



# House of Representatives

General Assembly

**File No. 611**

January Session, 2023

Substitute House Bill No. 5229

*House of Representatives, April 17, 2023*

The Committee on Government Administration and Elections reported through REP. BLUMENTHAL of the 147th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING MINORITY REPRESENTATION.***

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

1 Section 1. Subsection (g) of section 9-167a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (g) (1) For the purposes of this section, a person shall be deemed to  
5 be a member of the political party on whose enrollment list [his] such  
6 person's name appears on the date of [his] such person's appointment  
7 to, or of [his] such person's nomination as a candidate for election to,  
8 any office specified in subsection (a) of this section, provided any person  
9 who has applied for erasure or transfer of [his] such person's name from  
10 an enrollment list shall be considered a member of the party from whose  
11 list [he] such person has so applied for erasure or transfer for a period  
12 of three months from the date of the filing of such application and  
13 provided further any person whose candidacy for election to an office is  
14 solely as the candidate of a party other than the party with which [he]

15 such person is enrolled shall be deemed to be a member of the party of  
16 which [he] such person is such candidate.

17 (2) For the purposes of this section, a person whose name is not on  
18 the enrollment list of any political party on the date of such person's  
19 appointment to, or of such person's nomination as a candidate for  
20 election to, any office specified in subsection (a) of this section shall be  
21 deemed to not be a member of any political party for the duration of  
22 such person's term in such office, provided any person whose candidacy  
23 for election to an office is solely as the candidate of a party shall be  
24 deemed to be a member of the party of which such person is a candidate.

25 Sec. 2. Section 7-340a of the general statutes is repealed and the  
26 following is substituted in lieu thereof (*Effective from passage*):

27 Any town, in addition to such powers as it has under the provisions  
28 of the general statutes, any special act or municipal charter, shall have  
29 the power to provide by ordinance for the appointment or election of  
30 not more than three alternate members to its board of finance, subject to  
31 the provisions of section 9-167a, as amended by this act, concerning  
32 minority representation. [of political parties.] Such alternate members  
33 shall, when seated as herein provided, have all the powers and duties  
34 set forth in the general statutes, any special act or municipal charter  
35 relating to such town for such board of finance and its members. Such  
36 alternate members shall be electors and taxpayers of such town. If a  
37 regular member of such board is absent or is disqualified, such absent  
38 or disqualified member shall designate an alternate to so act. In the  
39 event that an absent or disqualified regular member shall fail or refuse  
40 to designate an alternate to so act, the majority of the regular members  
41 of the board of finance not absent and not disqualified may designate  
42 an alternate subject to the provisions of section 9-167a, as amended by  
43 this act, to so act for such absent or disqualified regular member.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-167a(g)

Sec. 2	<i>from passage</i>	7-340a
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**Statement of Legislative Commissioners:**

Section 2 was added to conform to the change being made in Section 1.

**GAE**      *Joint Favorable Subst. -LCO*

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*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.*

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

This bill has no fiscal impact. The purpose of the bill is to consider unaffiliated board and council members as minority party members for maintenance of state standards for representation. The bill does not obligate the state to any further action.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

**OLR Bill Analysis****sHB 5229*****AN ACT CONCERNING MINORITY REPRESENTATION.*****SUMMARY**

The state's minority representation law limits the maximum number of members who may belong to the same political party on governmental bodies of the state, municipalities, and other political subdivisions. An unaffiliated person (a person who is not affiliated with any party at the time of his or her appointment or nomination) may be elected and considered part of the minority for purposes of minority representation.

For purposes of this law, this bill deems an unaffiliated person as unaffiliated for the entire duration of his or her elected term. Under the bill, a person elected as a candidate for a political party is deemed a member of that party even if he or she is not registered with that party.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: Upon passage

**BACKGROUND*****Minority Representation***

Existing law limits the maximum number of members (generally two-thirds of the total) who may belong to the same political party on most state and local boards, commissions, legislative bodies, committees, and similar bodies, whether elected or appointed. But it exempts a governmental body whose members are elected based on geographical division (e.g., regional boards of education), certain legislative bodies (e.g., town meetings), and the board of directors of small taxing districts.

By law, unchanged by the bill, a person registered with a political party at the time of his or her appointment or nomination is deemed to be a member of that political party for minority representation purposes for the entire duration of the person’s term. A person elected as a candidate for a political party other than the party with which he or she is registered is deemed to be a member of the party of his or her candidacy. A person may apply to remove or change his or her party designation, but it does not take effect until three months after the application’s filing date.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable

Yea 18    Nay 1    (03/27/2023)