



# Senate

General Assembly

**File No. 256**

February Session, 2022

Substitute Senate Bill No. 123

*Senate, April 4, 2022*

The Committee on Children reported through SEN. ANWAR of the 3rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## **AN ACT EXPANDING ELIGIBILITY FOR THE ADDRESS CONFIDENTIALITY PROGRAM.**

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 Section 54-240 of the general statutes is repealed and the  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 July 1, 2022*):

3 As used in this chapter:

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) "Kidnapping" means any act that constitutes a violation of section  
29 53a-92, 53a-92a, 53a-94 or 53a-94a;

30 [(9)] (10) "Law enforcement agency" means the office of the Attorney  
31 General, the office of the Chief State's Attorney, the Division of State  
32 Police within the Department of Emergency Services and Public  
33 Protection or any municipal police department;

34 [(10)] (11) "Marriage records" means an application for a marriage  
35 license, an issued marriage license, a license certificate or other  
36 documents related thereto;

37 [(11)] (12) "Program address" means the post office box number and  
38 fictitious street address assigned to a program participant by the  
39 Secretary of the State;

40 [(12)] (13) "Program participant" or "participant" means any person

41 certified by the Secretary of the State to participate in the address  
42 confidentiality program;

43 [(13)] (14) "Record" has the same meaning as "public records or files"  
44 as provided in section 1-200;

45 [(14)] (15) "Sexual assault" means any act that constitutes a violation  
46 of section 53a-70b of the general statutes, revision of 1958, revised to  
47 January 1, 2019, or section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or  
48 53a-73a; [and]

49 [(15)] (16) "Stalking" means any act that constitutes a violation of  
50 section 53a-181c, 53a-181d or 53a-181e; and

51 (17) "Trafficking in persons" means any act that constitutes a violation  
52 of section 53a-192a.

53 Sec. 2. Section 54-240a of the general statutes is repealed and the  
54 following is substituted in lieu thereof (*Effective July 1, 2022*):

55 (a) There shall be an address confidentiality program established in  
56 the office of the Secretary of the State to provide a substitute mailing  
57 address for any person who wishes to keep such person's residential  
58 address confidential because of safety concerns and (1) has been a victim  
59 of (A) family violence, (B) injury or risk of injury to a child, (C)  
60 kidnapping, (D) sexual assault, [or] (E) stalking, [and who wishes to  
61 keep such person's residential address confidential because of safety  
62 concerns] (F) trafficking in persons, or (G) child abuse or neglect  
63 substantiated by the Department of Children and Families, or (2) filed a  
64 petition or had a petition filed on such person's behalf for the  
65 termination of parental rights that was granted pursuant to section 45a-  
66 717 or 46b-129.

67 (b) The Secretary of the State shall adopt regulations, in accordance  
68 with the provisions of chapter 54, to carry out the provisions of this  
69 chapter. Such regulations may include, but need not be limited to,  
70 provisions for applications for participation in the address  
71 confidentiality program, certification of program participants,

72 certification cancellation, agency use of program addresses, forwarding  
73 of program participants' mail, voting by program participants and  
74 recording of vital statistics for program participants.

75 Sec. 3. Section 54-240c of the general statutes is repealed and the  
76 following is substituted in lieu thereof (*Effective July 1, 2022*):

77 The Secretary of the State shall certify an applicant or the person on  
78 whose behalf an application is made as a program participant if the  
79 application is filed in the manner and on the application form prescribed  
80 by the Secretary of the State and includes:

81 (1) A statement made under penalty of false statement, as provided  
82 in section 53a-157b, that [(A)] the applicant or the person on whose  
83 behalf the application is made (A) is a victim of (i) family violence, (ii)  
84 injury or risk of injury to a minor, (iii) kidnapping, (iv) sexual assault,  
85 [or] (v) stalking, (vi) trafficking in persons, or (vii) child abuse or neglect  
86 substantiated by the Department of Children and Families, or (B) filed a  
87 petition or had a petition filed on such applicant or person's behalf for  
88 the termination of parental rights that was granted pursuant to section  
89 45a-717 or 46b-129, and [(B)] (C) the applicant fears for the [applicant's  
90 safety, for the safety of the applicant's children, for the safety of the  
91 person on whose behalf the application is made, or for the safety of the  
92 children] safety of the applicant, children living in the applicant's home,  
93 the person on whose behalf the application is made or children living in  
94 the home of the person on whose behalf the application is made;

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

97 (3) A designation of the Secretary of the State as the agent of the  
98 applicant or the person on whose behalf the application is made for  
99 service of process and for receipt of first class mail;

100 (4) The residential address in this state, the work and school  
101 addresses in this state, if any, and the phone number or numbers, if  
102 available, that are to remain confidential, but which may be used by the

103 Secretary of the State or authorized personnel to contact the applicant  
104 or the person on whose behalf the application is made; and

105 (5) The application preparation date, the applicant's signature and the  
106 signature of the application assistant who assisted the applicant in  
107 completing the application.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2022	54-240
Sec. 2	July 1, 2022	54-240a
Sec. 3	July 1, 2022	54-240c

**KID** Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 23 \$	FY 24 \$
Secretary of the State	Commercial Recording Division Account - Cost	Minimal	Minimal

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

This bill expands the address confidentially program administered by the Secretary of the State (SOS). The program is funded from the budgetary resources of the Commercial Recording Division account<sup>1</sup> and results in a postage cost to the SOS to forward the participants' mail. The extent of the cost is expected to be minimal but will depend on the number of new participants.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

<sup>1</sup> The Commercial Recording Division within the Secretary of the State's office files and maintains legally required records showing the formation of and fundamental changes to corporations, limited liability companies, limited liability partnerships, limited partnerships and other businesses. The Commercial Recording Division account is a restricted non-lapsing account within the General Fund.

**OLR Bill Analysis****sSB 123*****AN ACT EXPANDING ELIGIBILITY FOR THE ADDRESS CONFIDENTIALITY PROGRAM.*****SUMMARY**

By law, the address confidentiality program, administered by the Secretary of the State (SOTS), allows certain victims to receive a substitute mailing address in order to keep their residential address confidential due to safety concerns.

This bill expands the program by allowing the following individuals to participate:

1. victims of (a) 1st or 2nd degree kidnapping, (b) 1st or 2nd degree kidnapping with a firearm, (c) human trafficking, or (d) child abuse substantiated by the Department of Children and Families (DCF); and
2. children who are the subject of petitions to terminate parental rights granted by the court.

(Presumably, DCF, a temporary or permanent guardian, or adoptive parent would initiate the program application on such a child's behalf, following a process determined by SOTS under its authority to adopt regulations for this program.) Current law already allows victims of family violence; injury or risk of injury to a child; 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; 3rd degree sexual assault with a firearm; sexual assault in a spousal or cohabiting relationship, or 1st, 2nd, or 3rd degree stalking to participate in the program.

EFFECTIVE DATE: July 1, 2022

**ADDRESS CONFIDENTIALITY PROGRAM**

Under existing law, once an applicant to the address confidentiality program is certified by SOTS, he or she receives a substitute address. SOTS, as the participant’s legal agent, receives any mail and service of process sent to that substitute address and forwards it to the participant’s confidential address free-of-charge.

Participants may generally have (1) their street address omitted from voter registries, (2) correspondence from state agencies sent to their substitute address, and (3) their marriage records kept confidential. Participants may renew their certification every four years. SOTS may cancel a participant’s certification under certain circumstances, but such participants may reapply at any time (CGS § 54-240 et seq. and Conn. Agencies Regs. § 54-240-1 et seq.).

**COMMITTEE ACTION**

Committee on Children

Joint Favorable Substitute

Yea 13 Nay 0 (03/15/2022)