



General Assembly

February Session, 2020

Raised Bill No. 5520

LCO No. 3011



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING THE CONFIDENTIALITY OF THE
RESIDENTIAL ADDRESS OF CERTAIN PROTECTED PERSONS IN
ONLINE MUNICIPAL RECORDS.***

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

1 Section 1. Section 54-240 of the 2020 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2020*):

4 As used in this chapter and section 3 of this act:

5 (1) "Address confidentiality program" or "program" means the
6 program established pursuant to this chapter;

7 (2) "Agency" has the same meaning as "public agency" or "agency", as
8 provided in section 1-200;

9 (3) "Application assistant" means a person authorized by the
10 Secretary of the State to assist applicants in the completion of
11 applications for program participation;

12 (4) "Authorized personnel" means an employee in the office of the
13 Secretary of the State who has been designated by the Secretary of the
14 State, or an employee of an agency who has been designated by the chief
15 executive officer of such agency, to process and have access to records
16 pertaining to a program participant, including, but not limited to, voter
17 registration applications, voting records and marriage records;

18 (5) "Certification card" means a card issued by the Secretary of the
19 State pursuant to section 54-240d;

20 (6) "Confidential address" means a program participant's address or
21 addresses as listed on such participant's application for program
22 participation that are not to be disclosed, including such participant's
23 residential address in this state and work and school addresses in this
24 state, if any;

25 (7) "Family violence" has the same meaning as provided in section
26 46b-38a;

27 (8) "Injury or risk of injury to a child" means any act or conduct that
28 constitutes a violation of section 53-21;

29 (9) "Law enforcement agency" means the office of the Attorney
30 General, the office of the Chief State's Attorney, the Division of State
31 Police within the Department of Emergency Services and Public
32 Protection or any municipal police department;

33 (10) "Marriage records" means an application for a marriage license,
34 an issued marriage license, a license certificate or other documents
35 related thereto;

36 (11) "Program address" means the post office box number and
37 fictitious street address assigned to a program participant by the
38 Secretary of the State;

39 (12) "Program participant" or "participant" means any person
40 certified by the Secretary of the State to participate in the address
41 confidentiality program;

42 (13) "Protected person" means a person named as a protected person
43 in a protective or restraining order issued by a court of this state,
44 including, but not limited to, an order issued pursuant to sections 46b-
45 15, 46b-16a, 46b-38c, 53a-40e and 54-1k;

46 ~~[(13)]~~ (14) "Record" has the same meaning as "public records or files"
47 as provided in section 1-200;

48 ~~[(14)]~~ (15) "Sexual assault" means any act that constitutes a violation
49 of section 53a-70b of the general statutes, revision of 1958, revised to
50 January 1, 2019, or section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or
51 53a-73a; and

52 ~~[(15)]~~ (16) "Stalking" means any act that constitutes a violation of
53 section 53a-181c, 53a-181d or 53a-181e.

54 Sec. 2. Section 54-240c of the general statutes is repealed and the
55 following is substituted in lieu thereof (*Effective October 1, 2020*):

56 The Secretary of the State shall certify an applicant or the person on
57 whose behalf an application is made as a program participant if the
58 application is filed in the manner and on the application form prescribed
59 by the Secretary of the State and includes:

60 (1) A statement made under penalty of false statement, as provided
61 in section 53a-157b, that (A) the applicant or the person on whose behalf
62 the application is made is a victim of family violence, injury or risk of
63 injury to a minor, sexual assault or stalking or is a protected person, and
64 (B) the applicant fears for the applicant's safety, for the safety of the
65 applicant's children, for the safety of the person on whose behalf the
66 application is made, or for the safety of the children of the person on
67 whose behalf the application is made;

68 (2) Documentation supporting the statement made pursuant to
69 subdivision (1) of this section;

70 (3) A designation of the Secretary of the State as the agent of the
71 applicant or the person on whose behalf the application is made for

72 service of process and for receipt of first class mail;

73 (4) The residential address in this state, the work and school
74 addresses in this state, if any, and the phone number or numbers, if
75 available, that are to remain confidential, but which may be used by the
76 Secretary of the State or authorized personnel to contact the applicant
77 or the person on whose behalf the application is made; and

78 (5) The application preparation date, the applicant's signature and the
79 signature of the application assistant who assisted the applicant in
80 completing the application.

81 Sec. 3. (NEW) (*Effective October 1, 2020*) (a) A program participant
82 who is a protected person may request a municipality to either use such
83 person's program address in lieu of the participant's residential address
84 or to leave the address blank on any online version of a municipal record
85 concerning the program participant by appearing in person and
86 presenting the participant's certification card to the town clerk. Upon
87 receiving such request, the town clerk shall (1) list the program
88 participant's program address or list the participant by name only in all
89 online records that the town clerk has custody or supervision over, and
90 (2) transmit such request to any other applicable municipal official or
91 employee to ensure that all other online municipal records, other than
92 those described in subsection (c) of this section, are so redacted. Such
93 online records shall remain redacted until the municipality is notified
94 by the Secretary of the State that the program participant's certification
95 has been cancelled. The town clerk and other applicable officials may
96 make the original records or physical copies of such records that are not
97 online available for inspection or copying.

98 (b) Each town clerk shall establish procedures for the posting of land
99 records online to comply with the provisions of this section. Such
100 procedures shall provide public notice of the existence of online land
101 records that may have been redacted in accordance with the provisions
102 of this section.

103 (c) The provisions of this section shall not apply to marriage records

104 or voter registry lists, which shall be subject to the provisions of sections
105 54-240f and 54-240g of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2020</i>	54-240
Sec. 2	<i>October 1, 2020</i>	54-240c
Sec. 3	<i>October 1, 2020</i>	New section

Statement of Purpose:

To require municipalities to redact the residential address of program participants from any online version of municipal records.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]