



General Assembly

**Amendment**

January Session, 2025

LCO No. 10458



Offered by:  
SEN. SAMPSON, 16<sup>th</sup> Dist.

To: House Bill No. 7287

File No.

Cal. No.

**"AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIUM  
ENDING JUNE 30, 2027, AND MAKING APPROPRIATIONS  
THEREFOR, AND PROVISIONS RELATED TO REVENUE AND  
OTHER ITEMS IMPLEMENTING THE STATE BUDGET."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 9-3 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective July 1, 2025*):

5 (a) The Secretary of the State, by virtue of the office, shall be the  
6 Commissioner of Elections of the state, with such powers and duties  
7 relating to the conduct of elections as are prescribed by law and, unless  
8 otherwise provided by state statute, the Secretary's regulations,  
9 declaratory rulings, instructions and opinions, if in written form, and  
10 any order issued under subsection (b) of this section, shall be presumed  
11 as correctly interpreting and effectuating the administration of elections  
12 and primaries under this title, except for chapters 155 to 158, inclusive,  
13 and shall be executed, carried out or implemented, as the case may be,

14 provided nothing in this section shall be construed to alter the right of  
15 appeal provided under the provisions of chapter 54. Any such written  
16 instruction or opinion shall be labeled as an instruction or opinion  
17 issued pursuant to this section, as applicable, and any such instruction  
18 or opinion shall cite any authority that is discussed in such instruction  
19 or opinion.

20 (b) During any municipal, state or federal election, primary or  
21 recanvass, or any audit conducted pursuant to section 9-320f, the  
22 Secretary of the State may issue an order, whether orally or in writing,  
23 to any registrar of voters or moderator to correct any irregularity or  
24 impropriety in the conduct of such election, primary or recanvass or  
25 audit. Any such order shall be effective upon issuance. As soon as  
26 practicable after issuance of an oral order pursuant to this subsection,  
27 the Secretary shall reduce such order to writing, cite within such order  
28 any applicable provision of law authorizing such order and cause a copy  
29 of such written order to be delivered to the individual who is the subject  
30 of such order or, in the case that such order was originally issued in  
31 writing, issue a subsequent written order that conforms to such  
32 requirements. The Superior Court, on application of the Secretary or the  
33 Attorney General, may enforce by appropriate decree or process any  
34 such order issued pursuant to this subsection.

35 (c) Prior to issuing any declaratory ruling pursuant to section 4-176,  
36 as amended by this act, or any instruction, opinion or order under the  
37 provisions of this section, the Secretary of the State shall adopt such  
38 declaratory ruling, instruction, opinion or order as a regulation, in  
39 accordance with the provisions of chapter 54. The Secretary shall  
40 publish on the eRegulations System a notice of intent to adopt (1) such  
41 declaratory ruling as a regulation not later than sixty days after receipt  
42 of a petition for a declaratory ruling, and (2) such instruction, opinion  
43 or order as a regulation immediately upon proposing to so issue any  
44 such instruction, opinion or order. Such declaratory ruling, instruction,  
45 opinion or order shall be effective when the regulation is posted on the  
46 eRegulations System by the Secretary of the State under section 4-172.

47 Sec. 502. Subdivision (16) of section 4-166 of the general statutes is  
48 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
49 *2025*):

50 (16) "Regulation" means each agency statement of general  
51 applicability, without regard to its designation, that implements,  
52 interprets, or prescribes law or policy, or describes the organization,  
53 procedure, or practice requirements of any agency. The term includes  
54 the amendment or repeal of a prior regulation, but does not include (A)  
55 statements concerning only the internal management of any agency and  
56 not affecting private rights or procedures available to the public, (B)  
57 declaratory rulings issued pursuant to section 4-176, as amended by this  
58 act, other than declaratory rulings described in section 9-3, as amended  
59 by this act, or (C) intra-agency or interagency memoranda;

60 Sec. 503. Section 4-176 of the general statutes is repealed and the  
61 following is substituted in lieu thereof (*Effective July 1, 2025*):

62 (a) Any person may petition an agency, or an agency may on its own  
63 motion initiate a proceeding, for a declaratory ruling as to the validity  
64 of any regulation, or the applicability to specified circumstances of a  
65 provision of the general statutes, a regulation, or a final decision on a  
66 matter within the jurisdiction of the agency.

67 (b) Each agency shall adopt regulations, in accordance with the  
68 provisions of this chapter, that provide for (1) the form and content of  
69 petitions for declaratory rulings, (2) the filing procedure for such  
70 petitions and (3) the procedural rights of persons with respect to the  
71 petitions.

72 (c) Within thirty days after receipt of a petition for a declaratory  
73 ruling, an agency shall give notice of the petition to all persons to whom  
74 notice is required by any provision of law and to all persons who have  
75 requested notice of declaratory ruling petitions on the subject matter of  
76 the petition.

77 (d) If the agency finds that a timely petition to become a party or to

78 intervene has been filed according to the regulations adopted under  
79 subsection (b) of this section, the agency: (1) May grant a person status  
80 as a party if the agency finds that the petition states facts demonstrating  
81 that the petitioner's legal rights, duties or privileges shall be specifically  
82 affected by the agency proceeding; and (2) may grant a person status as  
83 an intervenor if the agency finds that the petition states facts  
84 demonstrating that the petitioner's participation is in the interests of  
85 justice and will not impair the orderly conduct of the proceedings. The  
86 agency may define an intervenor's participation in the manner set forth  
87 in subsection (d) of section 4-177a.

88 (e) Within sixty days after receipt of a petition for a declaratory  
89 ruling, an agency in writing shall: (1) Issue a ruling declaring the  
90 validity of a regulation or the applicability of the provision of the  
91 general statutes, the regulation, or the final decision in question to the  
92 specified circumstances, (2) order the matter set for specified  
93 proceedings, (3) agree to issue a declaratory ruling by a specified date,  
94 (4) decide not to issue a declaratory ruling and initiate regulation-  
95 making proceedings, under section 4-168, on the subject, [or] (5) decide  
96 not to issue a declaratory ruling, stating the reasons for its action, or (6)  
97 in the case of a declaratory ruling described in section 9-3, as amended  
98 by this act, publish notice of intent to adopt regulations concerning such  
99 declaratory ruling.

100 (f) A copy of all rulings issued and any actions taken under  
101 subsection (e) of this section shall be promptly delivered to the  
102 petitioner and other parties personally or by United States mail, certified  
103 or registered, postage prepaid, return receipt requested.

104 (g) If the agency conducts a hearing in a proceeding for a declaratory  
105 ruling, the provisions of subsection (b) of section 4-177c, section 4-178  
106 and section 4-179 shall apply to the hearing.

107 (h) A declaratory ruling shall be effective when personally delivered  
108 or mailed or on such later date specified by the agency in the ruling,  
109 shall have the same status and binding effect as an order issued in a

110 contested case and shall be a final decision for purposes of appeal in  
111 accordance with the provisions of section 4-183. A declaratory ruling  
112 shall contain the names of all parties to the proceeding, the particular  
113 facts on which it is based and the reasons for its conclusion.

114 (i) If an agency does not issue a declaratory ruling within one  
115 hundred eighty days after the filing of a petition therefor, or within such  
116 longer period as may be agreed by the parties, the agency shall be  
117 deemed to have decided not to issue such ruling.

118 (j) The agency shall keep a record of the proceeding as provided in  
119 section 4-177."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	July 1, 2025	9-3
Sec. 502	July 1, 2025	4-166(16)
Sec. 503	July 1, 2025	4-176

Sec. 501	July 1, 2025	9-3
Sec. 502	July 1, 2025	4-166(16)
Sec. 503	July 1, 2025	4-176