



General Assembly

Substitute Bill No. 5448

February Session, 2024



H B 0 5 4 4 8 G A E 0 3 2 5 2 4

AN ACT CONCERNING SECURITY OF CERTAIN ELECTION WORKERS AND ELECTIONS-RELATED LOCATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 1-217 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2024*):

3 (a) No public agency may disclose, under the Freedom of Information
4 Act, from its personnel, medical or similar files, the residential address
5 of any of the following persons employed by such public agency:

6 (1) A federal court judge, federal court magistrate, judge of the
7 Superior Court, Appellate Court or Supreme Court of the state, or
8 family support magistrate;

9 (2) A sworn member of a municipal police department, a sworn
10 member of the Division of State Police within the Department of
11 Emergency Services and Public Protection or a sworn law enforcement
12 officer within the Department of Energy and Environmental Protection;

13 (3) An employee of the Department of Correction;

14 (4) An attorney-at-law who represents or has represented the state in
15 a criminal prosecution;

16 (5) An attorney-at-law who is or has been employed by the Division

17 of Public Defender Services or a social worker who is employed by the
18 Division of Public Defender Services;

19 (6) An inspector employed by the Division of Criminal Justice;

20 (7) A firefighter;

21 (8) An employee of the Department of Children and Families;

22 (9) A member or employee of the Board of Pardons and Paroles;

23 (10) An employee of the judicial branch;

24 (11) An employee of the Department of Mental Health and Addiction
25 Services who provides direct care to patients;

26 (12) A member or employee of the Commission on Human Rights
27 and Opportunities; or

28 (13) A state marshal appointed by the State Marshal Commission
29 pursuant to section 6-38b.

30 (b) The business address of any person described in this section shall
31 be subject to disclosure under section 1-210. The provisions of this
32 section shall not apply to Department of Motor Vehicles records
33 described in section 14-10.

34 (c) (1) Except as provided in subsections (a) and [(d)] (e) of this
35 section, no public agency may disclose the residential address of any
36 person listed in subsection (a) of this section from any record described
37 in subdivision (2) of this subsection that is requested in accordance with
38 the provisions of said subdivision, regardless of whether such person is
39 an employee of the public agency, provided such person has (A)
40 submitted a written request for the nondisclosure of the person's
41 residential address to the public agency, and (B) furnished his or her
42 business address to the public agency.

43 (2) Any public agency that receives a request for a record subject to
44 disclosure under this chapter where such request (A) specifically names

45 a person who has requested that his or her address be kept confidential
46 under subdivision (1) of this subsection, shall make a copy of the record
47 requested to be disclosed and shall redact the copy to remove such
48 person's residential address prior to disclosing such record, (B) is for an
49 existing list that is derived from a readily accessible electronic database,
50 shall make a reasonable effort to redact the residential address of any
51 person who has requested that his or her address be kept confidential
52 under subdivision (1) of this subsection prior to the release of such list,
53 or (C) is for any list that the public agency voluntarily creates in
54 response to a request for disclosure, shall make a reasonable effort to
55 redact the residential address of any person who has requested that his
56 or her address be kept confidential under subdivision (1) of this
57 subsection prior to the release of such list.

58 (3) Except as provided in subsection (a) of this section, an agency shall
59 not be prohibited from disclosing the residential address of any person
60 listed in subsection (a) of this section from any record other than the
61 records described in subparagraphs (A) to (C), inclusive, of subdivision
62 (2) of this subsection.

63 (d) (1) Except as provided in subsections (a) and (e) of this section and
64 subject to the provisions of subdivisions (2) and (3) of this subsection,
65 no public agency of a municipality may disclose, under the Freedom of
66 Information Act, from a public record, including any record described
67 in subdivision (2) of subsection (c) of this section, the residential address
68 of any person who is a municipal clerk, registrar of voters, deputy
69 registrar of voters, election official described in section 9-258, primary
70 official described in section 9-436 or audit official described in section 9-
71 320f, regardless of whether such person is an employee of the public
72 agency, provided such person has (A) submitted a written request for
73 the nondisclosure of the person's residential address to the public
74 agency, and (B) furnished (i) his or her business address to the public
75 agency, or (ii) if such person does not have a business address, the
76 address of the town or city hall or the municipal building in which the
77 office of the registrars of voters of such municipality is located.

78 (2) (A) If a person submits a written request described in subdivision
79 (1) of this subsection prior to the ninetieth day preceding an election, the
80 prohibition in said subdivision against disclosing such person's
81 residential address shall take effect on the ninetieth day preceding such
82 election and shall expire on the ninetieth day following such election.

83 (B) If a person submits a written request described in subdivision (1)
84 of this subsection on or after the ninetieth day preceding an election, the
85 prohibition in said subdivision against disclosing such person's
86 residential address shall take effect upon such submission and shall
87 expire on the ninetieth day following such election.

88 (3) The provisions of this subsection shall not be construed to prohibit
89 the disclosure of the residential address of any person described in
90 subdivision (1) of this subsection in the case where such residential
91 address appears on a public record by virtue of such person holding any
92 elective or appointive state or municipal office other than municipal
93 clerk, registrar of voters or deputy registrar of voters.

94 [(d)] (e) The provisions of this section shall not be construed to
95 prohibit the disclosure without redaction of any document, as defined
96 in section 7-35bb, any list prepared under title 9, or any list published
97 under section 12-55.

98 [(e)] (f) No public agency or public official or employee of a public
99 agency shall be penalized for violating a provision of this section, unless
100 such violation is wilful and knowing. Any complaint of such a violation
101 shall be made to the Freedom of Information Commission. Upon receipt
102 of such a complaint, the commission shall serve upon the public agency,
103 official or employee, as the case may be, by certified or registered mail,
104 a copy of the complaint. The commission shall provide the public
105 agency, official or employee with an opportunity to be heard at a
106 hearing conducted in accordance with the provisions of chapter 54,
107 unless the commission, upon motion of the public agency, official or
108 employee or upon motion of the commission, dismisses the complaint
109 without a hearing if it finds, after examining the complaint and

110 construing all allegations most favorably to the complainant, that the
111 public agency, official or employee has not wilfully and knowingly
112 violated a provision of this section. If the commission finds that the
113 public agency, official or employee wilfully and knowingly violated a
114 provision of this section, the commission may impose against such
115 public agency, official or employee a civil penalty of not less than twenty
116 dollars nor more than one thousand dollars. Nothing in this section shall
117 be construed to allow a private right of action against a public agency,
118 public official or employee of a public agency.

119 Sec. 2. (NEW) (*Effective July 1, 2024*) (a) A person is guilty of
120 possession of a weapon near an elections site when, knowing that such
121 person is not permitted by law to do so, such person possesses a firearm
122 or deadly weapon, as such terms are defined in section 53a-3 of the
123 general statutes, within two hundred fifty feet of any (1) polling place
124 on the day of an election, primary or referendum, (2) location designated
125 for the conduct of early voting during the period of early voting at an
126 election or primary, (3) location designated for same-day election
127 registration on the day of a regular election, (4) central location
128 designated for the counting of absentee ballots, early voting ballots or
129 same-day election registration ballots at an election, primary or
130 referendum, as applicable, (5) place where a canvass is being
131 conducted, or (6) drop box designated for the deposit of absentee ballots
132 during the period beginning on the first day of issuance of absentee
133 voting sets and ending at the close of the polls at an election, primary or
134 referendum.

135 (b) The provisions of subsection (a) of this section shall not apply to
136 the otherwise lawful possession of a firearm:

137 (1) On private property that is not part of any elections site described
138 in subdivisions (1) to (6), inclusive, of subsection (a) of this section;

139 (2) That is (A) not loaded, and (B) in a locked container, or a locked
140 firearms rack, that is on a motor vehicle;

141 (3) In the case of any elections site described in subdivisions (1) to (6),

142 inclusive, of subsection (a) of this section that is in or on the real property
143 comprising a public or private elementary or secondary school, by a
144 person (A) for use in a program approved by school officials in or on
145 such school property, (B) in accordance with an agreement entered into
146 between school officials and such person or such person's employer, or
147 (C) while traversing such school property for the purpose of gaining
148 access to public or private lands open to hunting or for other lawful
149 purposes, provided such firearm is not loaded and the entry on such
150 school property is permitted by the local or regional board of education;

151 (4) By a peace officer, as defined in subdivision (9) of section 53a-3 of
152 the general statutes, while engaged in the performance of such peace
153 officer's official duties; and

154 (5) By a person passing within two hundred fifty feet of an elections
155 site described in subdivisions (1) to (6), inclusive, of subsection (a) of
156 this section only for as long as necessary to be within such two hundred
157 fifty feet while on the way to a place or location other than such elections
158 site.

159 (c) Possession of a weapon near an elections site is a class D felony.

160 Sec. 3. Section 9-364a of the general statutes is repealed and the
161 following is substituted in lieu thereof (*Effective July 1, 2024*):

162 (a) As used in this section, "election worker" means any municipal
163 clerk, registrar of voters, deputy registrar of voters, election official
164 described in section 9-258, primary official described in section 9-436 or
165 recanvass official described in section 9-311, and "personal identifying
166 information" has the same meaning as provided in section 53a-129a.

167 (b) Any person who influences or attempts to influence by force or
168 threat the vote, or by force, threat, bribery or corrupt means, the speech,
169 of any other person [in] at a primary, caucus, referendum, convention
170 or election; [or] any person who influences or attempts to influence by
171 force, threat or harassment any election worker in the performance of
172 any duty under the provisions of this title related to election

173 administration at a primary, referendum, election or canvass; any
174 person who wilfully and fraudulently suppresses or destroys any vote
175 or ballot properly given or cast or, in counting such votes or ballots,
176 wilfully miscounts or misrepresents the number thereof; and any
177 presiding or other officer of a primary, caucus or convention who
178 wilfully announces the result of a ballot or vote of such primary, caucus
179 or convention, untruly and wrongfully, shall be guilty of a class C
180 felony.

181 (c) Any person who, with intent to harass, terrorize or alarm any
182 election worker, or to influence any election worker in the performance
183 of any duty under this title related to election administration at a
184 primary, referendum, election or canvass, publicly discloses the
185 personal identifying information of such election worker shall be guilty
186 of a class A misdemeanor;

187 (d) Any election worker described in subsection (b) or (c) of this
188 section, as applicable, shall have a civil cause of action against the
189 person who, with respect to such election worker, violated said
190 subsection.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2024</i>	1-217
Sec. 2	<i>July 1, 2024</i>	New section
Sec. 3	<i>July 1, 2024</i>	9-364a

Statement of Legislative Commissioners:

In Section 2(a), "as defined in" was changed to "as such terms are defined in" for clarity, and "early voting prior to an election" was changed to "early voting at an election" in Subdiv. (2) for consistency; and in Section 2(b)(1), (3) and (5), "subdivisions (1) to (6), inclusive, of" was added for clarity.

GAE *Joint Favorable Subst.*