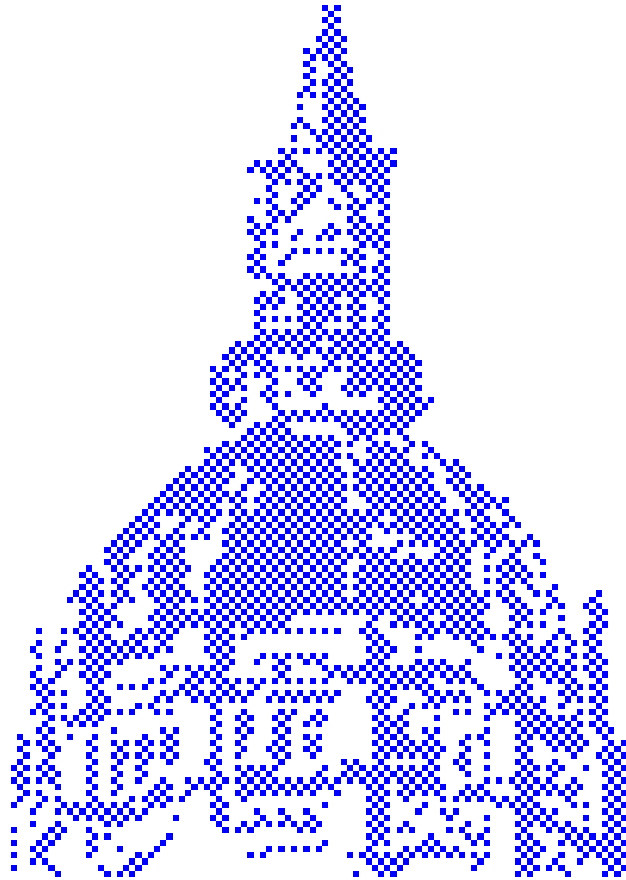




ACTS AFFECTING TOWN CLERKS AND ELECTIONS



2014-R-0190

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NOTICE TO READERS

This report provides highlights of new laws (public acts) affecting town clerks and elections enacted during the 2014 regular legislative session. In each summary, we indicate the public act (PA) number.

Not all provisions of the acts are included here. Complete summaries of all 2014 public acts are available on OLR's webpage:
<http://www.cga.ct.gov/olr/OLRPASums.asp>.

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

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490 PROGRAM: DEADLINE FOR FILING WITH TOWN CLERKS

A new law makes procedural changes to the "490 program," in which eligible farm, forest, open space, and maritime heritage land is assessed for property tax purposes based on its current use, rather than its full market value. Prior law required tax assessors to annually, by November 30, file with the town clerk a certificate for any land classified under the 490 program. The act extends this deadline to January 31 for any year in which a revaluation of all real property becomes effective ([PA 14-33](#), § 6, effective October 1, 2014 and applicable to assessment years starting on or after that date).

CITIZENS' ELECTION FUND

By law, grants for candidates participating in the Citizens' Election Program (CEP) are made from the Citizens' Election Fund (CEF). The CEF is funded mostly by proceeds from the sale of abandoned property that escheats (reverts) to the state.

A new law requires revenue from the corporation business tax to be deposited into the CEF if, during an election cycle, there are insufficient funds to cover grants to qualified CEP candidates. Whenever this occurs, an amount equal to the aggregate deposit must be deducted from the escheats that are deposited into the CEF the following fiscal year.

The new law also (1) eliminates the current procedure for addressing insufficient grant funds and (2) allows

the State Elections Enforcement Commission to use funds in the CEF's reserve account if the fund is insufficient ([PA 14-78](#), effective upon passage and applicable to primaries and elections held on or after that date).

ELECTRONIC VOTER CHECK-IN

A new law authorizes official checkers to use a secretary of the state-approved electronic device to check-in electors at the polls. After studying the issue and consulting with UConn, the secretary must, by September 1, 2015, compose a list of electronic devices that she approves for municipal use. Under the new law, (1) official checkers must return the electronic device to the registrars after the polls close and (2) registrars must print and sign the electronic registry list. The registrars must deposit the printed electronic registry list in the town clerk's office the following day, just as existing law requires them to do with the printed registry lists they currently use. Official checkers must use the printed copy of the voter registry list to check-in voters if the electronic device becomes inoperable ([PA 14-217](#), §§ 23-26, effective upon passage).

LAND-USE RESTRICTIONS ON LAND RECORDS

By law, land-use restrictions are recorded on land records, which town clerks maintain. They are often recorded after a property has been remediated and the necessary verification submitted to the Department of Energy and

Environmental Protection (DEEP). A new law allows property owners remediating property under the Transfer Act to submit to DEEP an interim verification concerning a property's conditions, not just a final verification as under prior law. Under the new law, a party submitting an interim verification on or before December 31, 2014 does not have to record an environmental land use restriction until September 1, 2015 ([PA 14-88](#), § 4, effective upon passage).

NOTIFICATION OF POLLING PLACE HOUR EXTENSIONS

A new law allows each candidate on the ballot in an election to provide, to the registrars of voters in any town in which the ballot is to be voted on, the name and contact information (including instructions for leaving a message) for an individual who should be notified if polling place hours have been or may be extended. If registrars are aware of a court proceeding or order concerning an extension of polling place hours, they must immediately notify any individuals identified by the candidates. If a registrar does not reach an individual on the first attempt, he or she must leave a message in accordance with the candidate's instructions. The new law specifies that registrars do not have to notify an individual of a court proceeding's outcome if they have already provided him or her with notice of the proceeding ([PA 14-188](#), § 17, effective upon passage).

VALIDATION OF CERTAIN MARRIAGE LICENSES

As the registrars of vital statistics, town clerks register and maintain marriage records. A new law validates marriages performed between June 7, 2006 and the law's passage that would have been valid except that:

1. the marriage license was issued in a town (a) other than the town where the ceremony was held or (b) where neither of the celebrants resided when they filed their license application or
2. the justice of the peace who performed the ceremony did not have a valid certificate but represented himself or herself as qualified and the marrying couple reasonably relied on that representation ([PA 14-146](#), effective upon passage).

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