



House of Representatives

General Assembly

File No. 478

February Session, 2012

Substitute House Bill No. 5026

House of Representatives, April 17, 2012

The Committee on Government Administration and Elections reported through REP. MORIN of the 28th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING THE SECRETARY OF THE STATE'S
AUTHORITY FOLLOWING A PROCLAMATION OR DECLARATION OF
AN EMERGENCY OR MAJOR DISASTER.***

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

1 Section 1. (NEW) (*Effective October 1, 2012*) Whenever the Governor
2 has proclaimed a civil preparedness emergency under section 28-9 or
3 28-9a of the general statutes or the President of the United States has
4 declared an emergency or a major disaster to exist in the state, the
5 Secretary of the State shall, upon the request of both registrars of
6 voters of a municipality holding an election following such
7 proclamation or declaration, have legal standing to seek court
8 intervention on behalf of such municipality in the superior court for
9 the judicial district of Hartford. Such intervention may include, but not
10 be limited to, the postponement, the relocation, or any other action
11 required for the orderly execution of such election. For purposes of this
12 section, "emergency" and "major disaster" have the same meanings as
13 provided in section 28-1 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	New section

GAE *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 13 \$	FY 14 \$
Various Municipalities	Potential Savings	See Below	See Below

Explanation

The bill allows the Secretary of the State (SOTS), at the request of a municipality, to go to court on behalf of that municipality to reschedule or move an election during a state of emergency. There is no impact to SOTS associated with the bill as the Office of the Attorney General represents state agencies on legal issues.

Municipalities seeking to reschedule or move an election after a state of emergency declaration may realize a savings associated with reduced legal fees should they request the SOTS to go to court on their behalf. For example, the Town of Farmington incurred a cost of approximately \$3,400 in attorney fees in attempting to postpone its November 2011 municipal election after the late October, 2011 snow storm and subsequent state of emergency declaration.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: *Secretary of the State*
Town of Farmington

OLR Bill Analysis

sHB 5026

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OF AN EMERGENCY OR MAJOR DISASTER.***

SUMMARY:

Following a declaration of a civil preparedness emergency by the governor, or emergency or major disaster by the President, this bill gives the secretary of the state legal standing to seek court intervention in the judicial district of Hartford on behalf of a municipality that (1) is holding an election and (2) requests it. The request must be made by both registrars of voters. The intervention may include postponing or relocating the election, or any other action required for its orderly execution.

EFFECTIVE DATE: October 1, 2012

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 15 Nay 0 (03/29/2012)