



General Assembly

January Session, 2021

Committee Bill No. 6212

LCO No. 4424



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 Section 54-240 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

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

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

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

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

11 (4) "Authorized personnel" means an employee in the office of the
12 Secretary of the State who has been designated by the Secretary of the

13 State, or an employee of an agency who has been designated by the chief
14 executive officer of such agency, to process and have access to records
15 pertaining to a program participant, including, but not limited to, voter
16 registration applications, voting records and marriage records;

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

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

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

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

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

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

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

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

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

45 [(13)] (14) "Record" has the same meaning as "public records or files"
46 as provided in section 1-200;

47 [(14)] (15) "Sexual assault" means any act that constitutes a violation
48 of section 53a-70b of the general statutes, revision of 1958, revised to
49 January 1, 2019, or section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or
50 53a-73a; and

51 [(15)] (16) "Stalking" means any act that constitutes a violation of
52 section 53a-181c, 53a-181d or 53a-181e.

53 Sec. 2. Section 54-240c of the general statutes is repealed and the
54 following is substituted in lieu thereof (*Effective October 1, 2021*):

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

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

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

69 (3) A designation of the Secretary of the State as the agent of the

70 applicant or the person on whose behalf the application is made for
71 service of process and for receipt of first class mail;

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

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

80 Sec. 3. (NEW) (*Effective October 1, 2021*) (a) A program participant
81 who is a protected person may request a municipality to either use such
82 person's program address in lieu of the participant's residential address
83 or to leave the address blank on any online version of a municipal record
84 concerning the program participant by appearing in person and
85 presenting the participant's certification card to the town clerk. Upon
86 receiving such request, the town clerk shall (1) list the program
87 participant's program address or list the participant by name only in all
88 online records that the town clerk has custody or supervision over, and
89 (2) transmit such request to any other applicable municipal official or
90 employee to ensure that all other online municipal records, other than
91 those described in subsection (d) of this section, are so redacted. Such
92 online records shall remain redacted until the expiration of the program
93 participant's certification, provided it is not renewed under section 54-
94 240j of the general statutes, or until the municipal official receives notice
95 from the Secretary of the State that the certification has been cancelled
96 under section 54-240k of the general statutes, as amended by this act,
97 whichever is earlier. The town clerk and other applicable officials may
98 make the original records or physical copies of such records that are not
99 online available for inspection or copying.

100 (b) Each town clerk shall establish procedures for the posting of land
101 records online to comply with the provisions of this section. Such

102 procedures shall provide public notice of the existence of online land
103 records that may have been redacted in accordance with the provisions
104 of this section.

105 (c) The town clerk may notify the Secretary of the State of a request
106 for address confidentiality made under this section and request the
107 Secretary to inform the town clerk of any subsequent cancellation of the
108 certification under section 54-240k of the general statutes, as amended
109 by this act.

110 (d) The provisions of this section shall not apply to marriage records
111 or voter registry lists, which shall be subject to the provisions of sections
112 54-240f and 54-240g of the general statutes.

113 Sec. 4. Subdivision (1) of subsection (d) of section 54-240k of the
114 general statutes is repealed and the following is substituted in lieu
115 thereof (*Effective October 1, 2021*):

116 (d) (1) The Secretary of the State shall notify in writing the authorized
117 personnel of the appropriate agency when a participant's certification in
118 the program has been cancelled, including, but not limited to, a town
119 clerk who has requested such notice under section 3 of this act. After
120 receipt of such notice, the agency shall not be responsible for
121 maintaining the confidentiality of the record or address of a program
122 participant whose certification has been cancelled.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>October 1, 2021</i> | 54-240 |
| Sec. 2 | <i>October 1, 2021</i> | 54-240c |
| Sec. 3 | <i>October 1, 2021</i> | New section |
| Sec. 4 | <i>October 1, 2021</i> | 54-240k(d)(1) |

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.]

Co-Sponsors: REP. LINEHAN, 103rd Dist.; SEN. DAUGHERTY ABRAMS,
13th Dist.

H.B. 6212