



House of Representatives

General Assembly

File No. 365

January Session, 2025

Substitute House Bill No. 7125

House of Representatives, March 31, 2025

The Committee on Government Administration and Elections reported through REP. BLUMENTHAL of the 147th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING REFERENDA ON REVISIONS TO MUNICIPAL CHARTERS AND HOME RULE ORDINANCES.

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

1 Section 1. (NEW) (*Effective July 1, 2025*) (a) Whenever by law it is
2 provided that a proposed charter amendment or home rule ordinance
3 amendment may be submitted to a vote of the electors of a municipality
4 pursuant to section 7-191 of the general statutes, as amended by this act,
5 or to any special act, charter or ordinance, the provisions of this section
6 shall apply in addition to all other applicable provisions of chapter 152
7 of the general statutes.

8 (b) (1) The designation of a proposed charter amendment or home
9 rule ordinance amendment on the ballot, or of each item within such
10 amendment that is separately presented on the ballot in accordance with
11 the provisions of subdivision (2) of this subsection, shall be "Shall (here
12 insert the question, in a form requiring a "Yes" or "No" response,
13 followed by a question mark)" and, unless such question as presented

14 adequately explains the proposed change or changes, shall include a
15 precise and fair explanation of such proposed change or changes that
16 shall not advocate either the approval or disapproval of such
17 amendment. Such question and any such explanation shall be presented
18 on the ballot using simple, precise, clear, unambiguous and plain
19 language.

20 (2) Whenever a proposed charter amendment or home rule ordinance
21 amendment contains any of the following items, each such item shall be
22 separately presented on the ballot so as to be approved or disapproved,
23 as the case may be, individually by the electors of the municipality:

24 (A) Any change in the manner by which the legislative or governing
25 body of the municipality is elected;

26 (B) Any change in whether officials of the municipality are elected or
27 appointed, or in the terms of office of such officials, with specific
28 reference to each office affected by any such change, except that the
29 same such change being proposed across multiple offices may be
30 presented as a single item;

31 (C) Any change that imposes, repeals or alters a residency
32 requirement for the head of any municipal department, with specific
33 reference to each position affected by any such change, except that the
34 same such change being proposed across multiple positions may be
35 presented as a single item;

36 (D) The creation or elimination of any municipal board or
37 commission, with specific reference to each such board or commission,
38 and a description of the scope of authority for any such board or
39 commission being so created; and

40 (E) Any change regarding the provision of public notice for public
41 hearings that relate to the municipal budget process.

42 (c) Any municipality may provide for the preparation, printing and
43 dissemination of concise summaries of arguments in favor of, and
44 arguments opposed to, a proposed charter amendment or home rule

45 ordinance amendment, which summaries shall otherwise comply with
46 the provisions of subsection (c) of section 9-369b of the general statutes,
47 as amended by this act.

48 Sec. 2. Subsection (f) of section 7-191 of the general statutes is repealed
49 and the following is substituted in lieu thereof (*Effective July 1, 2025*):

50 (f) The proposed charter, charter amendments or home rule
51 ordinance amendments shall be prepared for the ballot by the
52 appointing authority and may be submitted in the form of one or several
53 questions in accordance with the provisions of section 1 of this act; and,
54 if approved by a majority of the electors of the municipality voting
55 thereon at a regular election or if approved by a majority which number
56 equals at least fifteen per cent of the electors of the municipality as
57 determined by the last-completed active registry list of such
58 municipality at a special election, such proposed charter, charter
59 amendments or home rule ordinance amendments shall become
60 effective thirty days after such approval unless an effective date or dates
61 are specified therein, in which event the date or dates specified shall
62 prevail. For the purposes of any complaint brought under section 9-371b
63 by any person claiming to have been aggrieved by any ruling of any
64 election official in connection with a referendum held on a charter
65 amendment or home rule ordinance amendment, "election official"
66 includes the appointing authority preparing such amendment for the
67 ballot pursuant to this subsection and "ruling" includes such
68 preparation.

69 Sec. 3. Section 9-369 of the general statutes is repealed and the
70 following is substituted in lieu thereof (*Effective July 1, 2025*):

71 Whenever at any regular or special state or municipal election any
72 vote for approval or disapproval of any constitutional amendment or
73 any question or proposal is taken pursuant to the Constitution, the
74 general statutes or any special act, unless otherwise provided, such
75 election shall be warned and held, the vote on such amendment,
76 question or proposal cast and canvassed and the result determined and
77 certified as nearly as may be in accordance with the provisions

78 governing the election of officers in the state or in such municipality.
79 The warning for such election shall state that a purpose of such election
80 is to vote for the approval or disapproval of such amendment, question
81 or proposal and shall state the section of the Constitution or of the
82 general statutes or the special act under authority of which such vote is
83 taken. The vote on such amendment, question or proposal shall be taken
84 by a "Yes" and "No" vote on the voting tabulator. [, and the] Except as
85 provided in section 1 of this act for a proposed charter amendment or
86 home rule ordinance amendment, the designation of such constitutional
87 amendment, or of such question or proposal, on the ballot shall be "Shall
88 (here insert the question or proposal, followed by a question mark)".
89 Such ballot shall be provided for use in accordance with the provisions
90 of section 9-250. The municipal clerk shall number on the ballot the
91 questions to be voted upon according to the order in which they will
92 appear thereon, provided amendments to the Constitution shall be
93 numbered by the Secretary of the State in numerical order based upon
94 the dates on which resolutions proposing such amendments were
95 passed, precedence being given to the earliest passed unless otherwise
96 provided by the resolutions proposing such amendments. Each elector
97 shall vote "Yes" if in favor of the amendment, question or proposal or
98 "No" if not in favor thereof. If, upon the official determination of the
99 result of such vote, it appears that a majority of all the votes so cast are
100 in approval of such amendment, question or proposal, such
101 amendment, question or proposal shall, unless otherwise provided, take
102 effect forthwith.

103 Sec. 4. Subsection (b) of section 9-369a of the general statutes is
104 repealed and the following is substituted in lieu thereof (*Effective July 1,*
105 *2025*):

106 (b) When the clerk of the municipality determines that the necessary
107 action has been taken for submission of the question, [he] the clerk shall,
108 at least forty-five days prior to the election, file in the office of the
109 Secretary of the State a statement setting forth the designation of the
110 question as it is to appear on the ballot at the election, the date upon
111 which the submitting action was taken and the reference to the law

112 under which the action was taken. [Such] Except for a proposed charter
113 amendment or home rule ordinance amendment under section 1 of this
114 act, such designation shall be in the form of a question [,] as provided in
115 section 9-369, as amended by this act. Whenever it is specifically
116 provided in the general statutes that any such question may be
117 approved for such submission within the period of forty-five days prior
118 to such an election, and action is taken to submit a question within such
119 period, the clerk of the municipality shall file the statement required by
120 this subsection with the Secretary of the State immediately upon the
121 taking of such action.

122 Sec. 5. Subsection (c) of section 9-369b of the general statutes is
123 repealed and the following is substituted in lieu thereof (*Effective July 1,*
124 *2025*):

125 (c) [Any] Except for a proposed charter amendment or home rule
126 ordinance amendment under section 1 of this act, any municipality may
127 provide, by ordinance, for the preparation, printing and dissemination
128 of concise summaries of arguments in favor of, and arguments opposed
129 to, local proposals or questions approved for submission to the electors
130 of a municipality at a referendum for which explanatory texts are
131 prepared under subsection (a) of this section. Any such ordinance shall
132 provide for the establishment or designation of a committee to prepare
133 such summaries, in accordance with procedures set forth in said
134 ordinance. The members of said committee shall be representatives of
135 various viewpoints concerning such local proposals or questions. The
136 committee shall provide an opportunity for public comment on such
137 summaries to the extent practicable. Such summaries shall be approved
138 by vote of the legislative body of the municipality, or any other
139 municipal body designated by the ordinance, and shall be posted and
140 distributed in the same manner as explanatory texts under subsection
141 (a) of this section. Each summary shall contain language clearly stating
142 that the printing of the summary does not constitute an endorsement by
143 or represent the official position of the municipality.

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

Section 1	<i>July 1, 2025</i>	New section
Sec. 2	<i>July 1, 2025</i>	7-191(f)
Sec. 3	<i>July 1, 2025</i>	9-369
Sec. 4	<i>July 1, 2025</i>	9-369a(b)
Sec. 5	<i>July 1, 2025</i>	9-369b(c)

Statement of Legislative Commissioners:

In Section 4(b), the second sentence was rewritten for consistency with standard drafting conventions; and in Section 5(c), the first sentence was rewritten for consistency with standard drafting conventions.

GAE *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill establishes requirements for ballot designation (i.e., questions) for proposed changes to municipal charters and home rule ordinances in certain circumstances and explicitly allows complaints against the preparation of referendum to be brought in state court resulting in no fiscal impact to the state or municipalities. There is no fiscal impact because the court system disposes of over 250,000 cases annually and the number of cases is not anticipated to be great enough to need additional resources.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 7125*****AN ACT CONCERNING REFERENDA ON REVISIONS TO MUNICIPAL CHARTERS AND HOME RULE ORDINANCES.*****SUMMARY**

This bill establishes requirements for ballot designations (i.e. questions) for proposed changes to municipal charters and home rule ordinances that must be submitted to a municipality's voters at an election (whether required by the statutes or a special act, charter, or ordinance). It also explicitly allows complaints regarding the preparation of these referenda to be brought in state court.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2025

BALLOT DESIGNATION REQUIREMENTS***Question Format and Explanation***

Under the bill, similar to existing law for referendum questions, the ballot designation for a proposed charter or home rule ordinance amendment must be "Shall (here insert the question, in a form requiring a "Yes" or "No" response, followed by a question mark)." If the designation as presented does not adequately explain the proposed change or changes, the bill requires the inclusion of a precise and fair explanation that does not advocate for or against the amendment. The bill requires that both the designation and the explanation use simple, precise, clear, unambiguous, and plain language.

Existing law allows municipalities, generally by vote of their legislative bodies, to authorize similar explanatory texts or other printed materials for referendum questions. For regional school district referenda, only the regional board of education can authorize

explanatory text.

Proposed Amendments on Certain Subjects

Under the bill, proposed charter or home rule ordinance amendments addressing the following subjects must appear and be described separately on the ballot:

1. any change in election method for the municipality's legislative or governing body;
2. any changes on whether a municipal official is elected or appointed;
3. any changes on a municipal official's term length;
4. any changes regarding residency requirements for municipal department heads;
5. the creation or elimination of a municipal board or commission, with specific reference to each board or commission, and a description of its authority if being created; and
6. any changes regarding public notice requirements for public hearings related to the municipal budget process.

The bill requires the question to specifically identify each affected position for any changes regarding (1) whether a municipal official is appointed or elected, (2) a municipal official's term length, or (3) municipal department head residency requirements. For each category, the changes may be presented as a single item if the same change applies to multiple officials or department heads, as applicable.

SUMMARIES OF FAVORABLE AND OPPOSING ARGUMENTS

The bill allows municipalities to prepare, print, and distribute concise summaries of arguments for and against the proposed charter or home rule ordinance amendment, and requires these summaries to comply with existing law's requirements for summaries for referendum questions. (But unlike existing law for referendum questions, it allows

them to do this without passing an ordinance to that effect.)

The existing law authorizes municipalities, by ordinance, to provide for concise summaries of favorable and opposing arguments for approved local proposals or questions at a referendum for which explanatory texts are prepared. The ordinance must provide for the establishment or designation of a committee, whose members must represent various viewpoints, to prepare the summaries.

To the extent practicable, the committee must provide an opportunity for public comment on the prepared summaries. The summaries must be approved by the municipality's legislative body, or any other municipal body designated by the ordinance, and be posted and distributed in the same way as explanatory texts. Each summary must contain language clearly stating that the printing of the summary does not constitute an endorsement by, or represent the official position of, the municipality.

COMPLAINTS

Existing law allows citizens to file a complaint with any Superior Court judge if he or she claims to have been aggrieved in connection with a referendum by, among other things, an election official's ruling.

The bill specifies that for the purposes of a referendum held on a charter or home rule ordinance amendment, an "election official" includes the appointing authority that prepared the amendment and its preparation is considered a "ruling."

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 19 Nay 0 (03/12/2025)