (a) of section 12-701; (12) pursuant to regulations adopted
466 by the commissioner, returns or return information to any person to
467 the extent necessary in connection with the processing, storage,

468 transmission or reproduction of such returns or return information,
 469 and the programming, maintenance, repair, testing or procurement of
 470 equipment, or the providing of other services, for purposes of tax
 471 administration; (13) without written request and unless the
 472 commissioner determines that disclosure would identify a confidential
 473 informant or seriously impair a civil or criminal tax investigation,
 474 returns and return information which may constitute evidence of a
 475 violation of any civil or criminal law of this state or the United States to
 476 the extent necessary to apprise the head of such agency or office
 477 charged with the responsibility of enforcing such law, in which event
 478 the head of such agency or office may disclose such return information
 479 to officers and employees of such agency or office to the extent
 480 necessary to enforce such law; (14) names and addresses of operators,
 481 as defined in section 12-407, to tourism districts, as defined in section
 482 10-397; (15) names of each licensed dealer, as defined in section 12-285,
 483 and the location of the premises covered by the dealer's license; [and]
 484 (16) to a tobacco product manufacturer that places funds into escrow
 485 pursuant to the provisions of subsection (a) of section 4-28i, return
 486 information of a distributor licensed under the provisions of chapter
 487 214 or chapter 214a, provided the information disclosed is limited to
 488 information relating to such manufacturer's sales to consumers within
 489 this state, whether directly or through a distributor, dealer or similar
 490 intermediary or intermediaries, of cigarettes, as defined in section 4-
 491 28h, and further provided there is reasonable cause to believe that such
 492 manufacturer is not in compliance with section 4-28i; and (17) returns
 493 or return information to the State Elections Enforcement Commission,
 494 upon written request by said commission, when necessary to
 495 investigate suspected violations of state election laws.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	9-7b(a)
Sec. 2	<i>July 1, 2005</i>	9-311
Sec. 3	<i>July 1, 2005</i>	9-358

Sec. 4	<i>July 1, 2005</i>	9-360
Sec. 5	<i>July 1, 2005</i>	9-361
Sec. 6	<i>July 1, 2005</i>	9-333y
Sec. 7	<i>July 1, 2005</i>	12-15(b)

Statement of Purpose:

To strengthen enforcement of state election 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.]