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## 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)