COVID-19 Executive Orders Affecting State and Local Government Operations and Elections

By: Julia Singer Bansal, Senior Legislative Attorney, Report Coordinator

and

Office of Legislative Research Staff

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Notice to Readers

This report provides brief summaries of the governor’s COVID-19 executive orders concerning state and local government operations and elections. The report includes all related executive orders since the governor’s March 10, 2020, declaration of public health and civil preparedness emergencies, through April 23, 2020.

Each summary indicates the Executive Order (EO) number and enactment date. Not all provisions of the orders are included. The orders are grouped by category for ease of reference.

Three additional reports summarize the governor’s COVID-19 executive orders concerning (1) business, labor, and housing; (2) education and child care; and (3) health and human services. All four reports are available on OLR’s website: https://www.cga.ct.gov/olr/. The reports will be updated promptly as the governor issues new related orders.

Readers are encouraged to obtain the full text of the orders, and related state agency actions taken in response to the COVID-19 pandemic, from the governor’s website: https://portal.ct.gov/Coronavirus/Pages/Emergency-Orders-issued-by-the-Governor-and-State-Agencies.
## Table of Contents

Court Operations .................................................................................................................................................. 5
  Affidavits Related to Orders of Protection and Relief ..................................................................................... 5
  Civil and Criminal Court Operations .............................................................................................................. 5
  Family Court Operations ............................................................................................................................... 5
  Probate Court Operations ............................................................................................................................... 6

Freedom of Information (FOI) Act (FOIA) .............................................................................................................. 6
  FOI Commission (FOIC) Appeals ....................................................................................................................... 6
  Open Meeting Requirements ............................................................................................................................. 6

Municipal Budget Process ...................................................................................................................................... 7
  Budget Adoption Deadline .................................................................................................................................... 7
  In-Person Budget Adoption Requirements ......................................................................................................... 7
  In-Person Voting Requirements for Financial Decisions ...................................................................................... 7

Property Tax Assessment and Collection ............................................................................................................. 8
  Assessment-Related Extensions .......................................................................................................................... 8
  Deferment Program and Low Interest Rate Program .......................................................................................... 8
  Exemption Data Reporting Requirement ............................................................................................................ 9
  Filing Requirement for Certain Property Tax Relief Programs ........................................................................... 9
  Income and Expense Filing Deadline ................................................................................................................ 9
  Interior Inspections Related to Revaluations ....................................................................................................... 9
  Non-Judicial Tax Sales ........................................................................................................................................ 9
  PILOT Grant Deadline ....................................................................................................................................... 10
  Remote Assessment Appeals ............................................................................................................................ 10
  Remote Circuit Breaker Filings .......................................................................................................................... 10

Recreation ............................................................................................................................................................... 10
  Inland Waters Fishing Season ............................................................................................................................ 10
  State Park and Forest Use .................................................................................................................................. 10

State Contracting and Real Property .................................................................................................................... 11
  Emergency Procurement of Essential Goods .................................................................................................... 11
  Facilitating State Leasing, Repairs, Alterations, and Use of Real Property ...................................................... 11

Transportation ...................................................................................................................................................... 12
  Department of Motor Vehicles (DMV) Branch Closure ....................................................................................... 12
  DMV Credential Expiration ............................................................................................................................... 12
  Department of Transportation (DOT) Encroachment Permits ......................................................................... 13
Vital Records and Fingerprinting ............................................................................................................. 13
Duties of Registrars of Vital Records ........................................................................................................ 13
Fingerprinting Services and Access to State Police Facilities ................................................................. 13
Marriage Licenses .................................................................................................................................. 13
Purchasing and Accessing Vital Records ................................................................................................ 14
Workforce and Labor ................................................................................................................................. 14
DESPP Licenses, Permits, and Approvals .................................................................................................. 14
Fire Service Personnel Certification Exams ............................................................................................... 14
Police Training ....................................................................................................................................... 15
Rehiring Retired Municipal Employees .................................................................................................... 15
Rehiring Retired State Employees ............................................................................................................ 15
Miscellaneous Matters With Broad Applicability ..................................................................................... 16
Municipal Applications, Decisions, and Actions ....................................................................................... 16
Municipal Orders Conflicting With Executive Orders .............................................................................. 16
Presidential Primary ................................................................................................................................. 16
State Agency Administrative Deadlines ................................................................................................... 17
Court Operations

**Affidavits Related to Orders of Protection and Relief**

**EO 7T:**
- Allows civil restraining order or protection order applicants to make the supporting statement of facts under penalty of false statement (a class A misdemeanor) instead of by an affidavit made under oath

- Applies this alternative to any other statutory provisions related to protection orders that require any document be made under oath (EO 7T, § 6, Apr. 2, 2020)

**Civil and Criminal Court Operations**

**EO 7G:**
- Suspends various laws related to civil and criminal court operations, such as (1) location and venue requirements; (2) civil statutes of limitation; and (3) deadlines for court filings, notices, hearings, and judicial decisions (EO 7G, § 2, Mar. 19, 2020)

- (For information on the Judicial Branch’s actions in response to COVID-19, see the branch website)

**Family Court Operations**

**EO 7CC:**
- Allows the court to accept not-in-person testimony (e.g., a sworn affidavit) from parties seeking a divorce or legal separation in order to (1) make a finding that the marriage has broken down irretrievably or (2) in cases where the parties have submitted an agreement, make any other jurisdictional and factual findings that the court deems necessary or appropriate to enter a judgment

- Allows a parent to waive the right to file a motion or petition for educational support for a child without being physically present

- After a legal separation, allows the court to enter a divorce decree without requiring physical presence

- Allows the court to accept a sworn affidavit containing statements that address the elements the court is currently required to ask in person (financial resources and actual needs of the spouses; fitness to have physical custody or visitation rights)
• Allows the court to satisfy any current requirement that a specific finding be on the record in a divorce, legal separation, annulment, paternity, child support, or family support proceeding by including the finding in its written judgment, order, or memorandum of decision

• Excludes any case where a civil restraining order or a family violence protective order is in effect or for which any such application is pending with the court (EO 7CC, §§ 4-8, Apr. 21, 2020)

Probate Court Operations
EO 7K:
• Suspends certain legal requirements related to probate court proceedings and operations, such as reporting, filing, venue, statutes of limitation, and service of process deadlines

• Suspends all time requirements or deadlines for the probate courts or their judicial officials to issue notices, hold court, hear matters, or render decisions

• Allows the court to hold hearings or render decisions in time frames as the circumstances warrant and the parties’ interest requires (EO 7K, § 1, Mar. 23, 2020)

Freedom of Information (FOI) Act (FOIA)

FOI Commission (FOIC) Appeals
EO 7M:
• Suspends the (1) deadlines under FOIA for people to file appeals with the FOIC after a public agency denies access to public documents or meetings and (2) requirement that FOIC hear and decide these appeals within one year (EO 7M, § 2, Mar. 25, 2020)

Open Meeting Requirements
EO 7B:
• Suspends in-person, open meeting requirements under FOIA and any municipal ordinance, charter, or regulation, and instead allows public agencies to hold meetings remotely, by electronic means, provided certain conditions are met (e.g., agencies must provide the public with electronic meeting access) (EO 7B, § 1, Mar. 14, 2020)
Municipal Budget Process

Budget Adoption Deadline

EO 7I:

- Extends by 30 days all FY 21 municipal budget deadlines that fall on or before May 15, 2020; authorizes municipalities to change budget schedules and deadlines, including public hearings, referenda, and final budget adoption dates

- Applies to all quasi-municipal corporations, or other state or municipal political subdivisions that have the power to make appropriations or levy assessments or taxes, including special taxing districts and regional water or resource recovery authorities

- (Amends a previous order) (EO 7C, § 5, Mar. 15, 2020; EO 7I, § 12, Mar. 21, 2020)

In-Person Budget Adoption Requirements

EO 7I:

- Requires municipal legislative bodies (and boards of selectmen in town meeting towns) to authorize their budget-making authorities to adopt an FY 21 budget and set a mill rate (in an amount meeting the order’s criteria) without complying with any charter-required votes or in-person budget adoption requirements, including (1) annual town meetings requiring votes, (2) referenda, and (3) special town meetings

- Requires the mill rate (plus any other estimated income and revenue surplus) to be sufficient to pay the municipality’s expenses for the fiscal year and absorb any revenue deficit

- Requires budget-making authorities to comply with public meeting requirements in EO 7B and take all reasonable steps to publicize the draft budget and receive public comment on it (EO 7I, § 13, Mar. 21, 2020)

In-Person Voting Requirements for Financial Decisions

EO 7CC:

- Allows municipalities, by a majority vote of their legislative body (or board of selectmen in certain town meeting towns) and budget-making authority, to make certain fiscal decisions without holding otherwise-required in-person votes of residents or taxpayers, provided they comply with EO 7B’s open meeting requirements (e.g., they must provide the public with electronic meeting access)
• Allows municipalities to authorize in this way, among other things: legal settlements; supplemental appropriations; municipal general obligation bonds; application for or acceptance of grants; transfers between capital and reserve accounts; and investments in postemployment benefit funds

• Specifies that municipalities may conduct in-person meetings, approvals, or referenda if they first consult with local or state public health officials and act in a way to reduce COVID-19 transmission

• (Amends a previous order) (EO 7S, § 7, Apr. 1, 2020; EO 7CC, § 1, Apr. 21, 2020)

Property Tax Assessment and Collection

Assessment-Related Extensions

EO 7I:

• Extends various property tax assessment-related deadlines, including deadlines for (1) calculating equalized net grand lists, (2) submitting income and expense information for rental property, and (3) conducting board of assessment appeals meetings and submitting assessment appeals

• Waives related penalties, including the penalties for towns that fail to submit their property valuations for payment in lieu of taxes (PILOT) reimbursement claims (EO 7I, § 15, Mar. 21, 2020)

Deferment Program and Low Interest Rate Program

EO 7W:

• Establishes a Deferment Program and the Low Interest Rate Program to provide temporary tax and utility charge relief to eligible businesses, nonprofits, residents, and taxpayers, including Green Bank C-PACE program participants, and requires municipalities to participate in one or both programs

• Requires quasi-municipal corporations (e.g., regional water authorities or special taxing districts) to also participate in one or both programs

• Requires, for the Deferment Program, payment deferral for certain landlords and taxpayers that (1) attest to or document significant economic impact by COVID-19 or (2) document that they are providing relief to those significantly affected by the virus (requires the Office of Policy and Management (OPM) secretary to issue eligibility guidance, but authorizes municipalities to extend the relief to others)
• Specifies that banks that hold taxes in escrow must generally continue to make payments to
the municipality on the borrower’s behalf

• (Amends a previous order) (EO 7S, § 6, Apr. 1, 2020; EO 7W, § 1, Apr. 9, 2020;)

Exemption Data Reporting Requirement
EO 7I:
• Suspends the requirement that municipal assessors annually report to OPM on the amount
of specified manufacturing machinery and equipment property tax exemptions (EO 7I, § 18,
Mar. 21, 2020)

Filing Requirement for Certain Property Tax Relief Programs
EO 7S:
• Suspends the biennial reapplication requirement under the Circuit Breaker and Tax Freeze
programs for individuals who were granted the benefit for the 2017 assessment year, thus
allowing these recipients to continue receiving the benefit through the next biennial cycle
without recertifying their eligibility (EO 7S, § 8, Apr. 1, 2020)

Income and Expense Filing Deadline
EO 7S:
• Extends, from June 1, 2020, to August 15, 2020, the deadline by which owners of rental-
income producing properties must file their income and expense statements with the
assessor, if required to do so (EO 7S, § 10, Apr. 1, 2020)

Interior Inspections Related to Revaluations
EO 7S:
• Suspends any interior property inspection requirements for municipalities that are collecting
data for 2020 revaluations and requires them to collect the necessary data using a mailed
questionnaire (EO 7S, § 9, Apr. 1, 2020)

Non-Judicial Tax Sales
EO 7CC:
• Suspends municipal and water pollution control authority foreclosures through non-judicial
tax sales until at least 30 days after the end of the declared public health and civil
preparedness emergencies (hereafter “declared emergencies”)

• For sales conducted before March 10, 2020, extends the six-month redemption period by
the number of whole months that is nearest to the duration of the declared emergencies,
during which time the redemption interest must be charged at a monthly rate equal to 3% per year

- (Amends a previous order) (EO 7S, § 11, Apr. 1, 2020; EO 7CC, § 2, Apr. 21, 2020)

**PILOT Grant Deadline**

EO 7I:
- Suspends valuation and appeals deadlines for state-owned property and private nonprofit college and hospital property PILOT grants (EO 7I, § 17, Mar. 21, 2020)

**Remote Assessment Appeals**

EO 7Z:
- Waives in-person appearance requirements for board of assessment appeals sessions and hearings and authorizes boards to conduct appeals remotely (e.g., via conference call, video conference, or e-mail) if (1) the property owner, or the owner’s agent or attorney, participates in the remote hearing and (2) it is conducted in accordance with open meeting requirements outlined in EO 7B (EO 7I, § 16, Mar. 21, 2020; EO 7Z, § 2, Apr. 14, 2020)

**Remote Circuit Breaker Filings**

EO 7I:
- Waives in-person appearance requirements for circuit breaker program applications, thus allowing public agencies to obtain required information electronically (EO 7I, § 16, Mar. 21, 2020)

**Recreation**

**Inland Waters Fishing Season**

EO 7L:
- Immediately opens the state fishing season for inland waters (lakes, ponds, rivers, and streams) (see agency guidance here)

- Requires anglers to practice social distancing, such as being six feet apart (EO 7L, § 2, Mar. 24, 2020)

**State Park and Forest Use**

EO 7R:
- Authorizes the Department of Energy and Environmental Protection commissioner to:
• issue orders to limit or prohibit access to state parks and other agency-controlled land (see closed facilities [here])

• ban anyone who violates the orders from entering the parks or lands until the end of the declared emergencies (see agency guidance, including potential penalties, [here]) ([EO 7R], § 4, Mar. 31, 2020)

State Contracting and Real Property

Emergency Procurement of Essential Goods

EO 7Z:

• Authorizes state contracting agency heads, for any contract entered into on or after March 10, 2020, to expedite the procurement of “essential goods” to diagnose, mitigate, prevent, treat, cure, or limit harm caused by the COVID-19 pandemic by waiving specified contracting requirements (e.g., competitive solicitation requirements; certain audit, inspection, and confidentiality requirements; and certain disclosure and nondiscrimination requirements) ([EO 7Z], § 1, Apr. 14, 2020)

Facilitating State Leasing, Repairs, Alterations, and Use of Real Property

EO 7J:

• Authorizes the OPM secretary or her designee, or the Department of Administrative Services (DAS) commissioner, as applicable, to take any action necessary to expedite state-wide property transfers, assignments of space, and leasing or use of real property to respond to the COVID-19 emergency pertaining to requirements for:

  • OPM secretary approval (1) of state agency space requests and all DAS-proposed leases, lease renewals, and holdover agreements and (2) to use state real property by an entity other than a state agency, or by a state agency that does not have custody and control over it;

  • State Properties Review Board approval (1) of DAS-proposed real estate acquisitions, sales, leases, and subleases and (2) for the DAS Commissioner to order the assignment and removal of state agencies to and from real estate available to the state, through ownership or lease;

  • sworn statement filings of any entity seeking to enter into a lease or lease-purchase agreement with the state to disclose the names of any persons having a financial interest in the property or premises involved;
• advertising leased space and notifying the Connecticut Association of Realtors of requirements for executive branch agency leased space;

• gift and campaign contribution disclosures by contractors and prospective contractors for state contracts over $50,000;

• state contractor confidentiality, audits, and inspection activity; and

• competitive solicitation for purchases and contracts for supplies, materials, equipment, and contractual services

• Requires DAS to submit all proposed real estate transactions subject to §§ 5 & 6 of this order to the OPM deputy secretary or his or her designee for review and approval

• Requires the deputy secretary or designee to respond within one calendar day to any proposed transaction, after which it is deemed approved (EO 7J, §§ 5 & 6, Mar. 22, 2020)

Transportation

Department of Motor Vehicles (DMV) Branch Closure

EO 7C:

• Authorizes the DMV commissioner to issue any orders she deems necessary to close DMV branches to the public and conduct DMV business remotely, among other things

• Allows her to suspend, for up to 90 days, timelines and deadlines for notices and hearings required under state motor vehicle laws or the Uniform Administrative Procedures Act

• Requires DMV to (1) inform customers, through its website, how to conduct business remotely and access services from DMV partners and (2) review weekly its plan for conducting business remotely to determine if changes are needed (EO 7C, § 7, Mar. 15, 2020; see summary of EO 7, § 4, below for related agency notices)

DMV Credential Expiration

EO 7:

• Authorizes the DMV commissioner to extend the expiration dates or validity periods of registrations, licenses, permits, certificates, and other DMV-issued credentials as she deems necessary (by law, the commissioner must inform the public and all law enforcement agencies of any extension she grants) (EO 7, § 4, Mar. 12, 2020; International Registration Plan Requirements Waiver, Mar. 12, 2020; Expiration Date or Validity Period Extensions for Various Credentials, Mar. 12, 2020; Extension or Waiver of Registrations and Other
Department of Transportation (DOT) Encroachment Permits
EO 7M:
• Authorizes the DOT commissioner to suspend or delay (i.e., toll) the running of the statutory time periods for reviewing and approving encroachment permit applications
• Requires that any such suspension or delay end on the termination date of the declared emergencies (EO 7M, § 1, Mar. 25, 2020)

Vital Records and Fingerprinting
Duties of Registrars of Vital Records
EO 7L:
• Authorizes the public health commissioner, or her designee, to conduct birth, death, and marriage registration to assist local registrars of vital statistics (EO 7L, § 6, Mar. 24, 2020)

Fingerprinting Services and Access to State Police Facilities
EO 7E:
• Suspends a statute concerning fingerprinting requests and empowers the Department of Emergency Services and Public Protection (DESPP) commissioner, or his designee, and municipal police chiefs to reduce or eliminate their departments’ fingerprinting hours to limit the transmission of COVID-19 or focus resources on critical public safety needs, except DESPP must continue fingerprinting services for long-term care providers
• Requires State Police barracks to remain open to the general public for other business, unless modified by further order of the governor or DESPP commissioner (EO 7E, § 2, Mar. 17, 2020; for agency actions related to this executive order, see: State Police Implementation Statement, Mar. 17, 2020; State Police Implementation Statement, Mar. 18, 2020; State Police Implementation Statement, Mar. 19, 2020; and State Police Implementation Statement, Mar. 25, 2020)

Marriage Licenses
EO 7L:
• Allows couples planning to marry in a municipality whose office of vital statistics is closed due to the COVID-19 pandemic to obtain their marriage license from any available registrar of vital statistics in any town in the state
• Extends, from 65 to 125 days, the validity of a marriage license that is obtained or that will expire during the declared emergencies (EO 7L, § 8, Mar. 24, 2020)

**Purchasing and Accessing Vital Records**

EO 7L:

•Suspends in-person purchases or access to copies of vital records at the Department of Public Health (DPH), limiting such purchases and access to only those via mail or online requests (EO 7L, § 7, Mar. 24, 2020)

**Workforce and Labor**

**DESPP Licenses, Permits, and Approvals**

EO 7E:

•Authorizes the DESPP commissioner to extend by 90 days the expiration dates of the following credentials if they expired or will expire on or after March 1, 2020: (1) temporary handgun permits; (2) handgun permits; (3) security service licenses; (4) security officer instructor approvals; (5) security officer licenses; (6) security officer firearm permits; (7) pawnbroker licenses; (8) secondhand dealer licenses; (9) bail enforcement agent licenses; (10) private detective and private detective agency licenses; (11) professional bondsman licenses; (12) licenses to store, transport, and use explosives; and (13) permits for certain fireworks displays and the use of specific pyrotechnics

•Allows the DESPP commissioner to (1) revoke any such extension as he deems necessary to protect public safety and (2) further extend those expiration dates for the duration of the declared emergency, unless they are extended or terminated by the governor (EO 7E, § 3, Mar. 17, 2020; Implementation Order, Mar. 20, 2020)

**Fire Service Personnel Certification Exams**

EO 7J:

•Authorizes the DESPP commissioner to (1) extend the 12-month timeframe for completing the examination components of fire service personnel certifications by 90 days and grant further extensions as he deems necessary and (2) revoke an extension if needed to protect public safety (EO 7J, § 2, Mar. 22, 2020)

**Out-of-State Security Officers**

EO 7Z:

•Authorizes the DESPP commissioner to temporarily waive the state’s security officer licensing requirements for individuals who (1) are licensed as security officers in another
state and (2) will be employed as unarmed (i.e., without firearms) officers by security services or businesses in this state (EO 7Z, § 3, Apr. 14, 2020)

**Police Training**

EO 7:
- Suspends a regulation requiring the dismissal of a police training academy recruit if he or she is absent from any basic training program for more than five training days
- Authorizes the DESPP commissioner or his designee to permit a recruit to (1) be absent for more than five days if it is necessary due to the effects of or response to the COVID-19 pandemic, (2) continue basic training via distance learning, and (3) complete basic training during the next available or a future training class if necessary because of a COVID-19 related absence (EO 7, § 5, Mar. 12, 2020)

**Rehiring Retired Municipal Employees**

EO 7L:
- Allows municipal employees (except those receiving a disability pension) who retired under the Connecticut Municipal Retirement System (CMERS) to return to work for municipalities that participate in CMERS without any hourly or durational limits, while still receiving their CMERS pensions
- The law otherwise only allows CMERS retirees to do so if they return to work for less than 20 hours per week or no more than 90 working days per year (EO 7L, § 3, Mar. 24, 2020)

**Rehiring Retired State Employees**

EO 7J:
- Expands the pool of retired state employees who may temporarily return to work for the state by suspending:
  - provisions in executive orders issued by governors Rell and Malloy that generally prohibit retired state employees from returning to state service as a temporary worker retiree (TWR) for more than two terms (by law, a TWR’s term cannot exceed 120 days in a calendar year)
  - laws that prohibit the state from rehiring certain state employees who retired under the 2003 early retirement incentive program
- Requires state agencies to expedite review and approval of any related extension or hiring requests (EO 7J, § 4, Mar. 22, 2020)
Miscellaneous Matters With Broad Applicability

**Municipal Applications, Decisions, and Actions**

EO 7I:
- Modifies procedural requirements and deadlines for various municipal applications and decisions, including (1) establishing alternate procedures for filing land use applications, petitions, and appeals; (2) modifying requirements for issuing notices to interested parties; (3) providing a 90-day extension for public hearings, agency decisions, municipal reports to state agencies, and demolition delays; (4) allowing for various notices to be published on municipal or agency websites; (5) authorizing certain petitions to be signed electronically and personal notices sent by email; (6) enabling certain appeals to be initiated by service of process by e-mail; and (7) allowing municipalities to waive hardcopy application requirements.

- Applies to municipal decisions and actions under numerous statutory provisions, including FOIA, municipal sewer systems, planning and zoning, motor vehicles, inland wetlands and watercourses, and crematories laws (EO 7I, § 19, Mar. 21, 2020).

**Municipal Orders Conflicting With Executive Orders**

EO 7H:
- Requires municipalities to get written approval from DESPP before (1) enacting or enforcing any orders that conflict with either the governor’s executive orders or a state agency’s orders that were issued pursuant to the declared emergencies or (2) issuing orders to shelter-in-place or prohibit travel.

- Municipal orders that were previously issued are not invalidated; municipalities may continue to enforce any existing local rules or ordinances that do not conflict with any executive orders (EO 7H, § 2, Mar. 20, 2020).

**Presidential Primary**

EO 7BB:
- Postpones the upcoming presidential primary, rescheduling it from June 2, 2020, to August 11, 2020, after a previous executive order (EO 7G, § 1) rescheduled it from April 28, 2020, to June 2, 2020 (EO 7BB, § 2, Apr. 17, 2020).
State Agency Administrative Deadlines

EO 7M:

- Authorizes state department and agency heads, commissioners, boards, and commissions to extend, by up to 90 days, the following matters under their jurisdiction: statutory or regulatory time requirements; decision-making requirements; hearings; or other time limitations or deadlines, procedures, or legal processes

- Authorizes these officials to (1) extend these matters as they deem reasonably necessary to respond to the COVID-19 pandemic and (2) issue any related implementing orders necessary to implement and effectuate this order, and publicly post such orders on their respective websites (EO 7M, § 3, Mar. 25, 2020)