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## OLR Bill Analysis

SB 298

### *Emergency Certification*

## **AN ACT CONCERNING THE REALLOCATION OF CERTAIN STATE FUNDS AND VARIOUS PROVISIONS RELATING TO EDUCATION, PUBLIC SAFETY, GENERAL GOVERNMENT, ELECTIONS, INTERMEDIATE CARE FACILITIES AND WAREHOUSE DISTRIBUTION CENTERS.**

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§§ 58 & 59 — CHIEF COURT ADMINISTRATOR

*Retains Superior Court judge status and reappointment eligibility for Supreme Court associate judges who are appointed as the chief court administrator and resign from the Supreme Court; allows the judges to continue working on cases heard or considered before the resignation; allows them and Supreme Court associate judges who reached age 70, in a case they heard or considered, to work on any motion filed after the case's decision release; makes them eligible for designation to serve on Appellate Court matters if they become a state referee*

§ 60 — CHANGES TO POLICE TRAINING CURRICULUM ON INTERACTING WITH PEOPLE WITH DISABILITIES

*Replaces police officer training curricula on interacting with people who (1) have mental or physical disabilities and (2) are deaf, hard of hearing, or deaf-blind*

§ 61 — STATE PROPERTIES REVIEW BOARD MEMBERSHIP

*Increases SPRB's membership from six to eight*

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*Advances by six months the (1) start date of the monthly five-cent telephone service fee to fund the firefighters cancer relief account and (2) date by which service providers must give subscribers written notice of the fee*

**§ 63 — REMOVAL OF SINGLE EXIT STAIRWAY ALLOWANCE IN STATE BUILDING CODE AND FIRE SAFETY CODE**

*Removes the requirement that the next adopted versions of the State Building Code and Fire Safety Code allow additional residential homes to be served by a single exit stairway*

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*Increases ICF-IID reimbursement rates for FYs 26 through 28*

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*Exempts from CON requirements an increase in licensed beds at a state-owned or -operated hospital if the beds are added prior to July 1, 2026, and are for inpatient behavioral health services*

**§ 67 — CHILD SUPPORT ORDER ENFORCEMENT**

*Allows DSS or SES to notify certain parties of a child support obligor's overdue support when DSS receives a request from another state for help enforcing an order that is not registered in the state but meets certain federal requirements*

**§ 68 — CHILD SUPPORT ORDER MODIFICATIONS**

*Removes a prohibition on decreasing an existing support order based solely on income loss due to incarceration for an offense against the custodial party or the child*

**§§ 69, 70 & 73 — EARLY VOTING BALLOT PROCEDURES**

*Makes several changes to early voting ballot procedures, including requiring early voting ballots to be inserted, counted, and stored in a voting tabulator instead of being sealed in a ballot envelope, stored by town clerks, and transported to the registrars on election day for counting*

**§§ 69, 71 & 72 — EARLY VOTING AND SAME-DAY ELECTION REGISTRATION LOCATIONS**

*Modifies the requirements for certifying early voting and SDR locations; requires the town's legislative body, instead of its registrars, to select the place of any additional early voting location; prohibits certain political activities of election and primary officials when carrying out their duties*

**§§ 69, 71, 72, 75 & 76 — MODERATORS**

*Makes several changes regarding moderators including (1) modifying registrar reporting requirements concerning moderators, (2) implementing moderator requirements for SDR locations like those for early voting locations, and (3) expanding the prohibition for individuals convicted or who have pled to certain crimes from being a moderator*

**§ 74 — PARTY ENROLLMENT PRIVILEGES FOR UNAFFILIATED ELECTORS**

*Extends the period before a primary prohibiting an unaffiliated voter from participating in a party's primary if the voter registers by mail and seeks to affiliate themselves with that party*

**§ 77 — AMENDING AND REPORTING ELECTION RETURNS**

*Requires officials in all municipalities, instead of only those in municipalities with multiple voting districts, to meet to correct errors in election night returns and submit amended returns if necessary*

§ 78 — NOTIFICATION OF MUNICIPAL ELECTION-RELATED CASES

*Requires specified entities to notify SOTS about certain election-related actions and violations*

§§ 79-82 — ENDORSEMENT AND NOMINATION PETITION CORRECTION PROCESS

*Creates a process for candidates to correct endorsement certificates and certificates of candidacies for nomination; authorizes SOTS to make corrections and keep a record of them*

§§ 83-87 — BALLOT FILING WITH THE SECRETARY OF THE STATE

*Adjusts the requirements for filing ballots with SOTS for review and approval*

§ 88 — TECHNICAL CHANGE

*Makes technical changes to an absentee voting statute*

§ 89 — DECLARATORY JUDGMENTS FOR AGGRIEVED ELECTORS

*Authorizes SOTS to initiate declaratory judgment actions on behalf of aggrieved electors if within the 90 days before an election or primary*

§ 90 — LOG OF REJECTED ABSENTEE BALLOTS

*Requires moderators to keep and transmit to SOTS a log of absentee ballots that are rejected due to the voter failing to (1) sign the inner envelope or (2) provide sufficient identification required by federal law if voting absentee for the first time after registering by mail and not providing identification at that time*

§§ 91-93 — RECANVASS PROCEDURES

*Requires recanvassing all voting districts when a discrepancy occurs, not just the district with the discrepancy; modifies the procedures for communicating with the moderator during a recanvass*

§ 94 — EXEMPTING BALLOTS FROM FREEDOM OF INFORMATION ACT DISCLOSURE

*Generally exempts ballots from disclosure under FOIA*

§ 95 — REFERENDUM QUESTIONS UNDER HOME RULE ORDINANCES

*Clarifies that a referendum includes questions submitted to voters under a home rule ordinance*

§§ 96 & 97 — DISCLOSURE OF VOTER REGISTRATION INFORMATION

*Limits the disclosure and use of voter registration information and subjects violators of the use restrictions to fines; explicitly authorizes SOTS to adopt regulations regarding the use of voter registration information*

§ 98 — REPEALED REPORTING REQUIREMENT

*Repeals a requirement that school boards annually report to the Commission for Educational Technology certain information on their use of internet websites, online services, or mobile applications*

## **SUMMARY**

A section-by-section analysis follows.

EFFECTIVE DATE: Various, see below.

## **§§ 1-7, 9 & 11-13 — BUDGET PROVISIONS**

*See fiscal note*

Please refer to the fiscal note for a summary of these provisions.

## **§ 8 — UCONN HEALTH NEUROMODULATION CENTER**

*Limits treatments at UConn Health's Neuromodulation Center to disabled veterans, and specifically allows for research at the center*

Last year's budget implementer required UConn Health to establish a Center of Excellence for Neuromodulation Treatments and allowed UConn Health to collaborate with an in-state hospital to provide neuromodulation treatments at this center. This bill limits the treatments to disabled veterans (in line with UConn Health's current plans for the center, which is set to launch next year). It also specifically allows for neuromodulation research at this center.

By law, "neuromodulation" is the alteration of nerve activity through targeted delivery of a stimulus, including electrical stimulation or chemical agents, to specific neurological sites in the body. In practice, neuromodulation can be used in various treatments, such as for stroke recovery, Parkinson's Disease, and chronic pain.

EFFECTIVE DATE: Upon passage

## **§§ 10 & 17-19 — SCHOOL CONSTRUCTION PROJECT EXEMPTIONS, WAIVERS, AND MODIFICATIONS**

*Exempts school construction projects from certain requirements*

The bill exempts school construction projects in three towns and one regional school district from certain statutory and regulatory requirements to allow them to, among other things, (1) qualify for state reimbursement grants for otherwise ineligible costs, (2) receive higher reimbursement percentages for the grants, or (3) have their project reauthorized due to a change in scope or cost (i.e. "notwithstandings"). Generally, other than the specific notwithstanding provisions

mentioned below, the projects must meet all other eligibility requirements.

The table below describes the notwithstandings under the bill.

**Table: Notwithstanding for School Construction Projects**

<b>Bill §</b>	<b>Town or District</b>	<b>School and Project</b>	<b>Exemption, Waiver or Other Change</b>
10	Windham	Windham High School, renovation	Removes the requirement that Windham must be an education reform district on the effective date of the enactment of PA 21-111, § 122, in order for the renovation project to receive a 95% reimbursement rate; PA 21-11 included a notwithstanding to provide the 95% reimbursement rate provided the school district was classified as a reform district (i.e. districts in the state's bottom 10 districts as determined by accountability scores)
17	Cheshire	Unspecified energy or infrastructure improvement projects including but not limited to: photovoltaic; building management systems; energy conservation; heating, ventilation and air conditioning systems; and roof replacements at any elementary, middle, or high school	Allows otherwise ineligible costs associated with existing or future energy or infrastructure improvement projects at any elementary, middle, or high school to be eligible for a reimbursement grant when financed through a tax-exempt lease purchase agreement
18	Region 13 (i.e. Durham and Middlefield)	Middlefield Memorial School, project unspecified	Modified an existing notwithstanding for the project (with a previously approved maximum cost of \$76.13 million) by providing an additional 15 percentage points for the reimbursement for the entire school project rather than only for the portion of the building to be used for the early childhood care and education program; this means the reimbursement grant from the state will be larger due to the higher reimbursement rate applying to the whole project

<b>Bill §</b>	<b>Town or District</b>	<b>School and Project</b>	<b>Exemption, Waiver or Other Change</b>
			Additionally makes the project eligible to receive reimbursement for certain ineligible costs relating to the Phase 1 swing space (i.e. temporary space) used for students while construction makes Middlefield Memorial School unavailable, provided the ineligible costs do not exceed \$2 million
19	Hartford	Alteration projects: Expeditionary Learning Academy at Moylan School, Parkville Community School, McDonough Middle School  Renovation projects: Montessori Magnet at Batchelder, S.A.N.D. Elementary School, Maria C. Colon Sanchez Elementary School	Waives requirement that projects must begin construction no later than two years after the effective date of the public act approving the grant commitment, provided Hartford begins construction by June 30, 2028

EFFECTIVE DATE: Upon passage

### **§§ 14-16 — MINOR SCHOOL CONSTRUCTION CHANGES IN THE BOND ACT**

*Makes minor and technical changes to existing school construction provisions*

The bill makes minor and technical changes to three provisions in PA 25-174 (the bond act) regarding school construction exemptions, waivers, and modifications (commonly called “nothwithstanding”) in three towns.

The table below describes the current law and the bill’s changes.

**Table: Changes in School Construction Provisions**

<b>Bill §</b>	<b>Town and School Project</b>	<b>Current Law (PA 25-174, §§ 156, 169 &amp; 174)</b>	<b>Bill</b>
14	Fairfield	Allows the town to receive up to \$600,000 in reimbursements for certain ineligible costs and audit deficiencies for the Mill Hill Elementary School extension and alteration project	Narrows the scope of the notwithstanding by eliminating the audit deficiencies provision; changes the project number from 093-0367 to 051-0149 EA
15	Stamford	Reauthorizes the New Roxbury Elementary School new construction project and allows a change in scope if the project cost does not exceed \$130 million	Corrects school name to “Roxbury Elementary,” rather than “New Roxbury Elementary”
16	New London	Sets a 95% project reimbursement rate for a new construction project cost increase, not to exceed \$10 million, if approved by the administrative services commissioner by July 1, 2025, for East End Elementary School	Corrects language so that the project is for New London High School rather than East End Elementary School; project number is unchanged

EFFECTIVE DATE: Upon passage

## **§§ 20 & 21 — CONNECTICUT STATE SEAL OF CIVICS EDUCATION**

*Creates the Connecticut State Seal of Civics Education, which may be placed on student diplomas to indicate high proficiency in civics education and engagement; requires SDE to develop criteria for awarding the seal*

This bill creates the Connecticut State Seal of Civics Education and Engagement and allows school governing boards to place the seal on eligible high school graduates’ diplomas to signify that they achieved high proficiency in civics education and engagement.

The bill requires the State Department of Education (SDE) to establish criteria for awarding the seal, which must at least require the student to:

1. successfully complete a history or social science course for at least two school years, including one U.S. government or civics course;

2. participate in at least one civic engagement project (e.g., community service, student government, internship with an elected official, or civic organization involvement); and
3. demonstrate proficiency in civics knowledge through a standardized assessment, work portfolio (including civics-related essays, projects, or presentations), or other mastery-based assessment or process.

Under the bill, the seal may be awarded by local and regional boards of education and by governing boards of any other diploma-awarding school. If a local or regional board of education chooses to award this seal to eligible students, it must also indicate on each recipient student's transcript that he or she was awarded the seal. School boards may award this seal starting with classes graduating in 2027.

EFFECTIVE DATE: July 1, 2026

## **§§ 22 & 23 — MULTILINGUAL LEARNER DATA**

*Expands the state-wide PSIS to include data on the (1) academic progress of students in bilingual education programs and (2) evaluation of these programs*

The bill expands the state-wide public school information system (PSIS) to include data on the (1) academic progress of students in bilingual education programs and (2) evaluation of these programs. By law, PSIS contains data related to each K-12 student and teacher in Connecticut public schools (see *Background — Public School Information System*). It contains both public information (e.g., school population and graduation rates) and confidential information (e.g., individual student and teacher information, such as teacher certifications and student mastery examination scores). School districts use the student data to evaluate their educational performance and growth.

Specifically, the bill requires this student data to include mastery examination results for students in bilingual education programs in order to monitor their academic progress. Existing law already requires SDE to collect and disaggregate this data and report it annually to the Education Committee.

The bill adds to SDE's existing bill of rights for parents and guardians of multilingual learner students, the right of these students and their parents and guardians to access publicly available data on bilingual students and programs, which the bill requires to be added in the PSIS. By law, beginning with the 2024-25 school year, each school board that provides bilingual education or English as a second language (ESL) must give parents and guardians a copy of the bill of rights, which currently includes 15 declarations related to bilingual education.

EFFECTIVE DATE: July 1, 2026

### ***Background — Public School Information System***

SDE must administer the PSIS to (1) establish a standardized electronic data collection and reporting protocol to comply with state and federal reporting requirements, (2) improve the exchange of information from school-to-school and district-to-district, and (3) maintain the confidentiality of individual student and teacher data. In addition to students and teachers, the system includes data on individual schools and districts and preschool children (CGS § 10-10a(b) & (c)).

### **§ 24 — ISLAMIC AND ARAB STUDIES CURRICULUM**

*Requires SBE to make curriculum materials available school boards on Islamic and Arab studies and encourage them to provide this instruction*

The bill requires the State Board of Education (SBE), within available appropriations and using available resource materials, to (1) make curriculum materials available to local and regional boards of education on Islamic and Arab studies and (2) encourage them to provide instruction in this area. Boards may use these materials to develop an instructional program for the public schools under their jurisdiction.

The law already requires SBE to make curriculum materials available for various other programs, such as (1) African-American and Black studies, Puerto Rican and Latino studies, Native American studies, and Asian American and Pacific Islander studies; (2) personal financial management; (3) the Holocaust and genocide awareness; and (4) cardiopulmonary resuscitation and the use of automatic external

defibrators.

EFFECTIVE DATE: July 1, 2026

**§ 25 — WORKING GROUP TO ADDRESS ANTISEMITISM IN SCHOOLS**

*Creates a 15-member working group to address antisemitism in public schools by assisting boards of education and other education stakeholders*

The bill establishes a 15-member working group to address antisemitism in public schools. Under the bill, the group must develop guidance and resources to address issues relating to antisemitism that affect students, families, educators, and school personnel.

The guidance and resources may include, but are not limited to:

1. suggested amendments to school district policies to ensure that all students, educators, and school personnel feel safe inside and outside of the school setting;
2. recommended antisemitism-related training for educators and administrators; and
3. guidance for creating or providing curriculum materials and resources about antisemitism, Jewish heritage, and Holocaust and genocide education and awareness.

The curriculum materials and resources must be appropriate for school districts to use in meeting the existing requirement that Holocaust and genocide education and awareness be part of every school district's social studies curriculum.

***Working Group Membership***

The 15-member working group includes the following individuals or their designees (1) the Connecticut Association of Boards of Education executive director, (2) the Connecticut Association of Public School Superintendents executive director, (3) the Connecticut Education Association president, and (4) the SDE commissioner. Additionally, there are 10 members appointed by the legislative leaders and one appointed by the governor. The table below shows the appointing

authority and qualifying description for each of these appointed working group members.

**Table: Working Group to Address Antisemitism**

<i>Appointing Authority</i>	<i>Number of Appointments</i>	<i>Qualifying Description</i>
House speaker	2	<ul style="list-style-type: none"> <li>A school administrator with expertise and knowledge in curriculum development and implementation Jewish Federation Association of Connecticut representative</li> </ul>
Senate president pro tempore	2	<ul style="list-style-type: none"> <li>Person with knowledge and national and local expertise and experience in developing innovative and collaborative resources to address antisemitism in schools</li> <li>Jewish Federation Association of Connecticut representative</li> </ul>
House majority leader	1	Teacher with professional knowledge and experience addressing and combatting antisemitism in a public school in the state
Senate majority leader	1	Person with experience in teaching and school administration and with expertise in addressing and combatting antisemitism and teaching Jewish heritage
House minority leader	2	<ul style="list-style-type: none"> <li>Current or former faculty member of a college or university with expertise in curriculum development and knowledge and proven experience in addressing antisemitism and teaching Jewish heritage</li> <li>Person with professional experience addressing antisemitism in the state</li> </ul>
Senate minority leader	2	<ul style="list-style-type: none"> <li>Leader at college or university in the state with knowledge and expertise in program development addressing antisemitism curriculum</li> <li>Person with professional experience addressing antisemitism in the state</li> </ul>
Governor	1	Representative from a national organization with expertise in the study of global antisemitism and an interdisciplinary study of antisemitism.

All initial working group appointments must be made within 30 days after the bill takes effect, and any vacancy must be filled by the

appointing authority.

The House speaker and the Senate president pro tempore must each select a co-chairperson from among the members. The co-chairs must jointly schedule the first meeting of the working group within 60 days after the bill takes effect.

The administrative staff of the Education Committee serves as the working group's administrative staff.

By January 1, 2027, the working group must submit the guidance and resources it develops, and any recommendations for legislation, to the Education Committee.

EFFECTIVE DATE: Upon passage

### **§§ 26 & 27 — KINDERGARTEN WAIVERS**

*Makes the kindergarten waiver process optional for school districts starting July 1, 2026, and eliminates the optional waiver process starting July 1, 2027*

Existing law generally requires a child to be at least age five by September 1 of the school year in order to enroll in public school kindergarten. But current law establishes a mandatory waiver process that allows children under age five to be admitted if the (1) child's parent or guardian makes a written request to the school principal and (2) principal and an appropriate certified school staff member do an assessment that shows the child is developmentally ready.

Starting July 1, 2026, the bill makes the waiver process optional for school districts by allowing children under age five to enroll in kindergarten only if the school board adopts an early admissions policy. Any admissions policy must require the same written request and evaluation as required under current law. Starting July 1, 2027, the bill eliminates this waiver process entirely (both mandatory and optional).

EFFECTIVE DATE: July 1, 2026, for the provision making the process optional and July 1, 2027, for the provision eliminating the waiver process entirely.

**§§ 28-30 — RACIAL IMBALANCE LAW**

*Extends the pause on enforcement of the state's law on racial imbalance at public schools until July 1, 2030*

The racial imbalance law requires SBE, when it finds a racial imbalance at a public school, to give the school's board of education written notification. In response, the notified school board must prepare a plan to correct the imbalance and submit it to SBE for approval.

PA 24-93, §§ 3-5, paused enforcement of this law for one year by prohibiting SBE from notifying a school board about a racial imbalance at one of its schools until July 1, 2025. The bill extends this prohibition until July 1, 2030. It similarly extends provisions (1) suspending the requirement for a notified board to prepare and file a correction plan and (2) prohibiting SBE from taking any action on any plan received on or after July 1, 2024.

By law a "racial imbalance" is a proportion of minority students enrolled in all grades in a public school that substantially exceeds, or substantially falls short of, the proportion of minority students in the same grades in all the district's public schools (see *Background – Racial Imbalance Defined*).

EFFECTIVE DATE: Upon passage

***Background — Racial Imbalance Defined***

Under state regulations a school is "racially imbalanced" if the percentage of minority students enrolled falls outside the range of 25 percentage points more or less than the district-wide percentage (Conn. Agencies Regs. § 10-226e-3(b)). For example, in a school district that has an overall minority enrollment of 50%, an individual school that has less than 25% or more than 75% minority enrollment in comparable grades across the district would be considered racially imbalanced.

**§§ 31-33 — INFORMATION ON PRIOR AND CURRENT YEAR ORIGINAL AND ACTUAL EXPENDITURES IN SCHOOL BUDGET PROCESS**

*Requires information on prior and current fiscal year line items to be included in the itemized estimates prepared during the local and regional school budget processes*

***Local Boards of Education (§§ 31 & 32)***

By law, local boards of education must prepare an itemized estimate of school expenses in the upcoming fiscal year and submit it to the board of finance or other authority making appropriations to the school district at least two months before the meeting at which appropriations will be made. The itemized estimate is one where broad budget categories (e.g., salaries, utilities, grounds maintenance) are divided into line items (CGS § 10-222).

The bill requires superintendents to annually give local school board members the following information:

1. the amount that was appropriated to each line item at the start of the fiscal year (“original amount”) and the amount of the line item at the end of the fiscal year (“actual amount”) for the two most recently completed fiscal years and
2. the original amount for each line item and the current amount for the fiscal year currently in progress.

Under the bill, the superintendent must provide this information during the preparation of the itemized estimate for FY 28 and each fiscal year after this.

The bill also requires the local board of education to include the above information on original, actual, and current amounts in the itemized estimate of school operating expenses.

***Regional School Districts (§ 33)***

The bill requires the proposed budget that a regional school board presents at a public district meeting to include the same information on budget line items required for the local school budgets, described above. It also requires the same information to be included in the budget

presented at the annual meeting on the first Monday in May.

EFFECTIVE DATE: July 1, 2026, except that the provision on information superintendents must give the board (§ 30) is effective January 1, 2027

**§ 34 — SCHOOL RESOURCE OFFICER MEMORANDUM OF UNDERSTANDING**

*Sets a deadline for when certain information must start being incorporated into SRO MOUs and requires these MOUs to be updated at least every three years*

By law, each local or regional board of education that assigns a school resource officer (SRO) to its schools must have a memorandum of understanding (MOU) with a local law enforcement agency. The MOU must address the SRO's role and responsibility in the school.

Under existing law, (1) school boards must post their MOU on their website and in the school where the SRO is assigned and maintain the MOU in a central location in the district, and (2) these MOUs must include information on the officer's daily interactions with students and staff and a student discipline graduated response model. The bill requires these two requirements to be met by January 1, 2027.

The bill also requires these MOUs to be updated at least every three years.

EFFECTIVE DATE: July 1, 2026

**§ 35 — REGIONAL SCHOOL BOARD RESERVE FUNDS**

*Explicitly allows regional boards of education to deposit funds previously appropriated to and currently in a reserve fund for capital and nonrecurring expenditures into a reserve fund for educational expenditures*

PA 24-45 allows regional boards of education to create reserve funds for educational expenditures. Prior law had instead allowed boards to create reserve funds for capital and nonrecurring expenditures. Starting with FY 26, the bill explicitly allows regional boards of education to deposit funds previously appropriated to and currently in a reserve fund for capital and nonrecurring expenditures into a reserve fund for educational expenditures.

EFFECTIVE DATE: July 1, 2026

**§ 36 — VISION SCREENINGS FOR STUDENTS**

*Explicitly allows school boards to offer vision screenings in preschool and second grade*

The bill allows school boards to offer vision screenings to students in preschool and second grade. By law, vision screenings must be provided to all students in kindergarten, first grade, and third through fifth grade.

EFFECTIVE DATE: July 1, 2026

**§ 37 — OPEN CHOICE PROGRAM ADDITION**

*Adds Madison to the Open Choice program as a receiving and sending district*

The bill adds the town of Madison to the Open Choice program as a receiving and sending district with New Haven beginning the 2026-27 school year. This addition allows students from Madison to attend school in the New Haven system and vice versa.

The Open Choice Program is a voluntary interdistrict attendance program that allows students from large urban districts to attend suburban schools and vice versa, on a space-available basis. Its purpose is to reduce racial, ethnic, and economic isolation; improve academic achievement; and provide public school choice.

EFFECTIVE DATE: July 1, 2026

**§ 38 — ATTENDANCE AT TEACHER AND ADMINISTRATOR NEGOTIATIONS**

*Requires at least one school board member to be present during teacher and administrator negotiations but prohibits school board members who are also teachers' union or administrators' union members from attending*

The bill requires at least one school board member to be present during teacher and administrator negotiations, but no school board member who is also a member of the teachers' or administrators' union may be present during the negotiations.

EFFECTIVE DATE: July 1, 2026

**§ 39 — HEALTH ASSESSMENT FORMS**

*Allows nurses to reject health assessment forms that are not the form required by SBE and requires asthma action plans to be included in these forms if a student has asthma*

By law, student health assessments and screenings must be recorded on specific forms provided by SBE and included in the student’s cumulative health record.

The bill explicitly allows school nurses to reject assessments or screenings submitted in a format other than the SBE-required form and require resubmission on the SBE form.

Additionally, the bill requires that an asthma action plan be included in health assessment forms for students diagnosed with asthma.

EFFECTIVE DATE: July 1, 2026

**§ 40 — OUT-OF-SCHOOL SUSPENSION FOR STUDENTS IN PRESCHOOL THROUGH GRADE TWO**

*Limits the use of out-of-school suspension for students in grades preschool through second to instances constituting serious physical harm*

The bill limits the circumstances under which school administration may give out-of-school suspension to students in grades preschool through second.

Under current law, school administration may impose out-of-school suspension on students in these grades if an administrator finds, at the student’s informal disciplinary hearing, that the suspension is appropriate due to evidence that the student’s conduct on school grounds is behavior that causes physical harm. Under the bill, the administrator must find that the physical harm was serious.

EFFECTIVE DATE: July 1, 2026

**§ 41 — TWICE-EXPELLED STUDENTS**

*Requires school boards to offer an alternative education opportunity for students ages 16 to 18 who are expelled for the first or second time*

The bill requires school boards to offer an alternative education opportunity to students ages 16 to 18 who are expelled for the first or second time and wish to continue their education. Current law requires

school boards to do so only for students in this age range who are expelled for the first time. As under existing law, a student may be offered the alternative education opportunity only if he or she complies with conditions the school board sets, and an expulsion before age 16 counts when school boards determine whether an alternative education opportunity is required for students ages 16 to 18.

EFFECTIVE DATE: July 1, 2026

#### **§ 42 — NOTIFICATION OF RESTRAINT OR SECLUSION**

*Requires school boards to notify parents of a student placed in physical restraint or seclusion on the day it happens*

The bill requires school boards to notify the parents or guardian of a student placed in physical restraint or seclusion on the day it happens, rather than within 24 hours after it happened as current law requires. As under existing law, the school board must make a reasonable effort to notify them immediately after the restraint or seclusion begins.

Existing law prohibits school employees from physically restraining a student or placing the student in seclusion except as an emergency intervention to prevent immediate or imminent injury to the student or others (CGS § 10-236b(b) & (d)). A restraint or seclusion may exceed 15 minutes only if an administrator or certain other school personnel (e.g., health professionals) deems it necessary to prevent such an injury, and this determination must be done every 30 minutes (CGS § 10-236b(f)).

EFFECTIVE DATE: July 1, 2026

#### **§ 43 — STATE EDUCATION RESOURCE CENTER FUNDING**

*Specifies the education commissioner must allocate funds to SERC as provided in SDE's annual budget*

The bill specifies that when the education commissioner allocates funds to the State Education Resource Center (SERC) as required by law, she must allocate the amount stated in SDE's annual budget. By law, SDE provides funds to SERC for the center to provide professional development training, technical assistance and evaluation activities, policy analysis, and other assistance to school boards, charter schools, SDE, and the Technical Education and Career System.

EFFECTIVE DATE: July 1, 2026

**§§ 44-47 — CRISIS RESPONSE DRILLS**

*Establishes new protocols for school crisis response drills that prohibit active assailant simulations; requires the Connecticut Center for School Safety and Crisis Prevention to develop guidance for crisis responses and crisis debriefing by April 1, 2026; establishes certain requirements including advanced notice and specific drill day procedures*

Beginning with the 2026-27 school year, the bill establishes new protocols for school crisis response drills that, among other things, prohibit active assailant simulations, are designed to support the physical and psychological safety of students and school personnel, and provide one week advance notice to students, school personnel, and parents and guardians before a drill is held. By law, and unchanged by the bill, each public school must conduct a quarterly crisis response drill.

The bill requires the Connecticut Center for School Safety and Crisis Prevention (“crisis prevention center”) at Western Connecticut State University, in collaboration with the Department of Emergency Services and Public Protection (DESPP), to develop (1) standard terminology and definitions and (2) guidance for crisis responses and crisis debriefing by April 1, 2027.

The bill also requires each board of education to make the parts of each school’s security and safety plan that are not prohibited from disclosure under the Freedom of Information Act (FOIA) available, upon request, to members of the school community.

EFFECTIVE DATE: July 1, 2026

***New Crisis Response Drill Protocols (§§ 45 & 46)***

Starting with the 2027-28 school year (the school year that begins July 1, 2027), the bill requires (1) each school district to take certain steps before holding a crisis response drill and (2) that the drill be done following the bill’s requirements.

***Requirements and Steps Before Conducting a Drill.*** The bill requires the school security and safety committee to collaborate with the school climate committee to plan crisis response drills that prioritize the physical and psychological safety of students and school personnel. By

law, each public school must have a school security and safety committee to help develop and administer the school's security and safety plan and each school's school climate committee is charged with duties related to the school's anti-bullying climate improvement plan and related activities.

The bill also requires that:

1. crisis response drills use the definitions, terminology, and guidance developed under the bill (see § 44 below);
2. drills be trauma-informed, using an approach that considers prior traumatic experiences and is designed to prevent emotional harm to, and support the psychological safety of, students and school personnel, with mental health professionals' participation integrated throughout the drill;
3. before doing a drill, school staff educate students and train personnel to build knowledge and skills intended to reduce the potential for confusion or emotional distress, including reviewing the drill's purpose and procedures before the first drill of the year;
4. staff notify students, school personnel, and parents and guardians one week in advance before holding a drill; and
5. staff communicate, in a clear way, the nature and purpose of the drills to the parents and guardians of students at the school before holding one (presumably, this could be part of the notification one week in advance of a drill).

The bill also prohibits drills done with students from including an active assailant simulation or simulated violence with highly sensorial elements (such as fake assailants, firearms, gunfire sounds, blood, or injuries). A drill may include an active assailant simulation or simulated violence if it is held outside of the regular school day and exclusively for school personnel, first responders, and other school volunteers.

***Drill Day Requirements.*** At the start of a crisis response drill, the bill

requires school staff to inform students and other school personnel that they are participating in a drill to avoid confusion when an actual emergency occurs. Also, the school must accommodate students with cognitive, physical, or sensory disabilities, to the extent practicable, during the drill to ensure their safety and participation.

**Evaluation.** The bill requires school staff to evaluate each crisis response drill using the evaluation template the bill requires to be developed.

***Drill Definitions, Terminology, and Guidance (§ 44)***

Under the bill, DESPP and the center must by April 1, 2026, develop:

1. a school crisis response drill definition,
2. standardized terminology for conducting and reviewing crisis response drills,
3. guidance on standardized (a) crisis responses and (b) debriefing protocols following a crisis, and
4. an evaluation template that allows school districts to use drill participant feedback to (a) assess drill efficacy and (b) adjust future drills to improve preparedness while preventing emotional harm and supporting psychological safety.

Additionally, the bill requires the crisis prevention center, in collaboration with DESPP, to study the impact of crisis response drills on the school community.

The bill requires the crisis prevention center to submit the guidance on standardized responses and a report on the crisis response drills impact study to the Education Committee by July 1, 2028.

***School Security and Safety Plan Available to School Community (§ 47)***

By law, each local and regional board of education must annually submit the school security and safety plan for each school under its jurisdiction to DESPP. The bill also requires each board to make any part

of the plan that is not prohibited from disclosure under FOIA (CGS §§ 1-200 to -243) available to school community members upon request.

While FOIA generally requires government documents and records to be made available to the public, there are exceptions. Existing exceptions include when there are reasonable grounds to believe disclosure of records could result in a safety risk, including emergency plans and emergency preparedness, response, recovery, and mitigation plans (CGS § 1-210(b)(19)).

School security and safety plans, by law, must be based on DESPP standards that include, among other things, (1) an all-hazards approach to emergencies at public schools, (2) crisis management procedures, (3) fire drill and crisis response drill evaluation by local law enforcement and other local public safety officials, and (4) procedures for managing various types of emergencies.

#### **§ 48 — MUNICIPAL PENSIONS AND WORKERS' COMPENSATION**

*Generally (1) prohibits municipal pension systems from decreasing a retiree's pension benefit because the retiree receives permanent partial disability benefits and (2) requires them to count an employee's temporary total disability and temporary partial disability benefits as wages when calculating his or her pension benefit.*

The bill makes changes to how certain workers' compensation (WC) benefits may be used when calculating a retiree's pension benefit in certain municipal pension systems. More specifically, it prohibits municipal or special taxing district pension systems from diminishing or eliminating a retiree's pension rights or benefits because the retiree received permanent partial disability benefits on or after July 1, 2026, under the WC laws for partial incapacity benefits.

It also requires these pension systems to include an employee's WC temporary total disability and temporary partial disability benefits as wages when calculating his or her pension benefit. However, the sum of the WC benefits and any other wages or compensation used to calculate the pension benefit cannot exceed 100% of the employee's wages from the municipality or district in effect immediately before the injury for which he or she received the WC benefits. The bill also specifies that this provision does not apply to the Connecticut Municipal Employees

Retirement System (CMERS), which already includes these WC benefits in pension calculations under existing law.

Under the bill, both of the provisions above (1) apply regardless of any state law or special act and (2) do not impair or alter the provisions of any collective bargaining agreement in effect before July 1, 2026.

EFFECTIVE DATE: Upon passage

#### **§ 49 — COMPTROLLER STUDY OF MUNICIPAL PENSIONS**

*Requires the comptroller to study how a municipality that does not have a defined benefit pension plan for its police officers and firefighters can successfully transition them into CMERS or a comparable plan*

The bill requires the comptroller to study the considerations needed for a municipality that does not currently have a defined pension plan (presumably, a defined benefit pension plan) for its police officers and firefighters to successfully transition them into CMERS or another defined pension plan that provides benefits comparable or superior to those offered by CMERS. The comptroller must report the study's results to the Labor and Public Employees Committee by January 1, 2028.

EFFECTIVE DATE: Upon passage

#### **§§ 50-57 — WAREHOUSE WORKERS**

*Limits the extent to which employers at certain warehouse distribution centers can require their employees to meet production quotas; sets quota-related notice requirements, prohibitions, and record keeping requirements; allows aggrieved employees to bring a civil action in Superior Court*

The bill limits the extent to which employers at certain warehouse distribution centers can require their employees to meet production quotas. It generally applies to employers that employ at least (1) 250 employees at a single warehouse distribution center in the state or (2) 1,000 employees at multiple warehouse distribution centers in the state.

Among other things, the bill:

1. requires the covered employers to give their employees a written description of the quotas they must meet and any adverse employment actions they may face for failing to do so;

2. prohibits the employers from using quotas that (a) prevent compliance with the state law on meal periods, (b) interfere with the employee using bathroom facilities, or (c) set certain types of performance standards; and
3. sets recordkeeping requirements for employers and requires them to give copies of their quota records to current or former employees who believe that meeting a quota caused a violation of certain provisions in the bill.

The bill allows an employee aggrieved by a violation of the bill's provisions to bring a civil action in Superior Court, which may assess civil penalties. It also prohibits employers from discharging or retaliating against employees solely because they requested their quota records or filed a civil action, and creates a rebuttable presumption that a violation occurred if this happens within 90 days after the request or filing.

EFFECTIVE DATE: July 1, 2026

### ***Covered Employers and Employees***

The employers covered by the bill are any domestic or foreign legal or commercial entities that over the previous 12 months employed or exercised control over the wages, hours, or working conditions of at least (1) 250 employees at a single warehouse distribution center in the state or (2) 1,000 employees, in total, at multiple warehouse distribution centers in the state. The employer's exercise of control over the employees may be direct or indirect, or through an agent or another entity, including through the services of a third-party employer, temporary services or staffing agency, independent contractor, or any similar entity.

Under the bill, a "warehouse distribution center" is a warehouse or warehouse complex owned or leased by an establishment as defined by the following North American Industry Classification System (NAICS) codes, however the establishment is numbered: (1) 493110 for General Warehousing and Storage; (2) 423 for Merchant Wholesalers, Durable

Goods; (3) 424 for Merchant Wholesalers, Nondurable Goods; (4) 454110 for Electronic Shopping and Mail-Order Houses; (5) 492110 for Couriers and Express Delivery Services; (6) 452311 for Warehouse Clubs and Supercenters; (7) 452319 for All Other General Merchandise Stores; and (8) 444110 for Home Centers (see *Background – NAICS Codes*).

“Employees” under the bill are anyone employed at a warehouse distribution center who is not exempt from the federal Fair Labor Standards Act’s minimum wage and overtime requirements, except drivers or couriers traveling to or from a warehouse distribution center.

### **Quotas**

Under the bill, a “quota” is a work performance standard where:

1. an employee is assigned or required to (a) perform at a specified productivity speed, (b) perform a certain number of tasks, or (c) handle or produce a certain amount of material within a defined period;
2. an employee’s actions are categorized and measured between time performing and not performing tasks within a defined period;
3. time increments within a defined period when an employee is or is not doing a particular activity are measured, recorded, or tallied; or
4. an employee’s performance is ranked in relation to other employees’ performance.

### **Quota Disclosure**

The bill requires covered employers to give employees a written description of each quota they are subject to, including any potential adverse employment action that could result from failing to meet it. The employers must do this for their existing employees by August 1, 2026, and upon hiring for employees hired after that date.

Whenever an employer’s changes to an employee’s existing quota

results in a new quota for the employee, the bill requires the employer to (1) notify the employee about the change verbally or in writing as soon as practicable, but before the quota takes effect, and (2) give the employee a written description of the new quota within two business days after the quota changes.

Under the bill, all of these required written descriptions must be given directly to the employee or sent to the employee by email.

***Prohibited Quotas***

The bill prohibits quotas from:

1. preventing compliance with the state law on required meal periods (which generally require employees who must work for at least 7.5 consecutive hours to have a 30-minute meal period);
2. interfering with an employee's use of bathroom facilities, including reasonable time to travel to and from them;
3. setting a performance standard that measures an employee's total output over a time increment shorter than the employee's work day; or
4. setting a performance standard based solely on ranking an employee's performance in relation to other employees' performance.

***Adverse Action Ban***

The bill prohibits employers from taking any adverse action against an employee for failing to satisfy a quota that (1) violates the bill's prohibited quotas provisions or (2) was not disclosed as the bill requires.

***Employer Records***

The bill requires employers to establish, maintain, and preserve contemporaneous, true, and accurate records for (1) each employee's personal work speed data, (2) the aggregate work speed data for similar employees at the same warehouse distribution center, and (3) the written quota descriptions given to each employee as required by the

bill. The employer must maintain and preserve these records for three years. However, the bill specifies that these requirements do not apply if the employer does not assign or require quotas, or collect, store, analyze, or interpret work speed data.

Under the bill, “work speed data” is information an employer collects, stores, analyzes, or interprets about an employee’s quota performance, including quantities of tasks performed, quantities of items or materials handled or produced, rates or speeds of tasks performed, employee performance measurements or metrics in relation to a quota, or time categorized as performing or not performing tasks. It does not include qualitative performance data, personnel records, wage statements, or data an employer collects, stores, analyzes, or interprets that does not relate to performing a quota, except for content that includes work speed data.

#### ***Employee Access to Work Speed Data***

If employees believe that satisfying a quota caused or will cause a violation of the bill’s provisions on prohibited quotas, the bill allows them to request (1) a written description of each quota they are subject to, (2) copies of their personal work speed data records for the past 90 days, and (3) copies of the aggregate work speed data for similar employees at the same warehouse distribution center for the past 90 days. The bill similarly allows former employees to request this same information for the 90 days before they separated from employment with the employer. However, the bill limits a former employee to one of these requests.

The bill requires employers, as a soon as practicable, but no later than 10 calendar days after receiving the request, to provide a written copy of the requested records in English and the language the employee identifies as his or her primary language. The records must be given to a current employee directly or through email. If a former employee requested the records, they must be provided in person at a mutually convenient time or through a mutually convenient delivery method.

### ***Anti-Retaliation***

The bill prohibits employers from discharging or retaliating, discriminating, or taking any adverse action against an employee or former employee for requesting their quotas and work speed data or filing a civil action as allowed by the bill (see below).

The bill creates a rebuttable presumption that the employer's adverse action violates this prohibition if it occurred within 90 days after the employee or former employee (1) requested their quotas and work speed data for the first time in the calendar year or (2) filed the civil action. The presumption may be rebutted by clear and convincing evidence that the (1) adverse action was taken for other permissible reasons and (2) employee's request or filing was not a motivating factor for the employer's action.

### ***Civil Actions***

The bill allows any employee or former employee aggrieved by a violation of the bill's provisions, or the attorney general on behalf of a group of employees or former employees, to bring a civil action in Superior Court for damages, civil penalties, and injunctive relief. If the plaintiff prevails in the case, the court may also award attorney's fees and costs. The bill sets the civil penalties against an employer at \$1,000 for its first violation, \$2,000 for its second, and \$3,000 for a third or subsequent violation.

### ***Background — NAICS Codes***

The NAICS is the standard used by federal statistical agencies in classifying business establishments for collecting, analyzing, and publishing statistical data related to the U.S. business economy.

Generally, under the 2022 NAICS:

1. General Warehousing and Storage (493110) covers establishments primarily engaged in operating merchandise warehousing and storage facilities;
2. Merchant Wholesalers, Durable Goods (423) covers establishments that sell capital or durable goods (i.e. those with

a normal life expectancy of at least three years) to other businesses;

3. Merchant Wholesalers, Nondurable Goods (424) covers establishments that sell nondurable goods to other businesses;
4. Couriers and Express Delivery Services (492110) covers establishments that primarily provide air, surface, or combined mode courier and express delivery services of parcels, but not operating under a universal service obligation; and
5. Home Centers (444110) covers establishments generally known as home centers that primarily retail a general line of new home repair and improvement materials and supplies, like lumber, plumbing goods, electrical goods, tools, housewares, hardware, and lawn and garden supplies, with no one merchandise line predominating.

Generally, under the 2017 NAICS:

1. Electronic Shopping and Mail-Order Houses (454110) covers establishments that primarily retail all types of merchandise using non-store means, like catalogs, toll free telephone numbers, or electronic media (e.g., interactive television or the Internet);
2. Warehouse Clubs and Supercenters (452311) covers establishments known as warehouse clubs, superstores, or supercenters, that primarily retail a general line of groceries, including a significant amount and variety of fresh fruits, vegetables, dairy products, meats, and other perishables, in combination with a general line of new merchandise, like apparel, furniture, and appliances; and
3. All Other General Merchandise Stores (452319) covers establishments that primarily retail new goods in general merchandise stores (except department stores, warehouse clubs, superstores, and supercenters).

**§§ 58 & 59 — CHIEF COURT ADMINISTRATOR**

*Retains Superior Court judge status and reappointment eligibility for Supreme Court associate judges who are appointed as the chief court administrator and resign from the Supreme Court; allows the judges to continue working on cases heard or considered before the resignation; allows them and Supreme Court associate judges who reached age 70, in a case they heard or considered, to work on any motion filed after the case's decision release; makes them eligible for designation to serve on Appellate Court matters if they become a state referee*

By law, the state Supreme Court has a chief justice and six associate judges. They must, when being appointed to the Supreme Court, also be appointed Superior Court judges. The law makes the chief justice the head of the Judicial Department and he or she must appoint a chief court administrator to oversee it.

Under the bill, a Supreme Court associate judge who is appointed to be the chief court administrator and chooses to stop serving as an associate judge (i.e. resigns from the Supreme Court) (1) keeps his or her Superior Court judge status and (2) is eligible for reappointment as a Superior Court judge until he or she reaches age 70 (the mandatory retirement age for judges).

The bill allows an associate judge who becomes the chief court administrator and resigns from the Supreme Court to continue deliberating and participating in cases he or she heard until the decisions are officially released, which the law already allows associate judges who reach age 70 to do. The bill also specifically allows such judges to continue considering cases under these circumstances.

The bill correspondingly allows a chief court administrator who resigns from the Supreme Court to consider or deliberate a motion for reconsideration after the case decision is officially released, as is allowed under existing law for associate judges who reach age 70. Under current law, judges may only do so if the motion is filed within 10 days after the release. The bill eliminates this time cap and further allows the judges, both associate judges who reached age 70 or a chief court administrator who resigns from the Supreme Court, to consider or deliberate any other motion submitted after the decision's official release, in a case the judge heard or considered.

Lastly, existing law allows the Supreme Court chief justice to designate certain former associate judges (and former Supreme Court chief justices or Appellate Court judges) as being eligible for Appellate Court assignments. This applies to those who stopped serving due to retirement and who became state referees. The bill also makes judges who stopped serving on the Supreme Court as associate judges due to their appointment as the chief court administrator and who have become a state referee eligible for the designation.

EFFECTIVE DATE: Upon passage

**§ 60 — CHANGES TO POLICE TRAINING CURRICULUM ON INTERACTING WITH PEOPLE WITH DISABILITIES**

*Replaces police officer training curricula on interacting with people who (1) have mental or physical disabilities and (2) are deaf, hard of hearing, or deaf-blind*

Under current law, each police basic or review training program conducted or administered by the Police Officer Standards and Training Council (POST), the State Police, or a municipal police department must include POST-developed curricula for police officers on interacting with people who (1) have mental or physical disabilities and (2) are deaf, hard of hearing, or deaf-blind, including crisis intervention strategies for police officers to use when interacting with people with mental illness in crisis. The bill sunsets these curricula on June 30, 2027, and instead requires these training programs to use new curricula after that date, which the bill requires POST to develop by March 1, 2027.

Under the bill, one new curriculum must be for police officers' interactions with people who have mental illness or mental or physical disabilities, and the second new curriculum must be for their interactions with people who are deaf, hard of hearing, or deaf-blind. As was the case with the current curricula, in developing the curricula under the bill, POST must first consult with individuals with these characteristics and advocates on their behalf. For the first curriculum, this consultation includes (1) people with autism spectrum disorder, cognitive impairment, or nonverbal learning disorder; (2) advocacy organizations that are concerned for them; and (3) higher education institutions and health care professionals. The first curriculum must also

at least include the following topics:

1. the nature of mental illness and mental or physical disabilities, including autism spectrum disorder, cognitive impairment, and nonverbal learning disorder;
2. how to identify people with mental illness or mental or physical disabilities; and
3. strategies and techniques for handling incidents that involve people with mental illness or mental or physical disabilities, including crisis intervention strategies and de-escalation techniques.

Existing law, unchanged by the bill, also requires police basic and review training programs to include training on handling incidents involving juveniles and adults with autism spectrum disorder, cognitive impairment, or nonverbal learning disorder (CGS § 7-294h).

EFFECTIVE DATE: Upon passage

## **§ 61 — STATE PROPERTIES REVIEW BOARD MEMBERSHIP**

*Increases SPRB's membership from six to eight*

The bill increases the State Properties Review Board's (SPRB) membership from six to eight. By law, the House speaker and Senate president pro tempore jointly appoint three members and the House and Senate minority leaders jointly appoint three members. Starting July 1, 2026, each pair must jointly appoint one additional member.

Correspondingly, the bill increases the number of members from the same political party that may serve on the board from three to four. As under existing law, the new members serve a four-year term. If a vacancy occurs, the pair responsible for the original appointment selects the replacement to fill the unexpired term.

SPRB generally helps oversee state real estate activities, acquisition of farm development rights, and the hiring of architects, engineers, and other construction-related professionals, as proposed by executive

branch agencies. It gives guidance and assistance to state agencies to ensure that transactions are done in a prudent, business-like way; costs are reasonable; and proposals comply with state laws, regulations, and procedures.

EFFECTIVE DATE: July 1, 2026

**§ 62 — TELEPHONE AND TELECOMMUNICATION SUBSCRIBER FEE TOWARDS FIREFIGHTERS CANCER RELIEF ACCOUNT**

*Advances by six months the (1) start date of the monthly five-cent telephone service fee to fund the firefighters cancer relief account and (2) date by which service providers must give subscribers written notice of the fee*

PA 25-168, § 407, as amended by PA 25-3, November Special Session, § 11, requires each telephone and telecommunications company providing local telephone service and each provider of (1) commercial mobile radio services and (2) voice over Internet protocol (VOIP) services (generally, phone calls over broadband internet) to charge each subscriber a five cents per month fee, per service line, for deposit into the firefighters cancer relief account. The law also requires them to give subscribers written notice of the fee before the first fee is assessed.

The bill advances by six months the (1) first fee charge (from January 1, 2027, to July 1, 2026) and (2) deadline for giving the notice to subscribers (from November 1, 2026, to May 1, 2026).

By law, the firefighters cancer relief account provides wage replacement benefits for eligible paid and volunteer firefighters diagnosed with cancer.

EFFECTIVE DATE: Upon passage

**§ 63 — REMOVAL OF SINGLE EXIT STAIRWAY ALLOWANCE IN STATE BUILDING CODE AND FIRE SAFETY CODE**

*Removes the requirement that the next adopted versions of the State Building Code and Fire Safety Code allow additional residential homes to be served by a single exit stairway*

The bill removes the requirement that the next adopted versions of the State Building Code and Fire Safety Code include amendments that allow additional residential occupancies to be served safely by a single exit stairway, in such a way as to:

1. be consistent with safe occupancy and egress;
2. consider the experience of Seattle, New York City, and Honolulu in implementing similar provisions;
3. apply to municipalities in which the fire service is sufficient to maintain safe occupancy and egress under the additional occupancies, if appropriate;
4. promote the inclusion of units with three or more bedrooms in building designs to promote construction of family-sized units, especially on smaller lots; and
5. allow additional stories above grade plane to be served by a single exit stairway in buildings with automatic sprinkler systems, under conditions to ensure safe occupancy and egress, which includes additional levels of fire and smoke separation and any needed features to allow firefighters to ascend a stair as occupants descend.

EFFECTIVE DATE: Upon passage

#### **§ 64 — ICF-IID RATES**

*Increases ICF-IID reimbursement rates for FYs 26 through 28*

Existing law requires the Department of Social Services (DSS) to calculate FY 26 reimbursement rates for intermediate care facilities for people with intellectual disabilities (ICF-IID) based on 2024 cost reports, with certain adjustments. Current law requires DSS to set FY 26 rates at 1.4% higher than the facility's calculated rate. The bill instead requires DSS to set FY 26 rates at 3.4% higher than the facility's calculated rate.

The bill also increases ICF-IID reimbursement rates in future years, as shown in the table below.

**Table: Scheduled Rates for ICF-IIDs**

<i>Time Period</i>	<i>Under Current Law</i>	<i>Under the Bill</i>
FY 27	2.8% greater than FY 26 rates	5.8% greater than FY 26 rates
FY 28	3% greater than FY 27 rates	6.3% greater than FY 27 rates
January 1, 2028	3% greater than rates effective December 31, 2027	6.3% greater than rates effective December 31, 2027

By law and under the bill, a facility is ineligible for the above rate increases if it would have received a lower rate effective during these time periods due to interim rate status or an agreement with DSS. In these cases, the facility must receive the lower rate. (Generally, DSS may authorize an interim rate to a facility in specified situations, such as an ownership change, financial distress, or a significant change in licensed bed capacity.)

EFFECTIVE DATE: Upon passage

### **§§ 65 & 66 — CERTIFICATE OF NEED EXEMPTION FOR CERTAIN INPATIENT BEHAVIORAL HEALTH LICENSED BEDS**

*Exempts from CON requirements an increase in licensed beds at a state-owned or -operated hospital if the beds are added prior to July 1, 2026, and are for inpatient behavioral health services*

Generally, existing law requires certain health care facilities to apply for and receive a certificate of need (CON) from the Office of Health Strategy's Health Systems Planning Unit when proposing to (1) establish a new facility or provide new services, (2) change ownership, (3) purchase or acquire certain equipment, or (4) terminate certain services.

The bill exempts from CON requirements an increase in licensed beds at a state-owned or -operated hospital (e.g., Albert J. Solnit Children's Center) if the additional beds are (1) added prior to July 1, 2026, and (2) dedicated to inpatient behavioral health services. Under the bill, if any of these additional licensed beds are converted to another inpatient service, a CON is required.

The bill also makes a related conforming change.

EFFECTIVE DATE: Upon passage

**§ 67 — CHILD SUPPORT ORDER ENFORCEMENT**

*Allows DSS or SES to notify certain parties of a child support obligor's overdue support when DSS receives a request from another state for help enforcing an order that is not registered in the state but meets certain federal requirements*

Existing law allows the Department of Social Services (DSS) or the Superior Court's Support Enforcement Services (SES) to help enforce another state's child support order when the request is registered in this state. The bill allows DSS and SES to similarly enforce another state's child support order when DSS, acting as the IV-D agency (see *Background – IV-D Support Agency*), receives a request from another state for help enforcing an order that has not been registered in the state, but meets certain federal requirements on high-volume, automated enforcement in interstate cases. Under federal law, these requests must (1) include information the receiving state may compare with information in its databases, and (2) constitute a certification by the requesting state of the amount of support owed and that the requesting state has complied with all applicable procedural due process requirements for the case.

Under current law and the bill, when DSS receives a request from another state, DSS or SES may notify state or local agencies, financial institutions, and certain other parties. These parties must withhold delivery or distribution of assets, funds, property, or benefits until further notice. This applies to cases where the obligor owes at least \$500 in overdue child support.

***Background — IV-D Support Agency***

Title IV-D of the Social Security Act contains the federal rules governing state child support enforcement programs. A IV-D support case is one in which the (1) child for whom support is sought has received assistance under the state's cash assistance (Temporary Family Assistance in Connecticut), Medicaid (HUSKY A in Connecticut), or certain other state programs or (2) custodial parent asks the state's designated IV-D agency, which is DSS's Bureau of Child Support Enforcement, for help to collect child support.

EFFECTIVE DATE: Upon passage

**§ 68 — CHILD SUPPORT ORDER MODIFICATIONS**

*Removes a prohibition on decreasing an existing support order based solely on income loss due to incarceration for an offense against the custodial party or the child*

In cases where a child support obligor is institutionalized or incarcerated, existing law generally requires the Superior Court or family support magistrate to establish an initial order for support or modify an existing order for support based on the obligor's present income. The bill removes a provision that prohibits decreasing an existing support order based solely on income loss due to incarceration for an offense against the custodial party or the child. It makes conforming changes to affidavit and notice requirements.

Federal regulations (1) require states to base child support orders on the noncustodial parent's earnings, income, and other evidence of ability to pay and (2) prohibit states from treating incarceration as voluntary unemployment in order to set or change child support orders.

EFFECTIVE DATE: Upon passage

**§§ 69, 70 & 73 — EARLY VOTING BALLOT PROCEDURES**

*Makes several changes to early voting ballot procedures, including requiring early voting ballots to be inserted, counted, and stored in a voting tabulator instead of being sealed in a ballot envelope, stored by town clerks, and transported to the registrars on election day for counting*

The bill makes several changes to the early voting process, primarily to require early voting ballots to be inserted and counted by a voting tabulator instead of being sealed in a ballot envelope, stored by town clerks, and transported to the registrars on election day for counting. It also makes conforming changes.

EFFECTIVE DATE: Upon passage

***Tabulator Logistics***

The bill requires that on the first day of the early voting period, before the polls open, early voting moderators must unlock the voting tabulators being used and confirm the vote counter is set at zero. Then, at the close of the polls for each early voting day, the moderator must record the number of ballots inserted into the tabulator, lock the

tabulator against voting, and store it in accordance with the applicable early voting certification or order of corrective action from the Secretary of the State (SOTS; see below).

Before opening the polls for each subsequent early voting day, the bill requires a moderator to unlock the tabulator for use and confirm the vote counter is set to the same number recorded when polls closed on the prior day. As under existing law, upon the close of the polls on election day, a moderator must cause the vote totals for all candidates and questions to be produced.

Current law also generally requires registrars to test tabulators that will be used in an election before election day to ensure they are ready. The bill instead requires these tests to begin before the early voting period starts to ensure that tabulators used at early voting and same-day election registration (SDR) locations are also tested and prepared, in addition to tabulators used on election day. The bill also requires registrars to deliver all necessary furniture to early voting and SDR locations, as already required for election day polling places.

### ***Early Voting Eligibility***

Under existing law, to vote early, an elector must (1) appear in person at an early voting location within the designated times, and (2) comply with election day identification requirements by either (a) showing adequate identification or (b) signing an affidavit attesting to his or her identity. The bill specifies that the voter's name must be printed on the affirmation (in addition to being signed) and eliminates a duplicative requirement that the elector also swear an oath that he or she has not previously voted in the election (the oath is still required when the ballot is given to the voter).

### ***Receiving a Ballot***

As under existing law, if an elector has established his or her eligibility, the registrars must check the statewide centralized voter registration system (CVRS) to see if the elector has already voted. If the registrars of voters believe that the elector may have already voted in the election, they must review the matter. If they cannot resolve it, the

elector may request and cast a challenged ballot (see *Background – Challenged Ballots*), and the registrars must report the incident to the State Elections Enforcement Commission, which must investigate.

If a voter is determined not to have previously voted, the elector must be given an early voting ballot, and the registrar must record the issuance. The bill additionally requires the registrar to tell the elector their voting district and the correct ballot they should receive.

The bill also requires the (1) voter, before marking the ballot, to complete a printed affirmation in a log book provided by the registrars and (2) SOTS to prescribe the logbook's form and make a sample available on her website. As under existing law, the voter must also declare under oath that they have not previously voted. The bill specifies that the voter's name must be printed on the affirmation (in addition to being signed) and makes other technical and conforming changes to it.

### ***Casting a Ballot***

Under current law, when a voter votes with an early voting ballot, the voter must mark his or her ballot, place it into a ballot envelope, and deposit it in a secured early voting ballot receptacle. Once the day's early voting period has ended, registrars must transport the receptacle to the town clerk for storage in as near a manner as possible to the required methods for securing absentee ballots.

Instead, the bill requires the ballot, after it is marked, to be inserted into a voting tabulator. At the end of each day's early voting period, registrars must publicly open the tabulator, secure and seal the day's early voting ballots in a secure receptacle, and secure the tabulator in a locked area. Accordingly, the bill eliminates the requirement that voters be provided an early voting ballot envelope.

### ***Securing and Storing Ballots***

Under the bill, after the polls close on the day of an election or primary, the early voting moderator must publicly open the tabulator, secure and seal those ballots into a secure receptacle, and transport them

to the town clerk. The bill otherwise maintains existing law's transportation and security procedures. As under existing law, a section of the head moderator's return must still show the number of early voting ballots received.

Correspondingly, the bill eliminates provisions for counting these ballots, storing these ballots in depository envelopes, and putting the early voting ballot tallies in these envelopes.

### **Background — Challenged Ballots**

Under existing law, a voter's right to cast a ballot may be challenged if a challenger knows, suspects, or reasonably believes that a person is not qualified or entitled to vote (CGS § 9-232 et seq.). A moderator must review these challenges and, if a moderator's decision is unfavorable to the challenged voter, the voter may apply for a challenged ballot. As part of the application, the voter must complete an affidavit attesting to the voter's qualifications and entitlement to vote at the election. The town clerk must preserve the ballots for at least 180 days after an election. In the case of a contested election, the court may order that challenged ballots be delivered to the board of admissions. The board, if ordered, must review all challenged ballots and determine which ones may be counted in the election and added to the vote totals.

### **§§ 69, 71 & 72 — EARLY VOTING AND SAME-DAY ELECTION REGISTRATION LOCATIONS**

*Modifies the requirements for certifying early voting and SDR locations; requires the town's legislative body, instead of its registrars, to select the place of any additional early voting location; prohibits certain political activities of election and primary officials when carrying out their duties*

Existing law requires that each municipality have at least one early voting and SDR location. Under the law, registrars of voters are responsible for designating this location for their municipality, which must be able to access CVRS and be certified to SOTS (see below). Under the bill, if the registrars cannot agree on an early voting location, the municipality's legislative body (or the board of selectmen if the municipality's body is a town meeting) must designate the location, subject to the same requirements.

EFFECTIVE DATE: Upon passage

***Early Voting and SDR Location Certification***

***Deadline.*** To designate an early voting or SDR location, registrars must submit a written certification to SOTS with certain information about the location. Current law requires submitting an (1) early voting location certification 60 days before an election or primary and (2) SDR location certification 45 days before an election. The bill instead generally requires that they be annually submitted by February 15. The SDR certification must be included in the early voting certification. However, the bill maintains current law’s deadlines for all 2026 elections and primaries.

***Content.*** As part of the early voting certifications, registrars must provide certain information, such as the name, street address, and contact information associated with the location, the number of officials serving at the location, a description of the location’s design, and a plan for the efficient conduct of early voting. The bill also requires it to include the SDR implementation plan (see below).

Current law also requires SDR certifications to include similar, but not identical content as the early voting certification, including a plan for the effective completion and processing of SDR registrations. The bill eliminates the requirement for an SDR certification to list the name and address of each election official appointed for a location and instead requires the certification to note the number of officials and their roles, as for early voting certifications.

***Approval.*** The bill specifies that the secretary must generally approve or disapprove these certifications by March 1 (instead of 45 days before an election contest for early voting or 29 days before an election contest for SDR certifications). However, the bill maintains current law’s deadlines for all 2026 elections and primaries.

Existing law, unchanged by the bill, outlines procedures if the secretary disapproves the annual location certification.

***Amendment.*** The bill creates a process for registrars to amend their

early voting or SDR written certification after it is submitted. Under the bill, they must submit an updated written certification as the secretary determines, and clearly indicate the changes from the earlier certification. The update must be submitted as soon as practicable, but no later than seven days after the change.

The secretary must approve or disapprove the amended certification as soon as practicable, but no later than seven days after the submission. If the secretary disapproves the certification, she must, as for original certifications, give the municipality a written reason for the disapproval and any order for corrective action she deems necessary (e.g., appointing additional officials or altering any submitted design or plan).

### ***Additional Early Voting Locations***

Under existing law, municipalities of 20,000 or more may authorize early voting locations under certain procedures in addition to the one required by law. The bill requires the municipality's legislative body, or board of selectmen if the legislative body is a town meeting, to designate any additional early voting locations instead of its registrars.

### ***Early Voting and SDR Officials***

The bill also prohibits election and primary officials, while serving in that role during an early voting or SDR period, from performing services for any party or candidate or appearing at any political party headquarters until the early voting or SDR location closes that day.

### **§§ 69, 71, 72, 75 & 76 — MODERATORS**

*Makes several changes regarding moderators including (1) modifying registrar reporting requirements concerning moderators, (2) implementing moderator requirements for SDR locations like those for early voting locations, and (3) expanding the prohibition for individuals convicted or who have pled to certain crimes from being a moderator*

### ***Moderator Reports***

Existing law requires registrars to provide a written report with the names and addresses of all moderators designated to serve at regular polling locations. Currently, this report must be submitted at any time before each election and primary. The bill instead requires that this report be made at least 14 days before an early voting period begins. The

bill requires registrars to also include the moderator's cell phone number, if available, and provide this and the above information for early voting and SDR moderators.

### ***SDR Moderators***

Current law authorizes registrars of voters to delegate any of their responsibilities or duties to election officials appointed to serve at SDR locations, subject to the registrars' supervision and training. The bill generally maintains these requirements, but also implements similar moderator requirements for SDR locations as required for early voting locations.

Specifically, registrars must appoint, as previously required in the SDR certification, a moderator and other election officials who will serve at the SDR location. Moderators must perform any duty required by and may exercise any power authorized under the state's election laws to complete and process SDR registrations.

The bill specifies that the municipality's registrars of voters may agree to appoint one of themselves to serve as the moderator instead. If they choose to do so, they must submit a certification of their agreement to SOTS as well as a written coverage plan for the registrar's regular duties, to ensure the registrar abstains from any that conflict with his or her role as moderator while serving in that role.

### ***Persons Prohibited From Serving as a Moderator***

The bill restricts registrars of voters from designating or appointing a person as a moderator if the person has been convicted of, or pleaded guilty or no contest to, any criminal offense under the state's election laws, or felonies involving fraud, forgery, larceny, embezzlement, or bribery. Under existing law, moderators are generally required to be certified by SOTS before serving at an election or primary and are subject to the same restrictions in order to receive their certification (see *Background – Moderator Certification Requirements*).

By law, registrars of voters are responsible for designating a moderator for each polling place, including early voting and central

counting locations. If a moderator is unable to serve, a certified alternate moderator may assume the role of moderator. However, if a town or voting district lacks a moderator, the registrars of voters must appoint a new moderator. The new moderator should, if possible, become certified. If all instructional and certification sessions have already been conducted at the time of the moderator's appointment, he or she must receive instruction from the registrars.

EFFECTIVE DATE: Upon passage

### ***Background — Moderator Certification Requirements***

State law requires the secretary to provide instructional sessions for moderator training each year, subject to certain geographical and timeliness requirements. At a minimum, the curriculum must include (1) procedures for counting and recording absentee ballots, (2) hands-on training for using voting tabulators, and (3) the moderator's duties in conducting a primary or election.

The secretary must generally certify anyone who successfully completes an instructional session or regional instructional session (i.e. a session conducted by a regional election advisor) and passes an exam she administers. A person cannot be certified if he or she has been convicted of, or pleaded guilty or no contest to, any felony involving fraud, forgery, larceny, embezzlement, bribery, or any criminal offense under the state's election laws.

The secretary's certification is valid for four years. Before it expires, a certified moderator may undergo an abridged recertification process the secretary administers. Once completed, the certification must be renewed for another four years.

## **§ 74 — PARTY ENROLLMENT PRIVILEGES FOR UNAFFILIATED ELECTORS**

*Extends the period before a primary prohibiting an unaffiliated voter from participating in a party's primary if the voter registers by mail and seeks to affiliate themselves with that party*

By law, unaffiliated voters who are eligible to vote, in most cases, are immediately entitled to the privileges of party enrollment (e.g., voting

in a party's primary) if they file an application in person with the registrars by noon on the business day before a primary.

However, under current law, if the voter submits the application by other means (e.g., by mail) and it is filed within five days before the primary, the privileges generally attach after the primary except in some instances for members of the armed forces or certain residents temporarily overseas. The bill expands this period to 18 days before a primary.

EFFECTIVE DATE: Upon passage

## **§ 77 — AMENDING AND REPORTING ELECTION RETURNS**

*Requires officials in all municipalities, instead of only those in municipalities with multiple voting districts, to meet to correct errors in election night returns and submit amended returns if necessary*

For towns with more than one voting district, current law requires (1) head moderators, town clerks, and registrars to meet by 9:00 a.m. on the third day after a regular election to identify any errors in the election night returns and (2) head moderators to file an amended return, if necessary, by 1:00 p.m. on that day with SOTS, the town clerk, and registrars. The bill conforms the law to existing practice by requiring all towns to do so, instead of just those with multiple voting districts.

Similarly, the bill requires all town clerks (instead of only clerks in multi-voting district towns as under current law) to submit a consolidated listing of the official voting returns to SOTS within 21 days after state elections. The returns must list the total number of (1) votes cast for each candidate, (2) names on the registry list, and (3) names checked off as having voted.

As under existing law, a clerk in a multi-voting district town must certify to the secretary that he or she examined these returns for discrepancies between the total number of votes cast for a candidate and the sum of the votes cast for that candidate in all voting districts.

EFFECTIVE DATE: Upon passage

**§ 78 — NOTIFICATION OF MUNICIPAL ELECTION-RELATED CASES**

*Requires specified entities to notify SOTS about certain election-related actions and violations*

The bill requires a party that files certain election-related court actions to notify the secretary if it alleges a violation of certain laws on the right to vote or a pattern, practice, or policy of discrimination against any protected class (i.e. a class based on race, color, or language minority group, as referenced in the federal Voting Rights Act (VRA)). This applies to actions alleging violations of the state's Voting Rights Act, the federal VRA, state or federal civil rights laws, or the U.S. Constitution's 14th or 15th Amendments. Specifically, the party must notify the secretary about the hearing on the case.

The bill also requires a municipality's corporation counsel to give SOTS all details about the matter if it has been the subject of any court order or government enforcement action due to violations as described above within one month from the bill's passage, an order's issuance, or an action's commencement, whichever is latest.

Under the bill, a "government enforcement action" is any denial of administrative or judicial preclearance by the state or federal government, pending litigation filed by a state or federal entity, final judgment or adjudication, consent decree, or other similar formal action.

EFFECTIVE DATE: Upon passage

**§§ 79-82 — ENDORSEMENT AND NOMINATION PETITION CORRECTION PROCESS**

*Creates a process for candidates to correct endorsement certificates and certificates of candidacies for nomination; authorizes SOTS to make corrections and keep a record of them*

Existing law requires candidates who are endorsed by a party to file a signed certificate with SOTS stating he or she was endorsed, among other information. Individuals who seek endorsement as the party's candidate in a primary must also file a certificate with the secretary that they qualify to run in the primary, among other things.

The bill generally allows candidates to correct endorsement

certificates and certificates of candidacies for nomination. Specifically, if a timely-filed certificate contains an error or omission that would invalidate it, the candidate, or an individual authorized to act on his or her behalf, generally may correct the issue by appearing in person at SOTS's office (other than a weekend day or a legal holiday) by 4:00 p.m. on the 19th day after he or she was endorsed (or by 4:00 p.m. on the 57th day before an election for minor party nominations). Certificates may not be corrected if they are not timely filed or, for certificates of candidacies for nomination, not properly attested or signed as required by law.

If the candidate or individual does not correct the certificate, it is deemed invalid and the party is deemed to have neither made nor certified the endorsement or candidacy for nomination, whichever applies.

The bill (1) authorizes the secretary to amend certificates to correct errors or omissions and (2) requires her to maintain a record of any amendment she makes. The bill specifies that it does not require the secretary to affirmatively attempt to identify errors or omissions.

EFFECTIVE DATE: Upon passage

### **§§ 83-87 — BALLOT FILING WITH THE SECRETARY OF THE STATE**

*Adjusts the requirements for filing ballots with SOTS for review and approval*

Current law requires municipalities to file with the secretary a sample election ballot 10 days before an early voting period. The bill instead requires town clerks to file all official election and primary ballots with SOTS for her approval at least 10 days before the early voting period begins. It prohibits using any of these ballots unless they have been approved.

The bill also requires this filing by the clerk for absentee ballots before they are printed. Further, the absentee ballots may not be printed or used unless they have been approved. Existing law also requires municipal clerks to file an absentee ballot with SOTS after these ballots are printed.

As under current law, these provisions do not prohibit the secretary from ordering actions she deems appropriate for election or absentee ballots in case of any ballot errors or omissions.

EFFECTIVE DATE: Upon passage

**§ 88 — TECHNICAL CHANGE**

*Makes technical changes to an absentee voting statute*

The bill makes technical changes to an absentee voting statute.

EFFECTIVE DATE: Upon passage

**§ 89 — DECLARATORY JUDGMENTS FOR AGGRIEVED ELECTORS**

*Authorizes SOTS to initiate declaratory judgment actions on behalf of aggrieved electors if within the 90 days before an election or primary*

The bill allows the secretary to commence a declaratory judgment action in court under certain circumstances if an elector or electors have been aggrieved under the state’s election laws. The action must seek an order to ensure election administration procedures are properly executed, and electors’ rights are adequately protected under the state’s election laws. The action may be initiated if one or more electors have made a complaint within the 90 days before an election or primary.

EFFECTIVE DATE: Upon passage

**§ 90 — LOG OF REJECTED ABSENTEE BALLOTS**

*Requires moderators to keep and transmit to SOTS a log of absentee ballots that are rejected due to the voter failing to (1) sign the inner envelope or (2) provide sufficient identification required by federal law if voting absentee for the first time after registering by mail and not providing identification at that time*

By law, absentee ballot sets consist of an outer envelope, which contains information about the elector (e.g., name and address), and an inner envelope, which has the elector’s marked ballot and a statement signed by the elector under penalty of false statement in absentee balloting. If a voter fails to sign the inner envelope, the absentee ballot must be rejected.

Additionally, by law, if a voter registers to vote by mail and does not

meet federal identification requirements at the time of registration, the voter must give sufficient identification the first time they seek to vote absentee. If a voter fails to do so, the absentee ballot must be rejected. Acceptable forms of identification include certain documents with the voter's name and address (such as bank statements or utility bills) or valid photo identification with the voter's name and address.

Under the bill, moderators must (1) maintain a log of absentee ballot applicants whose ballots were rejected due to one of the reasons discussed above, (2) note the specific rejection reason on the log for each of these applicants, and (3) send the log to SOTS when they electronically transmit the duplicate list (i.e. voting results).

EFFECTIVE DATE: Upon passage

### **§§ 91-93 — RECANVASS PROCEDURES**

*Requires recanvassing all voting districts when a discrepancy occurs, not just the district with the discrepancy; modifies the procedures for communicating with the moderator during a recanvass*

Under current law, within three days after an election, a moderator must initiate a recanvass (i.e. a recount) if it appears there are discrepancies in a voting district's returns. The bill requires that the returns of all voting tabulators and absentee and write-in ballots in the municipality be recanvassed, not just the returns within the voting district where the discrepancy occurred.

Additionally, during any recanvass, the law permits a moderator to order the removal of a person if disorder arises that interferes with the recanvass, and the person refuses to submit to the moderator's lawful authority. This currently includes if the person is attempting to communicate with a recanvass official other than the moderator.

The bill expands the reasons for possible removal to include attempting to communicate with the moderator. However, it also permits each political party, or each candidate (in the case of a recanvass where there are multiple candidates from a political party), to select a party representative who may communicate directly with the moderator during the recanvass.

EFFECTIVE DATE: Upon passage

**§ 94 — EXEMPTING BALLOTS FROM FREEDOM OF INFORMATION ACT DISCLOSURE**

*Generally exempts ballots from disclosure under FOIA*

The bill exempts from disclosure under the Freedom of Information Act (FOIA) ballots, including write-in ballots, cast at an election, primary, or referendum (see § 95 below).

The bill does not impact the ability to conduct a recanvass or audit (see chapters 147, 148, 152, and 153). A recanvass or recount of the vote generally takes place when there is a discrepancy, close vote, or tie. An audit assesses whether voting machines accurately counted properly marked ballots during an election or primary.

EFFECTIVE DATE: Upon passage

***Background — Freedom of Information Commission Final Decision, LaChapelle v. Town of Colchester***

In a recent case, the Freedom of Information Commission (FOIC) decided, among other things, that FOIA required a town to disclose ballots cast at a stand-alone municipal budget referendum. FOIC's decision distinguished these ballots from those cast at regular or special state or municipal elections and from absentee ballots, which FOIC found were subject to different election laws controlling their retention and destruction (*LaChapelle v. Town of Colchester*, Docket # FIC 2024-0445, November 19, 2025).

**§ 95 — REFERENDUM QUESTIONS UNDER HOME RULE ORDINANCES**

*Clarifies that a referendum includes questions submitted to voters under a home rule ordinance*

The bill clarifies that a referendum includes a question submitted to municipal voters under a home rule ordinance. Under the bill, the election laws apply to these questions in the same way that these laws already apply to questions submitted to municipal voters under charters and special acts.

EFFECTIVE DATE: Upon passage

**§§ 96 & 97 — DISCLOSURE OF VOTER REGISTRATION INFORMATION**

*Limits the disclosure and use of voter registration information and subjects violators of the use restrictions to fines; explicitly authorizes SOTS to adopt regulations regarding the use of voter registration information*

SOTS and registrars of voters collect and maintain voter registration information for various purposes, which includes voters' names, addresses, birthdates, and certain identification numbers, among other things. The bill further limits the disclosure and use of this information and explicitly authorizes the secretary to adopt regulations concerning its use.

First, the bill only allows disclosure of the birth year from a voter's date of birth, unless the information is for a state governmental purpose in which case the full birthdate must be disclosed. Under current law, the month and year may be provided, with the full birthdate available for any governmental purpose.

The bill also restricts the use of voter registration information to the following purposes: election-related, scholarly, journalistic, political, or governmental. It specifically prohibits its use for personal, private, or commercial purposes, including harassment (as described for the criminal offense of harassment in the second degree) of a voter or voter's household; advertising, marketing, selling, or soliciting products or services; or reproduction in print, digital, or broadcast visual or audio, or display in any other format.

Additionally, the bill authorizes SEEC to impose a civil penalty for a violation of these provisions (i.e. up to \$2,000 per offense).

Under existing law, unchanged by the bill, a person's driver's license, identity card, and Social Security number on voter registration records are always confidential and prohibited from disclosure. A voter may also request for certain information not to be disclosed to protect the voter's or his or her family's safety. The bill requires voters to submit these requests to their local registrar of voters rather than to SOTS.

EFFECTIVE DATE: Upon passage

**§ 98 — REPEALED REPORTING REQUIREMENT**

*Repeals a requirement that school boards annually report to the Commission for Educational Technology certain information on their use of internet websites, online services, or mobile applications*

The bill repeals a requirement that school boards annually report to the Commission for Educational Technology certain information on their use of internet websites, online services, or mobile applications that are not covered by a contract that meets the standards required under the state data privacy laws information.

EFFECTIVE DATE: Upon passage