



**Substitute House Bill No. 5509**

**Public Act No. 26-141**

**AN ACT CONCERNING JUSTICES OF THE PEACE.**

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

Section 1. (NEW) (*Effective October 1, 2026*) (a) For the purposes of this section and sections 2 to 4, inclusive, of this act:

(1) "Justice of the peace" means any person that holds the office of justice of the peace pursuant to section 9-183b, 9-183c, 9-184 or 9-184c of the general statutes, as amended by this act, or section 4 of this act;

(2) "Official misconduct" means, in the performance of the duties of a justice of the peace, (A) a justice of the peace's performance of an act prohibited by the general statutes or failure to perform an act mandated by the general statutes, or (B) a justice of the peace's performance of an act in a manner found by the Secretary of the State to be negligent, fraudulent, unlawful or against the public interest, including any conduct prohibited by subsection (a) of section 2 of this act; and

(3) "Secretary" means the Secretary of the State.

(b) To be qualified to hold the office of justice of the peace, a person shall:

(1) Be appointed pursuant to section 9-183b, 9-183c, 9-184 or 9-184c of

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the general statutes, as amended by this act; and

(2) Not later than (A) thirty days after an appointment made after July 1, 2027, or (B) August 1, 2027, if such appointment is made on or before July 1, 2027, certify, on a form prescribed by the Secretary, that such person has received and read the manual published by the Secretary pursuant to subsection (c) of this section.

(c) Not later than July 1, 2027, the Secretary shall publish a manual describing the duties of a justice of the peace on the Internet web site of the Secretary of the State.

Sec. 2. (NEW) (*Effective January 1, 2027*) (a) No justice of the peace shall (1) perform any official action with intent to deceive or defraud any person, (2) use the title of justice of the peace in an endorsement or promotional statement for any product, third-party service, contest or other offering, or (3) perform a marriage that the justice of the peace knows or should have known is (A) unlawful under any provision of the general statutes, or (B) fraudulent in violation of 8 USC 1325, as amended from time to time.

(b) A justice of the peace shall be liable to any person for any damages proximately caused to that person as a result of the justice of the peace's official misconduct.

Sec. 3. (NEW) (*Effective January 1, 2027*) (a) The Secretary of the State shall investigate any allegations of official misconduct concerning a justice of the peace and issue a finding at the conclusion of any such investigation.

(b) If the Secretary determines that a justice of the peace engaged in official misconduct, the Secretary may (1) deliver a written warning or reprimand to such justice of the peace, or (2) notwithstanding the provisions of any special act, municipal charter or ordinance to the contrary, suspend or revoke the appointment of the justice of the peace.

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(c) The voluntary or involuntary termination, revocation or lapse of the appointment of a justice of the peace shall not interrupt or preclude an investigation into any allegation of official misconduct concerning such justice of the peace under this section.

(d) The Secretary may adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to carry out the provisions of this section and sections 1 and 2 of this act.

Sec. 4. (NEW) (*Effective October 1, 2026*) (a) Notwithstanding the provisions of section 9-183b, 9-183c or 9-184c of the general statutes, as amended by this act, any vacancy in the office of a justice of the peace created by the adoption of an ordinance or charter amendment by a municipality that (1) increases the number of justices of the peace in such municipality, and (2) is effective not less than ninety-one days prior to the next quadrennial appointment of justices of the peace in the municipality, may be filled by appointment prior to the next quadrennial appointment according to the provisions of this section.

(b) (1) The political parties that are major political parties, as defined in subparagraph (B) of subdivision (5) of section 9-372 of the general statutes, shall be entitled to nominate an equal number of the total number of justices of the peace to fill the vacancies created by the adoption of such ordinance, except in any municipality where the number of justices of the peace to be nominated under this section is not divisible by the number of political parties entitled to nominate justices of the peace under this section, the registrars of voters shall determine by lot which of said parties may nominate one more justice of the peace than may be nominated by the other party or parties. Such nomination by such parties shall qualify a nominee to serve as a justice of the peace.

(2) In the event that a political party that is a major party, as defined in subparagraph (A) of subdivision (5) of section 9-372 of the general statutes, but is not a major party, as defined in subparagraph (B) of said

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subdivision, is entitled to nominate an individual or individuals to serve as a justice of the peace to fill any such vacancy, such party shall be entitled to nominate twenty per cent of the total number of justices of the peace to fill such vacancies, provided such percentage shall be rounded down to the nearest whole number. Such nomination by such parties shall qualify a nominee to serve as a justice of the peace.

(c) Notwithstanding the provisions of sections 9-183b, 9-183c and 9-184c of the general statutes, as amended by this act, any person appointed to fill a vacancy in the office of a justice of the peace pursuant to subsection (b) of this section shall serve until the next quadrennial appointment of justices of the peace in the municipality.

(d) If a vacancy in the office of a justice of the peace has been filled by appointment by a town committee, the chairperson or secretary of such town committee shall file with the town clerk a certificate of each such appointment, and the town clerk shall record the certificate with the records of the town meeting. The town clerk shall notify the Secretary of the State of any such appointment.

Sec. 5. Section 9-184c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(a) In 1994, 1996, and quadrennially thereafter, the town clerk of each town shall appoint as justice of the peace a number of electors of the town who are not members of major parties, as defined in section 9-372, which shall not exceed (1) where no justices of the peace are selected under section 9-183c, one-third of the total number of justices of the peace in the town, or (2) where justices of the peace are selected under section 9-183c, one-third of the total number of justices of the peace in the town less the number of justices of the peace in the town selected under section 9-183c. Such percentage shall be rounded up to the nearest whole number of justices of the peace. Any such appointment shall be made upon written application submitted on or after August first and

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on or before November first, in such year. No person who has enrollment privileges in the town in a political party [which] that selected justices of the peace under section 9-183b or [under section] 9-183c within the period beginning three months before said August first and ending on the date the person is to be appointed under this [section] subsection, shall be eligible for such appointment. Not later than August 1, 1996, and quadrennially thereafter, the town clerk shall send a written notice to each incumbent justice of the peace appointed under this section. Such notice shall inform such justices of the peace of the procedures set forth in this section concerning the reappointment of such justices of the peace.

(b) If, on November first in such year, the number of applications for justice of the peace filed with the town clerk under subsection (a) of this section exceeds the number of justices of the peace allowed under this section, (1) each such applicant who is an incumbent justice of the peace appointed under this section shall be reappointed if there are sufficient openings and (2) the town clerk shall, on or before the fifteenth business day of November, select the remaining applicants to be appointed as justices of the peace by lot in a ceremony which shall be open to the public and held on five days' public notice. At such lottery the town clerk shall determine the order of all such remaining applications for the purpose of filling future vacancies under subsection (d) of this section. If [a] the town clerk receives a number of applications pursuant to subsection (a) of this section that is less than the number of justices of the peace that [he] the town clerk is authorized to appoint under this section in any year, [he shall not] the town clerk may only appoint [any] additional justices of the peace to fill vacancies in the office of a justice of the peace in accordance with the provisions of subsections (d) and (e) of this section.

(c) Justices of the peace appointed in 1994 [,] shall serve a term of two years beginning on the first Monday in 1995, and justices of the peace

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appointed in 1996 and thereafter shall serve a term of four years beginning on the first Monday in January in the succeeding year.

(d) Any vacancy in the office of any such justice of the peace, except for a vacancy described in subsection (a) of section 4 of this act, shall be filled by appointment by the town clerk of an elector qualifying under subsection (a) of this section in the order determined in the lottery held under [said] subsection (b) of this section. If no such lottery is held, or if the town clerk receives a number of applications that is less than the number of justices of the peace that the town clerk is authorized to appoint under this section, such that the number of vacancies exceeds the number of remaining applicants determined in the lottery held under subsection (b) of this section, the vacancy shall [not] be filled pursuant to subsection (e) of this section.

(e) If no such lottery is held, or if the number of vacancies exceeds the number of remaining applicants determined in the lottery held under subsection (b) of this section, the town clerk shall issue a public notice of the number of such vacancies and the procedure for appointing new justices of the peace under this subsection. Any such appointment shall be made upon written application submitted not later than thirty days following such public notice. No person who has enrollment privileges in the town in a political party that selected justices of the peace under section 9-183b or 9-183c during the period beginning three months before the public notice under this subsection and ending on the date the person is to be appointed under this subsection shall be eligible for such appointment. If the number of applications for justice of the peace filed with the town clerk under this subsection exceeds the number of vacancies specified in the public notice, the town clerk shall, not earlier than ten days and not later than fifteen days following the close of the period for submission of such applications, select the remaining applicants to be appointed as justices of the peace by lottery in a ceremony that shall be open to the public and held not earlier than five

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days after the giving of public notice by the town clerk. At such lottery, the town clerk shall determine the order of all such remaining applications for the purpose of filling future vacancies under subsection (d) of this section. If a town clerk receives a number of applications under this subsection that is less than the number of justices of the peace that the town clerk is authorized to appoint under this section in any year, the town clerk shall not appoint any additional justices of the peace.

Sec. 6. Section 46b-25 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

No license may be issued by the registrar until both persons have appeared before the registrar and [made application] applied for a license. The registrar shall issue a license to any two persons eligible to marry under this chapter, provided no such license may be issued by the registrar sooner than forty-eight hours after the time of such application. The license shall be completed in its entirety, dated, signed and sworn to by each applicant and shall state each applicant's name, age, birthplace, residence, whether single, widowed or divorced and whether under the supervision or control of a conservator or guardian. The Social Security numbers of both persons shall be recorded in the "administrative purposes" section of the license. [If] For the purpose of determining the time of application pursuant to this section, if the license is signed and sworn to by the applicants on different dates, the later date shall be deemed the date of application.

Sec. 7. Section 46b-24 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(a) Except as provided in section 46b-28a, no persons may be joined in marriage in this state until both have complied with the provisions of this section, sections 46b-20a, 46b-25, as amended by this act, and 46b-29 to 46b-33, inclusive, and have been issued a license by the registrar

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for the town in which the marriage is to be celebrated, which license shall bear the certification of the registrar that the persons named therein have complied with the provisions of said sections.

(b) Such license, when certified by the registrar, is sufficient authority for any person authorized to perform a marriage ceremony in this state to join such persons in marriage, provided the ceremony is performed [within a period of not more] not sooner than forty-eight hours after the date of application for such license and not later than sixty-five days after the [date of application] issuance of such license.

(c) [Anyone] Any person who joins any other persons in marriage without having received [such] a certified license from [them] such persons shall be fined not more than one hundred dollars.

(d) Except as otherwise provided in this chapter, in order to be valid in this state, a marriage ceremony shall be conducted by<sub>z</sub> and in the physical presence of<sub>z</sub> a person who is authorized to solemnize marriages in the state.

Sec. 8. (NEW) (*Effective from passage*) (a) There is established a working group to examine and make recommendations concerning (1) the methods of determining the number of justice of the peace positions in each municipality and statewide; (2) the portability of a justice of the peace appointment in one municipality to other municipalities; (3) the process by which justices of the peace are selected; (4) potential training, minimum qualifications, application processes and background check requirements for justices of the peace; (5) oversight of justices of the peace, including the potential for levying fines; (6) potential legal consequences for misrepresenting a person's status as a justice of the peace; and (7) issues related to human trafficking, forced marriage and marriage fraud.

(b) The working group shall consist of the following members:

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(1) Two appointed by the speaker of the House of Representatives, one of whom is a justice of the peace and one of whom is a representative of a professional organization for justices of the peace;

(2) Two appointed by the president pro tempore of the Senate, who are town clerks;

(3) One appointed by the majority leader of the House of Representatives, who is a town party chairperson;

(4) One appointed by the majority leader of the Senate, who is a justice of the peace and not a member of a major political party;

(5) Two appointed by the minority leader of the House of Representatives, one of whom is a town party chairperson and one of whom is a town clerk;

(6) Two appointed by the minority leader of the Senate, one of whom is a justice of the peace and one of whom is a town clerk; and

(7) The Secretary of the State, or the Secretary's designee.

(c) All initial appointments to the working group shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(d) The Secretary of the State, or the Secretary's designee, shall be the chairperson of the working group and shall schedule the first meeting of the working group, which shall be held not later than sixty days after the effective date of this section.

(e) Not later than January 1, 2027, the working group shall submit a report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to government administration and elections, in accordance with the provisions of section 11-4a of the general statutes, and to the

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Secretary of the State. The working group shall terminate upon the submission of such report.