

# Government Administration and Elections Committee

## JOINT FAVORABLE REPORT

**Bill No.:** SB-244

AN ACT CONCERNING ELIGIBILITY TO HOLD PUBLIC OFFICE OR BE

**Title:** EMPLOYED BY THE STATE OR ANY MUNICIPALITY.

**Vote Date:** 3/27/2023

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/10/2023

**File No.:**

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

### SPONSORS OF BILL:

Government Administration and Elections Committee

### REASONS FOR BILL:

This bill states that persons who have been convicted of a felony in relation to an act of insurrection, rebellion or sedition shall be permanently ineligible to be employed by the state or any municipality. It also states that state and municipal office holders who engage in insurrection or rebellion shall be permanently ineligible to be elected or appointed to any state office or municipal office or serve in the armed forces of the state in the future.

### RESPONSE FROM ADMINISTRATION/AGENCY:

#### [Senator Bob Duff, Majority Leader, 25<sup>th</sup> District, Connecticut General Assembly:](#)

The January 6, 2021 insurrection was an event unlike anything we have ever seen in the United States, the wholesale siege and attack on the United States Capitol by American citizens. Senate Bill 244 seeks to take Section 3 of the XIV Amendment to the United States Constitution and codify it into Connecticut state statute. No one who has sought the destruction of our democracy should be allowed into a position where they can undermine the innerworkings of government. These people, once they serve the penalty handed down by a court should be allowed to continue living their lives, but they cannot be allowed to run for election to the very entity which they sought to destroy. Unfortunately, on January 6th there were numerous examples of state representatives and state senators, municipal police officers and others who took an oath to protect and defend the Constitution of the United States of America who ignored and violated that oath. The second section of this bill seeks to address employment and adds the charge of sedition or seditious-conspiracy as an additional exclusionary offense. In seditious-conspiracy cases prosecutors must prove that two or more

people conspired to "overthrow, put down or to destroy by force" the U.S. government or bring war against it, or that they plotted to use force to oppose the authority of the government or to block the execution of a law. This is no small charge. Again, this bill seeks to keep people who worked to destroy the government from serving as an employee of the government they sought to destroy.

#### **NATURE AND SOURCES OF SUPPORT:**

##### **[Anne Manusky, M.Ed., President, Connecticut Republican Assembly:](#)**

Anne provides many comments in support of this bill in her testimony. She also discusses the impact of the events at the United States Capitol on January 6<sup>th</sup>, 2021, and how those events relate to the importance of this bill. See written testimony for details.

##### **[Jenna Grande, Press Secretary, Citizens for Responsibility and Ethics in Washington \(CREW\):](#)**

This legislation would have the effect of more completely capturing the individuals who attacked the U.S. Capitol on January 6, 2021 and prohibit them from trying to run the government that they attempted to overthrow without inadvertently sweeping in protected First Amendment conduct. Protecting our democracy from those who wish to overthrow it is not a theoretical concern. To date, the Department of Justice has brought criminal charges against over 900 individuals who participated in the January 6th attack on the U.S. Capitol. The fact that individuals who participated in that attack continue to serve in government throughout the country represents an acute threat to the future vitality of our democracy. We are heartened to see that the Connecticut legislature is considering passing this important democracy preservative legislation.

##### **[Cheri Quickmire, Executive Director, Common Cause In CT:](#)**

The January 6 insurrection was a shameful day for our nation. The fact that individuals who participated in that attack continue to serve in government throughout the country represents an acute threat to the future vitality of our democracy. We strongly urge you to consider and pass the proposed legislation during this legislative session.

Written testimony was submitted by Cheri Quickmire on behalf of the following: Citizens for Responsibility and Ethics in Washington; Common Cause in Connecticut; Connecticut AFL-CIO; Connecticut Alliance for Retired Americans; Connecticut Citizen Action Group; ConnPIRG; CT Black Women; Moral Monday CT; New Haven Ward 25 Democratic Committee; NOT JUST US; Orange CT Indivisible (OCTI); ReSisters; Windham Willimantic Branch NAACP; Yale College Democrats.

##### **[Anonymous:](#)**

While I support the principle of the bill, I propose amending it to specifically make Rob Sampson ineligible to hold public office. Additional commentary in written testimony.

## **NATURE AND SOURCES OF OPPOSITION:**

### **Michael Barton:**

I applaud you for turning your attention to address something as important as eligibility for a public office. However, I implore you to scrap this horrible excuse of a Bill, and focus on eligibility requirements that might be meaningful to the citizens and the future of this State.

### **William Drouin:**

General opposition comments

### **Debbie Esposito:**

The American people get to decide who to vote for. Committee members do not have the authority to apply subjective, arbitrary biases to who can hold office. The real insurrection to our country is currently happening at our Southern border. I'd also be curious. In the event someone is convicted of an actual insurrection, would they be able to vote (HB 5702) or would that crime be excluded from your voting bill?

### **Evan Kasak:**

This is something that has never happened here in CT nor in DC (Jan6th), and so this Bill is just a political trick and should not be considered.

### **Kathleen Misset:**

I watched the previously unseen J6 footage this week and see how labeling people as "insurrectionists" is totally subjective, I realize that this bill could be very harmful to someone who is just exercising their American First Amendment rights. Why would you want to prohibit people from running for office, working for the state or a municipality, or serving in the military who may have been labeled just for speaking out against the status quo? Diversity of thought is necessary in every domain.

### **K Samo:**

The term "insurrection" has been greatly twisted by the media, the J6 committee members, and even some ill-informed leaders in our own country. Any leader who fights to maintain our freedoms and rights to fair elections or to making sure the government is upholding the law of the land in our constitutional republic are not insurrectionists but following the intent and purpose of the United States of America.

### **Robert Applegate:**

This bill is inherently unnecessary. Anyone convicted in a court of law of such offense(s) would have essentially no chance of being elected. It would be far better to have the individual attempt to present justification for those acts to the general population, so that the people can see exactly why that individual holding office would be undesirable. If, however,

the individual could present convincing arguments such that a majority of the applicable voting populace agrees with the candidate, then under classic democratic principles, the candidate should be elected.

**Linda Dalessio:**

Based on whose assumptions and what agenda? We have freedom to assemble and speak our truth based on our constitution in a peaceful and non-violent way. The truth is coming out about January 6th and the disinformation and misinformation perpetrated on the American people by both Democrats and Republicans. Currently there is zero trust in this government. You are not the rulers and arbitrators of the American people, whether Democrat, Republican or unaffiliated. You work for us. I have a right to my opinion, not based on my employment. I did not give up my civil rights by my employment. I have a question, Senator Blumenthal received an award and spoke at the Communist party convention a couple of years ago, would that disqualify him? Does that mean he supports Communist views? Be careful how you attempt to label people based on your assumptions, this is discrimination couched in legalese.

**C. Marcella Kurowski:**

I oppose SB 244 because declaring a citizen permanently ineligible for office is unconstitutional. I oppose SJ 7 because the judicial department having exclusive jurisdiction over elections via an amendment is unnecessary.

**Richard Mayhew:**

One man's insurrection is another man's protest. We have laws already concerning treason. Any citizen charged and tried for treason, and convicted, will most likely not be favored by the electorate! This bill is stupid to say the least!

**Drew Serrano:**

This bill seems to be an overreaction to the false claim that the January 6th incident in Washington DC was a planned insurrection, which is more and more being proven to be false. Since the protest concerning an election that was in question is being framed as an "insurrection", even though evidence shows it was not, this bill could penalize people for seeking the redress of grievances by protesting. This is too broad and should be limited to those rightly convicted in a court of law of such accusations.

**Reported by: Robert Mayne**

**Date: 03-27-2023**