



Acts Affecting Town Clerks and Elections

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July 19, 2019 | 2019-R-0152

Notice to Readers

This report provides summaries of new laws (public acts and special acts) and a resolution adopted during the 2019 regular session that significantly affect town clerks and elections. OLR's other Acts Affecting reports, including Acts Affecting Municipalities, are, or will soon be, available on OLR's website: <https://www.cga.ct.gov/olr/actsaffecting.asp>.

Each summary indicates the public act (PA), special act (SA), or resolution act (RA) number. Not all provisions of the acts are included. The report does not include vetoed acts unless the veto was overridden. Complete summaries of public acts are, or will soon be, available on OLR's website: <https://www.cga.ct.gov/olr/olrsums.asp>.

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or General Assembly's website: <http://www.cga.ct.gov>.

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Business Filings

Trade Name Registry

A new law makes various changes that primarily relate to information certain business entities must provide to the secretary of the state for the Connecticut Business Registry. Among other things, the new law requires (1) corporations or limited liability companies using a trade name to file the business name, identification number, and principal office address with the clerk of the town where business is conducted and (2) the secretary of the state to establish a trade name registry to electronically collect trade name index information from town clerks ([PA 19-40](#), § 13, effective July 1, 2019).

Elections

Early Voting

This year the General Assembly took a step toward allowing early voting in Connecticut by passing a resolution that proposes to amend the state constitution. The constitutional amendment would authorize the legislature to pass a law allowing for in-person, early voting before any state or municipal election or referendum.

The resolution passed by a majority of the membership of each house of the General Assembly but less than three-fourths; therefore, it will be referred to the 2021 session of the legislature. If it passes in that session by a majority of each house, it will appear on the 2022 general election ballot.

The ballot designation must read as follows: “Shall the Constitution of the State be amended to permit the General Assembly to provide for early voting?” If a majority of those voting on the amendment in the general election approves it, the amendment will become part of the state constitution ([RA 19-1](#) will be referred to the 2021 session of the legislature, as described above).

Moderators and Alternate Moderators

A new law extends, from two to four years, the duration of an election moderator’s or alternate moderator’s certification, beginning with those issued by the secretary of the state on or after July 1, 2019. The law applies to initial certifications and renewals ([PA 19-67](#), effective July 1, 2019).

Primary Petitions

A new law requires registrars of voters to make available primary petitions for the municipal offices of state representative and state senator starting 77 days before the primary, just as existing law

requires for the district offices of state representative and state senator. By law, the municipal offices of state representative and state senator represent a single-town district; the district offices of state representative and state senator represent a multi-town district ([PA 19-50](#), effective October 1, 2019).

Freedom of Information Requests

First Responder Communications

A new law makes oral and written communications between a first responder and a peer support team member confidential, with certain exceptions, when made in the course of a first responder's participation in an employer-established peer support program. The act generally prohibits a peer support team member from disclosing any confidential communications or records unless the first responder waives the privilege ([PA 19-188](#), effective October 1, 2019).

Law Enforcement Investigation and Arrest Records

A new law exempts from Freedom of Information Act (FOIA) public disclosure requirements certain victims' identifying information included in law enforcement investigation and arrest records. Prior law exempted a law enforcement agency from disclosing a victim's name and address in any detection or investigation records of the following crimes or attempted crimes: (1) sexual assault; (2) voyeurism; and (3) risk of injury to a minor. The act expands this disclosure exemption to include victims of family violence or attempted family violence.

Prior law also limited law enforcement agencies' redaction of certain arrest records to witnesses' identities and any information about a crime's commission deemed prejudicial or sealed by court order. The act further allows agencies to redact from arrest records the name, address, or other identifying information of any victim of the following crimes or attempted crimes: (1) sexual assault; (2) voyeurism; (3) risk of injury to a minor; and (4) family violence ([PA 19-43](#), effective October 1, 2019).

Law Enforcement Record Transfers

A new law exempts from liability a law enforcement agency that discloses certain criminal investigation records to another law enforcement agency that is authorized to receive them, if the receiving agency further discloses the records. The act applies to records that (1) law enforcement agencies compile in connection with the detection or investigation of a crime and (2) FOIA exempts from mandatory disclosure when disclosure is not in the public interest because it would reveal certain information specified in the act ([PA 19-30](#), effective July 1, 2019).

Public Official Financial Statements

Existing law requires certain public officials and state employees to annually file financial interest statements that identify certain assets and liabilities held by them, their spouses, and dependent children. A new law exempts from public disclosure under FOIA the names of dependent children residing in the filer's household ([PA 19-2](#), effective upon passage).

Land Records and Real Property

Validation of Conveyance Defects

With certain exceptions, a new law validates documents that convey, lease, mortgage, or affect a real estate interest recorded after January 1, 1997, if they are executed pursuant to a recorded power of attorney but the power of attorney is not recorded on the land records of the town where the instrument is recorded. These documents include deeds, mortgages, leases, powers of attorney, releases, assignments, and other instruments ([PA 19-85](#), effective October 1, 2019).