



Substitute House Bill No. 5352

Public Act No. 26-133

AN ACT CONCERNING THE AUTHORITY OF THE STATE ELECTIONS ENFORCEMENT COMMISSION AND MANDATORY DISMISSAL OF COMPLAINTS.

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

Section 1. Subsection (g) of section 9-7a of the 2026 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(g) (1) (A) In the case of a written complaint filed with the commission pursuant to section 9-7b, commission staff shall conduct and complete a preliminary examination of such complaint by the fourteenth day following its receipt, at which time such staff shall, at its discretion, (i) dismiss the complaint for failure to allege any substantial violation of state election law supported by evidence, (ii) engage the respondent in discussions in an effort to speedily resolve any matter pertaining to a de minimis violation, or (iii) investigate and docket the complaint for a determination by the commission that probable cause or no probable cause exists for any such violation. If commission staff dismisses a complaint pursuant to subparagraph (A)(i) of this subdivision, such staff shall provide a brief written statement concisely setting forth the reasons for such dismissal. If commission staff engages a respondent pursuant to subparagraph (A)(ii) of this subdivision but is unable to

Substitute House Bill No. 5352

speedily resolve any such matter described in said subparagraph by the forty-fifth day following receipt of the complaint, such staff shall docket such complaint for a determination by the commission that probable cause or no probable cause exists for any violation of state election law. If the commission does not, by the sixtieth day following receipt of the complaint, either issue a decision or render its determination that probable cause or no probable cause exists for any violation of state election laws, the complainant or respondent may apply to the superior court for the judicial district of Hartford for an order to show cause why the commission has not acted upon the complaint and to provide evidence that the commission has unreasonably delayed action.

(B) (i) For any complaint received on or after January 1, 2018, if the commission does not, by one year following receipt of such complaint, issue a decision thereon, the commission shall dismiss such complaint, provided the length of time of any delay caused by (I) the commission or commission staff granting any extension or continuance to a respondent prior to the issuance of any such decision, (II) any subpoena issued in connection with such complaint, (III) any litigation in state or federal court related to such complaint, or (IV) any investigation by, or consultation of the commission or commission staff with, the Chief State's Attorney, the Attorney General, the United States Department of Justice or the United States Attorney for Connecticut related to such complaint, shall be added to such one year.

(ii) The provisions of subparagraph (B)(i) of this subdivision shall not apply to any complaint received on or after July 1, 2024, that relates to a potential violation of state election law by a foreign national, or to any complaint received on or after October 1, 2026, that relates to a potential violation of any provision of chapter 151.

(C) For any complaint received on or after July 1, 2024, if the commission does not, by the ninetieth day following the commission's determination that probable cause exists for any violation of state

Substitute House Bill No. 5352

election laws, issue a decision on such complaint, the commission shall refer such complaint to the Chief State's Attorney pursuant to subdivision (8) of subsection (a) of section 9-7b for further enforcement action. Not later than twelve months after the referral to the Chief State's Attorney of any complaint under this subdivision, or not later than the expiration of the period of time prescribed by section 54-193 for the violation of state election laws alleged in any such complaint, whichever occurs first, the Chief State's Attorney shall submit a report to the joint standing committees of the General Assembly having cognizance of matters relating to elections and the judiciary, in accordance with the provisions of section 11-4a, detailing the status of any enforcement action related to such referred complaint.

(2) In the case of a statement filed by the Secretary of the State with the commission pursuant to section 9-7b on or after July 1, 2015, if the commission does not, by the thirtieth day following such filing, make a determination to investigate such statement and, by the ninetieth day following such filing, complete any investigation of such statement and issue a decision, the Secretary may apply to the superior court for the judicial district of Hartford for an order to show cause why the commission has not acted upon the statement and to provide evidence that the commission has unreasonably delayed action.

(3) Any judicial proceeding pursuant to subdivision (1) or (2) of this subsection shall be privileged with respect to assignment for trial. The commission shall appear and give appropriate explanation in the matter. The court may, in its discretion, order the commission to: (A) Continue to proceed pursuant to section 9-7b, (B) act by a date certain, or (C) refer the complaint or statement to the Chief State's Attorney. Nothing in this subsection shall require the commission, in any proceeding brought pursuant to this subsection, to disclose records or documents which are not required to be disclosed pursuant to subsection (b) of section 1-210. Nothing in this subsection shall preclude

Substitute House Bill No. 5352

the commission from continuing its investigation or taking any action permitted by section 9-7b, unless otherwise ordered by the court. The commission or any other party may, within seven days after a decision by the court under this subsection, file an appeal of the decision with the Appellate Court.