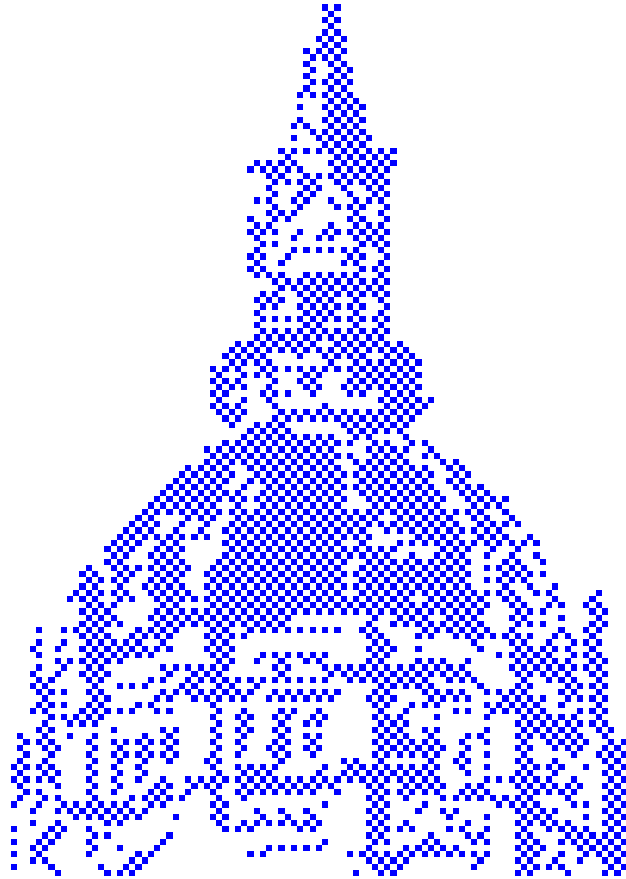




ACTS AFFECTING TOWN CLERKS AND ELECTIONS



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NOTICE TO READERS

This report provides highlights of new laws affecting town clerks and elections enacted during the 2016 regular and special legislative sessions. It does not include vetoed acts.

Not all provisions of the acts are included here. Complete summaries of all 2016 public acts are available on OLR's webpage as they are completed:
<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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CAMPAIGN FINANCE

Filing Campaign Finance Reports Electronically

A new law lowers, from \$250,000 to \$1,000, the receipt and expenditure threshold at which statewide office candidate committees must file periodic campaign finance statements electronically with the State Elections Enforcement Commission (SEEC) using its web-based program known as "eCRIS." It also (1) extends the requirement to specified exploratory committees, candidate committees, party committees, political committees (i.e., PACs), and persons making independent expenditures; (2) expands it to cover all financial disclosure statements; and (3) authorizes SEEC to waive the requirement for good cause ([PA 16-203](#), effective July 1, 2017).

Timely Filing of Campaign Finance Disclosure Statements

Campaign finance disclosure statements that candidates or committees file in hard copy are considered timely when SEEC receives them by 5:00 pm on the date they are due. Prior law prohibited SEEC from levying a penalty for failure to timely file a hard copy if a treasurer had a return receipt from the U.S. Postal Service, or a similar receipt from a commercial delivery service, confirming receipt by the deadline. A new law instead prohibits SEEC from levying a penalty if the receipt confirms that the statement was

delivered, or should have been delivered, by the deadline ([PA 16-203](#), effective upon passage).

Use of Public Funds by State and Municipal Employees and Candidates

Campaign finance law generally prohibits state and municipal officials and employees, during the 12 months before an election, from allowing public funds to be spent on advertisements featuring or promoting a candidate for public office. It also prohibits incumbents, during the three months preceding an election in which they are running, from using public funds to mail or print promotional materials to help them get elected. Under a new law, a candidate's participation in an activity of the Council of State Governments is not considered a violation of these public funds prohibitions ([PA 16-181](#), effective upon passage).

ELECTION ADMINISTRATION

Mandatory Saturday Registrar Session

A new law eliminates the requirement that registrars of voters hold a voter registration session from 10:00 a.m. to 2:00 p.m. on the Saturday of the third week before a regular election. It retains requirements that registrars hold four other mandatory registration sessions, including one from 9:00 a.m. to 8:00 p.m. on the seventh day before a regular election ([PA 16-31](#), effective July 1, 2016).

Online Voter Registration Deadline

A new law extends the deadline for submitting online voter registration applications from 14 days to 7 days before a regular election, thus making it the same as the deadline for submitting mail-in and in-person applications ([PA 16-53](#), effective upon passage).

Post-Election Audits

The law requires registrars of voters to audit the state's voting districts, selected through a random drawing, after a federal, state, or municipal regular election or primary. The legislature reduced, from 10% to 5%, the minimum percentage of voting districts in the state, municipality, or district, whichever applies, that must be audited ([PA 16-76](#), effective July 1, 2016).

Reporting Municipal Election Results

A new law changes how local elections officials report municipal election results. Generally, it requires them to follow the same procedures as they follow for reporting state election results. For multi-district towns, it also requires (1) election officials to meet after municipal, not only state, elections to identify any errors in the election night returns previously submitted to the secretary of the state and (2) head moderators to file any amended election returns with town clerks, not only the secretary and registrars of voters ([PA 16-14](#), effective upon passage).

MISCELLANEOUS

Approval of Subregistrars for Burial Permits

By law, local registrars of vital statistics (generally town clerks) may appoint subregistrars to issue removal, transit, and burial permits and cremation permits when the registrar's office is closed. A new law requires a town's chief elected official, rather than the selectmen, to approve the appointment ([PA 16-22](#), effective October 1, 2016).

Foreclosure Alternative

A new law, among other things, creates a new process as an alternative to foreclosure whereby a court may enter a judgment of loss mitigation which allows (1) certain underwater mortgages to be modified without a junior lienholder's consent or (2) the mortgagor (borrower) to satisfy his or her obligation by conveying the property to the mortgagee (lender) or a third-party using a transfer agreement. Within 30 days after a mortgage modification or conveyance to a mortgagee, the mortgagor and mortgagee must record the judgment of loss mitigation with the town clerk. For conveyances to third parties, before recording the document conveying title to the third party, the mortgagor must submit the judgment of loss mitigation to the town clerk for recording ([PA 16-65, §§ 73-80 & 91](#), effective October 1, 2016).

Office of Governmental Accountability (OGA)

OGA consists of independent divisions for which it provides consolidated personnel, payroll, affirmative action, and administrative and business office functions. A new law removes three of these divisions, including SEEC, from OGA, thus making them each responsible for the functions listed above. It also removes SEEC's chairperson from OGA's Governmental Accountability Commission ([PA 16-3, May Special Session, §§ 67-74 & 209](#), effective July 1, 2016).

NOTICE REQUIREMENTS

Minor Party Representation

The law generally requires minority party representation on state and municipal boards, legislative bodies, and similar entities, and it sets a maximum number of members who can be from one party. For appointed boards and commissions, a new law requires appointing authorities to notify all other appointing authorities within five calendar days after making an appointment and provide the appointee's name, town of residence, and political affiliation. Notice may be by electronic means ([PA 16-185, § 15](#), effective upon passage).

Notice of Workers' Compensation Claims

A new law requires a municipal employee who files a claim with the Workers' Compensation Commission to send a copy of the notice of the claim to

the town clerk of the municipality where he or she works. By law, an employee must notify his or her employer or a workers' compensation commissioner of the claim and a state employee must send a copy of the notice to the administrative services commissioner. The notice must state the (1) date and place of the accident and nature of the injury or date an occupational disease's symptom first became clear and the nature of the disease and (2) name and address of the employee and person in whose interest compensation is claimed ([PA 16-112](#), effective July 1, 2016).

VARIOUS ACTS MAKING MINOR CHANGES

In addition to the acts summarized above, the following acts make minor changes affecting town clerks:

1. [PA 16-64](#) (fees for a person or officer who records a document in a town clerk's office);
2. [PA 16-194](#) (title to real property and related matters); and
3. [PA 16-3, May Special Session, § 7](#) (notice of a public hearing by CTNext board to consider innovation place applications).

TA:cmg