
OLR Bill Analysis

sHB 5253

AN ACT CONCERNING VOTING PROCEDURES FOR AND STATE ELECTIONS ENFORCEMENT COMMISSION OVERSIGHT OF FIRE DISTRICTS.

SUMMARY

This bill requires that all votes at a fire district meeting be conducted using paper ballots and only those present at a meeting may vote. The bill also explicitly prohibits using absentee ballots for these votes. The bill's provisions apply regardless of whether the fire district operates under special act or state law.

Correspondingly, the bill allows any person qualified to vote at a fire district meeting who alleges a violation of these provisions or the state law's special taxing district meeting requirements (if concerning a fire district) and is wronged as a result, to file a complaint with the State Elections Enforcement Commission (SEEC).

The bill authorizes SEEC to investigate these complaints and make decisions on them. These decisions may be appealed to the court, as allowed under the Uniform Administrative Procedures Act, which may (1) award reasonable attorney's fees, litigation costs, and punitive damages; (2) hold fire district officers personally liable for these costs if they knowingly and willfully violated these provisions or any other similar wrongdoing related to voting at fire district meetings; and (3) grant any other relief the court deems appropriate (for example, ordering a new vote).

Additionally, the bill requires SEEC, by July 1, 2027, to coordinate with fire districts to promote compliance with the bill.

The bill also updates outdated references to "voting machines" and "voting machine ballot labels" that may be used during special taxing district meetings by replacing these references with "voting tabulator"

and “voting tabulator ballots” (§ 3).

Finally, the bill makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2027, except that provision regarding SEEC’s coordination with fire districts is effective upon passage.

SEEC AUTHORITY OVER FIRE DISTRICTS

Investigative Authority

Existing law authorizes SEEC to conduct investigations on its own initiative or in response to statements from the secretary of the state or any town clerk or registrar, as well as when any individual submits a written complaint under oath. Under current law, SEEC may generally investigate state law violations relating to an election, referendum, or primary as defined under the state’s election laws.

The bill expands this authority to include considering sworn written complaints from eligible voters of fire districts about violations of (1) the bill’s voting requirements and (2) state law’s requirements for voting during a special taxing district meeting.

Fire districts, like other special taxing districts, are wholly within a town and have the power to make appropriations or to levy taxes. Unlike voters under federal and state election law, special taxing district voters do not necessarily need to live in the applicable district, but instead may have the right to vote if they are a U.S. citizen and own qualifying property in the district (CGS § 7-6).

The bill explicitly expands SEEC’s authority to, among other things, (1) hold hearings on and investigate these matters; (2) subpoena any fire district clerk for its investigations; (3) administer oaths, examine witnesses, and receive evidence; (4) compel production of records, forms, and documents related to votes at fire district meetings; (5) order fire district clerks to impound voting tabulators for an investigation; and (6) voluntarily secure compliance, through informal methods, with the bill’s restrictions or fire district meetings.

Under current law, if someone violates the state’s election

administration laws, SEEC may revoke their eligibility to serve as an election, primary, or referendum official, and unofficial checker, and any other official capacity at a polling place on the day of an election, primary, referendum. The bill expands this authority to include prohibiting serving in these roles at fire district meetings.

Under the bill, SEEC may also do so if it finds a person intentionally violated the bill's voting requirements. Current law already generally authorizes SEEC to take these actions for elections, primaries, and referendums unrelated to fire districts.

Under existing law and the bill, SEEC is deemed a law enforcement agency if investigating to provide evidence to the chief state's attorney. As with similar criminal investigations SEEC conducts, the bill exempts certain investigatory records concerning fire district investigations from the Freedom of Information Act (FOIA). Under FOIA, investigatory records of law enforcement agencies that are not available to the public may be exempt from FOIA if their release would not be in the public interest because it would, among other things, (1) identify informants or minor witnesses, (2) disclose signed or sworn witness statements, or (3) reveal investigatory techniques the public is not aware of.

Fines

Under existing law, SEEC may levy a civil penalty of up to \$2,000 against a person for violating certain election-related laws or against certain specified officials for failing to discharge a duty under the state's laws on elections and voting methods. The bill additionally allows for a fine against any person who (1) violates the state's law on fire district meetings or the bill's voting requirements or (2) improperly votes at a fire district meeting, including if they were not legally qualified to vote.

The bill also (1) adds fire district officers to the list of officials that may be fined for failing to discharge their duty and (2) expands SEEC's authority to levy fines against violators of the state's special taxing district meeting law or the bill's voting requirements, as well as any official failing to discharge a duty under these laws. (It appears to authorize SEEC to issue a fine for violations of the state's special taxing

district meeting law unrelated to any voting.)

COMMITTEE ACTION

Government Oversight Committee

Joint Favorable Substitute

Yea 9 Nay 3 (03/17/2026)