

Statutory Responsibilities Added to Town Clerks Since 2006

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Issue

This report generally updates OLR Report [2006-R-0297](#) and includes brief descriptions of the public acts that have changed the statutory responsibilities of town clerks since 2006. It also describes the law allowing clerks to keep certain revenue for historic preservation ([CGS § 7-34a](#)).

Summary

Each Connecticut town elects a town clerk at its regular municipal election, unless otherwise provided by local charter, ordinance, or resolution, for a term between two and six years ([CGS §§ 7-193\(b\)](#), [9-189](#), and [9-189a](#)). State and local laws govern town clerks' duties and responsibilities. Generally, they are considered the local government official in charge of public records, vital statistics, and licensing. They also play a significant role in election procedures.

State law provides that town clerks are paid fees for performing their duties and other compensation for services such as enrolling electors ([CGS §§ 7-34a](#) and [9-195](#)). However, it allows a town to provide through ordinance that its clerk instead receive a salary ([CGS § 7-34b](#)).

Duties and Responsibilities

Town clerks are public information officers who serve as liaisons between local government and the public. They are responsible for (1) public records, (2) vital statistics, and (3) licensing. They also have certain election-related duties, with registrars of voters responsible for others. The tables below provide an overview of their major responsibilities under each area and the applicable provisions of public acts enacted since 2006 that have affected these responsibilities.

Table 1: Public Records

Applicable Statutes	General Duties and Responsibilities
CGS § 7-23 et seq. and various other citations in Titles 22a, 26, 27, and 49, among others	<ul style="list-style-type: none"> • Maintain and provide access to public records as required by state law and regulations • Provide certified copies of public records • Record, index, and preserve municipal land records, surveys, and maps • Post meeting notices for local governmental bodies • Maintain official records of charters, ordinances, oaths, appointments, and petitions • Maintain public meeting minutes, agendas, and notices • Record trade names and military discharges • Issue certificates of authority to justices of the peace, notaries public, and Superior Court commissioners • Maintain official copies of town budgets, audits, and annual reports • Administer the oath of office to local elected and appointed officials
Public Acts Affecting Town Clerks Since 2006	
Act	Applicable Provision
PA 06-17	For local planning commissions (or combined planning and zoning commissions) amending plans of conservation and development, requires the commission to file a copy of the draft plan with the town clerk at least 35 days before the hearing required by law
PA 06-79	For a municipality or school district that establishes a trust for its retirement system's assets, requires the chief fiscal officer to deliver a certified copy of the system's required evaluation to the town or municipal clerk
PA 06-194	Requires town clerks to (1) accept the Department of Revenue Services (DRS) commissioner's electronic signature on certificates filing or discharging tax liens on real property and (2) record the certificates (§ 9)
PA 07-127	Requires tax assessors to annually file a certificate with the town clerk stating the date of a property's initial classification as maritime heritage land and the conveyance tax obligation
PA 07-187	Allows the American Legion's treasurer to make a copy of the Soldiers, Sailors and Marines Fund's regulations and aid applications available to each town clerk
PA 07-213	Requires local agencies to file their regular meeting agendas with the town clerk or the clerk of a multi-town district or agency, whichever is applicable (§ 23)
PA 07-214	Allows an owner of property on which hunting or shooting sports regularly take place to enter the property location on a list kept by the town clerk; requires town clerks to keep the list available to the public for inspection and post a notice of its availability in the clerk's office in the area where land records are kept

Table 1 (continued)

Public Acts Affecting Town Clerks Since 2006	
Act	Applicable Provision
<u>PA 07-252</u>	<ul style="list-style-type: none"> • Specifies that a manual notation on a recorded judgment lien indicating it has been released is not required if the town clerk notes the release electronically by means of a computerized notation that links the release to the recorded judgment lien (§ 51) • Prohibits a town clerk from refusing to receive an instrument for recording that does not conform to certain formatting requirements (§ 52) • Specifies that when a mortgage release or assignment is recorded, a manual notation stating the book and page where the release or assignment is recorded is not required if the town clerk notes the release or assignment electronically by means of a computerized notation that links the release to the recorded mortgage or lien (§ 53)
<u>PA 08-43</u>	Extends, from one to two years, the time that a lien for delinquent municipal water rates and charges runs before it must be continued by filing a certificate with the town clerk in the same way as a tax lien
<u>PA 09-89</u>	When a water pollution control authority (WPCA) assesses the cost of a sewer system whose acquisition, construction, or expansion is financed from the municipality's general reserves, requires the WPCA to have the town clerk where the assessed property is located place a certificate on the land records indicating the assessment; eliminates a requirement for the town clerk to cancel or remove the certificate after the assessment was paid off and instead requires the tax collector to prepare a release of certificate and record the release on the land record
<u>PA 09-144</u>	Requires the owners of uninhabited one- to four-family dwellings obtained by strict foreclosure or foreclosure by sale to register the property with the town clerk of the municipality in which they are located or with the Mortgage Electronic Registration Systems
<u>PA 09-213</u>	Eliminates a town clerk's duty to make a notation in the land records in connection with various documents recorded in the town's land records, including liens, mortgages, and certain certificates and condominium related documents; instead requires that the town clerk record (1) a discharge of lien, attachment, or other encumbrance or (2) certain certificates on the town's land records
<u>PA 10-186</u>	Specifies that under the Common Interest Ownership Act, no leasing restriction in a unit association's rules is enforceable unless notice of it is recorded on the land records of each town encompassing any part of the common interest community; requires the notice to be indexed by the town clerk in the grantor index of land records in the association's name
<u>PA 11-201</u>	<ul style="list-style-type: none"> • Requires people or entities that bring a foreclosure action against certain properties to (1) register the property with the town clerk in the municipality where the property is located and (2) report to the town clerk any change in the information provided on the registration within 30 days following the change (§§ 13-15) • Requires anyone in whom title to a subject property vests through a foreclosure action to (1) register the property with the town clerk of the municipality where the property is located and (2) report to the town clerk any change in registration information within 30 days of the change (§§ 13-15)

Table 1 (continued)

Public Acts Affecting Town Clerks Since 2006	
Act	Applicable Provision
PA 11-243	Requires notice of intent to commence an action for personal injury or property damage against volunteer firefighters, volunteer ambulance members, or volunteer fire police officers to be filed with the volunteer and the municipal clerk or corresponding municipal officer
PA 12-2 , June Special Session	Requires the resolution, trust indenture, or agreement that contains the pledge for sewer system charge revenue to be filed with the clerk of the municipality issuing bonds to acquire or build sewer systems (§ 130)
PA 13-184 (§§ 97 & 98) PA 13-247 (§§ 81 & 82)	(1) Increases the fees a “nominee of a mortgagee” must pay to town clerks when recording certain documents, including warranty deeds, quitclaim deeds, mortgage deeds, or mortgage assignments, and (2) specifies how the fee revenue must be allocated (The provisions in PA 13-184 and PA 13-247 were substantially similar except that PA 13-184 became effective July 1, 2013, and PA 13-247 became effective July 15, 2013)
PA 13-263	For a municipality to accept a conveyance of certain surplus state property, requires the municipality to (1) accept the conveyance by a vote of its legislative body and (2) deliver a resolution of the action, verified by the municipal clerk, to the Department of Administrative Services commissioner (§ 1)
PA 13-276	Conforms the law to practice by requiring the tax assessor or rate maker, rather than the town clerk or rate maker, to assign a number for each tax account (§ 13)
PA 14-33	Extends, from November 30 to January 31, the deadline for tax assessors to file with the town clerk a certificate for any land classified under the 490 program for any year in which a revaluation of all real property becomes effective
PA 14-217	Requires the American Legion to make aid applications for the Soldiers, Sailors, and Marines Fund available at each town clerk’s office (§ 58)
PA 15-57	For municipalities establishing a tax increment district to finance economic development projects in eligible areas, requires the municipality’s board of finance to file with the town clerk a copy of the (1) proposed assessment at least 10 days before the required public hearing and (2) actual assessment after the board determines it
PA 15-62	Allows town clerks, among other officials, to make the required official acknowledgement of statements for parents seeking to place a security freeze on their child’s credit report
PA 15-114	Increases, from one to two years, the time that a lien for delinquent Metropolitan District Commission water rates and charges runs before it must be continued by filing a certificate with the town clerk (§ 3)
PA 15-174	Allows town clerks, among other officials, to make the required official acknowledgement of statements for parents seeking to exempt their child from school immunization requirements
PA 16-65	In proceedings for a judgment of loss mitigation, requires the mortgagor and mortgagee to record the judgment with the town clerk within 30 days after a mortgage modification or conveyance to a mortgagee (§ 77); for conveyances to third parties, requires the mortgagor to submit the judgment of loss mitigation to the town clerk for recording before recording the document conveying title to the third party (§ 78)

Table 1 (continued)

Public Acts Affecting Town Clerks Since 2006	
Act	Applicable Provision
PA 16-112	Requires a municipal employee who files a claim with the Workers' Compensation Commission to send a copy of the claim notice to the town clerk of the municipality where the employee works
PA 16-3 , May Special Session	Requires notice to be posted in the applicable town clerk's office about the CTNext board's public hearing on each finalist's application for a proposed innovation place (§ 7)
PA 17-21	Removes a requirement for the state entomologist to forward information about registered bee hive keepers to the town clerk in the municipality where the registrant lives
PA 17-65	For the Gold Star property tax exemption (for parents or surviving spouses of a service member killed in action), requires (1) applicants to notify the town clerk in the municipality where they reside; (2) the clerk to record, at no charge, each application affidavit in full and list the name of the claimant; and (3) the tax assessor to annually prepare a certified list of parents and surviving spouses entitled to the exemption and file it in the town clerk's office
PA 17-99	Requires town clerks to index trust instruments by the name of the trust and trustee identified in the instrument if the grantor, grantee, releasor, releasee, assignor, assignee, transferor, or transferee is a trust (§ 50)
PA 17-169	Changes the deadline for when commercial real estate brokers must file notices of commission rights with town clerks
PA 17-170	Requires a municipality to (1) file its adopted affordable housing plan in the town clerk's office and (2) if it will hold a hearing on adopting a plan, file a copy of the draft plan and any amendments to it in the town clerk's office at least 35 days before the hearing
PA 17-189	For a certain municipal veterans' property tax exemption, requires (1) veterans claiming the exemption to notify the town clerk in the municipality where they reside and (2) the municipal tax assessor to annually make a certified list of veterans entitled to the exemption and file it in the town clerk's office
PA 17-2 , June Special Session	<ul style="list-style-type: none"> Requires (1) local boards of education to immediately file with their town clerks a signed copy of any contract for administrative personnel and (2) the clerks to post a copy of the contracts on the town's website (§ 157) For the hospital provider tax, makes the amount of unpaid tax, penalty, interest, and fees a lien against all of the taxpayer's Connecticut real estate and allows it to be filed with the town clerk where the property is located (§ 609)
PA 18-136	Increases fees for town clerks filing and indexing various documents (§ 4)
PA 19-40	Requires a corporation or LLC using a trade name to file with the town clerk a certificate with the business name, business identification number, and principal office address as reflected on the secretary of the state's records; requires the secretary of the state to create an electronic system to collect from each town clerk the trade name index information required by law; deems a town clerk compliant with the index information requirement if the secretary determines that the index information provided contains all active trade name records on file with the clerk (§ 13)

Table 1 (continued)

Public Acts Affecting Town Clerks Since 2006	
Act	Applicable Provision
PA 19-92	Requires someone petitioning a court to appoint a receiver for certain abandoned properties to also file a notice with the municipal clerk that the property is subject to an ongoing legal proceeding
PA 19-193	Requires a copy of the referral to be filed with the town clerk when the Office of Policy and Management (OPM) refers a municipal audit to the Municipal Finance Advisory Commission because (1) the audit was incorrectly prepared and the audited entity did not ask OPM for a waiver from the Municipal Auditing Act's provisions or (2) there are management letter comments or a lack of internal controls relating to commonly accepted municipal finance standards (§ 1)
PA 20-1 , July Special Session	For lawsuits alleging a police officer deprived an individual or class of individuals of state law's equal protection or privileges and immunities, exempts the plaintiff from certain statutory notice of claim provisions, including a requirement to file with the town clerk a notice of one's intention to file suit against a municipality for damages (§ 41)
PA 21-29	Eliminates a requirement that a municipality's draft affordable housing plan or amendment be filed with the town clerk (§ 12)
PA 21-37	Requires the Department of Consumer Protection to post notice of any permit revocation or suspension on the department's website rather than sending a certificate of the permit revocation, suspension, or reinstatement to the town clerk where the permittee operates or operated (§ 89)
PA 21-173	<ul style="list-style-type: none"> • Requires town clerks, after receiving a form or an affidavit notifying them of an unlawful restrictive covenant, to record it, and to the extent practicable, notate the index to the land records; prohibits clerks from requiring a fee for doing this • Requires town clerks to (1) make available OPM's standardized form for reporting unlawful restrictive covenants on the municipality's website and in the town clerk's office where land records are kept and (2) post a notice informing the public of the act's provisions in the town clerk's land records office • Protects a town clerk from liability for any damages resulting from recording an affidavit or form unauthorized under the act's provisions
PA 21-2 , June Special Session	<ul style="list-style-type: none"> • Allows town clerks to designate a website for paying recording fees and accept payments for these fees through the website in a manner they prescribe (§ 155) • Allows for electronic registration and notices, in a manner the town clerk prescribes, of a residential property on which a plaintiff commences a foreclosure action; allows certain related registrations and notices to be sent by email (§ 161)
PA 22-34	Authorizes a new income-based, local option property tax exemption for veterans and requires a veteran claiming the exemption to notify the town clerk in the municipality where his or her primary residence is located; requires the town clerk, free of charge, to record the discharge documents or affidavits submitted with an application for the exemption and list the veteran's name; requires municipal assessors to annually file in the clerk's office a certified list of all veterans found to qualify for the exemption (§ 33)
PA 22-74	Eliminates the requirement that the clerk of each special taxing district annually report to the town clerk of the host municipality; instead, requires district clerks to notify the town clerk whenever the district's home rule charter or special act charter is amended (§ 5)

Table 1 (continued)

Public Acts Affecting Town Clerks Since 2006	
Act	Applicable Provision
PA 23-45	Requires a mortgage release to be sent to the town clerk of the town where the property is situated, with a copy also sent to the mortgagor, unless the mortgagor or mortgagor's designated representative made a written request to receive it
PA 24-101	<ul style="list-style-type: none"> • Allows town clerks to refuse to receive “unfair real estate listing agreements” (as defined in the act) or any notices or memoranda about them for recording or rerecording (§ 3) • Requires real estate listing providers that entered into real estate listing agreement on or before June 30, 2024, to rerecord the agreement and record a notice of it with the town clerk if the agreement (1) claims to run with the land or bind future holders of interest in the property; (2) allows for any assignment of any right to list the property without first notifying and gaining consent from the property's owner; or (3) claims to create any lien, encumbrance, or other security interest in the property (§ 4) • Requires real estate listing providers who record or rerecord an unfair real estate listing agreement, notice, or memorandum, and assign the real estate listing provider's rights under the agreement, to notify the town clerk within 30 days after the assignment (§ 6)
PA 24-81	Requires a cigarette dealer's license applicant, after filing the application with DRS, to give notice of the application to the clerk of the municipality where the applicant's business is to be located; upon receiving the notice, the clerk must post and maintain the notice on the municipality's website for at least two weeks (§ 59)
PA 24-111	<ul style="list-style-type: none"> • Requires town clerks to issue a trade name certificate upon accepting an application or a renewal application filed under the act (§§ 34 & 35) • Specifies that the alphabetical index of trade names that town clerks must keep is for the certificates they issued as well as the trade name applications filed by natural individuals and business organizations; deems the clerks compliant with this requirement if they use the electronic system for processing applications for trade name certificates that the secretary of the state must create; starting January 1, 2026, allows the secretary of the state to require town clerks to use the electronic system (§ 36) • Specifies that it does not require a town clerk to determine that the trade name on a trade name certificate is unique in the town of filing or any other Connecticut town (§ 37)
PA 25-78	Expands the list of people who may be served process in civil actions against municipalities or their employees to include assistant and deputy clerks
PA 25-111	Eliminates a requirement for town clerks to record the state license of those who apply for a municipal closing out sale license (§ 16)

Table 1 (continued)

Public Acts Affecting Town Clerks Since 2006	
Act	Applicable Provision
PA 25-168	<ul style="list-style-type: none"> • When there is a vacancy or an impending vacancy of a probate judge, requires the governor to issue writs of election to the applicable town clerk (rather than to a state marshal who would transmit it to the clerk) (§ 150) • Allows municipalities to offer an alternative property tax exemption to unmarried surviving spouses of veterans who were killed in the line of duty while serving in the armed forces; to be eligible, surviving spouses must notify the town clerk about their eligibility for the exemption and submit proof to the assessor of their eligibility; requires the town clerk, free of charge, to record the affidavits submitted and list the spouse's name; requires municipal assessors to annually file in the clerk's office a certified list of all spouses found to qualify for the exemption (§ 241) • Allows a town clerk to refuse to receive for recording any real estate wholesale contract documentation that claims to create any lien or encumbrance on the residential real property that is the subject of the wholesale contract (§ 257) • Increases the fee charged by the town clerk for recording certain land or real estate records; increases the portion the clerk may retain; and increases the amount of the fee that clerks must remit to the state treasurer for deposit in the Community Investment Account (§§ 412 & 413)

Table 2: Registrars of Vital Statistics

Applicable Statutes	General Duties and Responsibilities
CGS §§ 7-36 et seq. , 19a-42 , 19a-44 , 19a-322 , and 19a-323 , among others	<ul style="list-style-type: none"> • Register and maintain original birth, marriage, civil union, death, and fetal death records • Issue certified copies of vital statistic records
Public Acts Since 2006	
Act	Applicable Provision
PA 08-66	Specifies that for death certificates of people who died after December 31, 2001, the people listed on the death certificate, including the town clerk, can have access to the decedent's Social Security number and other information in the "administrative purposes" section only to process the certificate
PA 21-2 , June Special Session	Allows registrars of vital statistics to designate a website for paying recording fees and accept payments for these fees through the website in a manner they prescribe (§ 156)

Table 3: Licensing

Applicable Statutes	General Duties and Responsibilities
CGS §§ 21-35d , 22-338 , 22-339 , 26-28 , 26-30 , and 26-36 , among others	<ul style="list-style-type: none"> • Issue state marriage, hunting, fishing, dog, and trapping licenses, among others • Issue burial, cremation, and removal permits

Table 3 (continued)

Public Acts Since 2006	
Act	Applicable Provision
PA 06-105	Requires a dog owner whose dog received a rabies vaccination exemption certificate to file a copy of it with the town clerk when applying for a dog license
PA 09-232	Repeals a couple's ability to obtain a marriage license in the town where either of the parties lives (leaving only the clerk of the town where the marriage is to be performed able to issue a marriage license) (§ 73)
PA 10-92	For licenses to hold a mass gathering, eliminates the requirement for a bond filed with the municipal clerk at the rate of \$4 per person for the maximum number of people permitted containing a (1) provision indemnifying and holding harmless the municipality and its agents, officers, and employees for liability that might arise from granting the license or for clean-up costs and (2) guarantee (a) to the state for payment of any taxes which may accrue because of the gathering and (b) for ticketholders' reimbursement in the event of cancellation
PA 22-54	Generally broadens the eligibility criteria for when town clerks must issue free dog licenses and tags for service dogs; allows clerks to ask the applicant if the dog is a service animal needed due to a disability and what tasks it is trained to perform if the dog was not previously licensed and is not obviously a service dog (§ 5)

Table 4: Elections

Applicable Statutes	General Duties and Responsibilities
Various	<ul style="list-style-type: none"> • Attend bi-annual conferences hosted by the secretary of the state to discuss election laws, procedures, or related matters (CGS § 9-6) • Examine and approve applications for admission as an elector (CGS § 9-12 et seq.) • Announce elections (CGS § 9-225 et seq.) • Provide certain election related materials, such as campaign finance forms upon request (CGS § 9-624) • Act as the filing repository for various elections records, including municipal office candidates' campaign finance statements (CGS § 9-603 et seq.) • Notify the secretary of the state of campaign finance statement filing violations (CGS § 9-623) • Certify nominating petitions and prepare primary ballots and other primary materials (CGS §§ 9-453k & 9-437) • Issue absentee ballot applications, direct the preparation of absentee ballots, and maintain permanent absentee ballot records (CGS § 9-133f et. seq.) • Compile election results and forward them to the Office of the Secretary of the State (CGS § 9-322a) • Submit various information to the secretary of the state, including up-to-date voting district maps and reports on the number of registered and party-enrolled voters (CGS §§ 9-169g & 9-322a) • Oversee and administer local referendum question procedures, including preparing the explanatory text (CGS § 9-369 et seq.) • Store and maintain early voting and same-day election registration ballots (CGS § 9-163aa et seq.) • Coordinate with registrars of voters on election-related duties (e.g., CGS §§ 9-174a & 9-255a)
Public Acts Since 2006	
Acts	Applicable Provision
PA 06-137	Eliminates a requirement that town clerks train election officials (§ 8)

Table 4 (continued)

Public Acts Since 2006	
Acts	Applicable Provision
PA 07-194	<ul style="list-style-type: none"> • Makes town clerks responsible for randomly selecting the offices subject to an audit of votes by registrars of voters after certain elections or primaries (§ 1) • Requires registrars of voters who appoint additional election officials on the day of a primary or election, or any day thereafter, to file their reasons for doing so with the town clerk (§ 9) • Establishes a \$50 late fee for town clerks who fail to file nominating petitions with the secretary of the state within two weeks after receiving them (§ 10) • Requires minor parties to file nominations for single-town district legislative candidates and probate judges with the secretary of the state, instead of the town clerk (§ 12) • Establishes an earlier deadline for town clerks to publish notice of candidate endorsements for municipal primaries held during state election years (for legislative candidates in single-town districts) (§ 15) • Generally makes registrars of voters responsible for conducting elections by removing several responsibilities from town clerks, such as: <ul style="list-style-type: none"> ○ Providing the larger envelope in which each voter's individual envelope holding a challenge ballot is stored (§ 17) ○ Furnishing ballots (§ 19) ○ Disseminating the necessary supplies to the moderator the day before an election, including the official checklist, the Moderator's Return, and keys for each voting tabulator that will be used (§ 23) ○ Providing a receipt identifying a person's party enrollment or chosen party for voting in a primary (§§ 24 & 30) ○ Receiving the moderators' returns, together with the voting tabulator keys, after the polls close (§ 27); ○ Holding certain ballots that have been marked in a way that indicates who cast the ballot (§ 32) ○ Authorizing the use of paper ballots in an election when there are insufficient voting tabulators (§ 40) • Requires the head moderator to file challenge ballot envelopes with the town clerk and the town clerk to retain them until they may be destroyed (§ 17) • Eliminates a requirement for town clerks to participate in a training session for individuals appointed to count absentee ballots (§ 39) • Requires the town clerk for any municipality in which a primary run-off will occur to (1) immediately after the first primary give the secretary of the state ballot labels and an accurate list of the candidates who tied and will be voted on and (2) publish notice of the run-off in a general circulation newspaper serving the municipality. A candidate who withdraws from the run-off must file a signed letter with the town clerk (for certain offices) for the withdrawal to be valid. Single-town district legislative candidates must file their letter of withdrawal with the clerk even though the law requires them to submit their filings to the secretary of the state (§ 46)

Table 4 (continued)

Public Acts Since 2006	
Acts	Applicable Provision
PA 09-7 , September Special Session	<ul style="list-style-type: none"> Requires the street map showing voting district lines that town clerks provide to the secretary of the state be in a printed or electronic format that the secretary prescribes (§ 114) Reduces, from 60 to 21 days after any regular state election, the deadline by which town clerks in towns with multiple voting districts must submit election returns showing district-by-district results; requires town clerks to prepare the district-by-district returns on a form that the secretary of the state prescribes; and requires town clerks to certify that they have examined the district-by-district returns to determine whether they conflict with the total town votes cast during the election, or in the case of a recount, the recount results (if they conflict, the town clerk must also certify that he or she has contacted the head moderator and corrected the discrepancy) (§ 115)
PA 10-84	Requires the town clerk to swear the municipal assessor to the faithful performance of his or her duties
PA 10-187	Eliminates the requirement that a group of two or more individuals that spends \$1,000 or less in support or opposition to a referendum must file a certification with the State Elections Enforcement Commission (SEEC) or town clerk, whichever is applicable.
PA 10-1 , June Special Session	<ul style="list-style-type: none"> Authorizes town clerks to transmit absentee ballot applications by electronic means and requires them to do so at an applicant's request (§ 37) Authorizes town clerks to transmit absentee ballots by electronic means to active duty members of the armed forces, their spouses, or dependent family members living where they are stationed, and other U.S. citizens living outside the country; specifies that town clerks must transmit the ballot either by mail or electronically at the elector's request (§§ 38 & 39)
PA 11-46	<ul style="list-style-type: none"> Requires registrars of voters, in consultation with town clerks, to create an emergency contingency plan that addresses (1) solutions for ballot shortages and (2) strategies for addressing certain situations; requires the plan be filed with the clerk (§ 2) Requires registrars of voters and town clerks to jointly certify to the secretary of the state the number of ballots they ordered for each polling place (if they do not do so, they must order one ballot for each registered voter); allows registrars and clerks to jointly, for good cause, apply to the secretary of the state for a waiver from the certification requirements (§ 5)
PA 11-48	<ul style="list-style-type: none"> Eliminates the requirement for town committees to file copies of campaign finance statements with their town clerks (§ 287)

Table 4 (continued)

Public Acts Since 2006	
Acts	Applicable Provision
PA 11-173	<ul style="list-style-type: none"> • Eliminates the requirement that preliminary registry, inactive registry, and enrollment lists of electors be filed with the town clerks before an election (§§ 2, 6, 9 & 12) • Eliminates authorization for registrars of voters to direct the clerk to keep absentee ballots for a longer time before delivering them for counting if necessary to preserve voter's secrecy (§ 10) • Eliminates the requirement that town clerks submit to the secretary of the state a list of offices to be filled at regular state elections, but retains the requirement for municipal elections (§ 16) • Eliminates the requirement for town clerks to serve as recanvass officials and transfers most of their responsibilities concerning recanvasses to registrars of voters, including maintaining possession of the voting tabulator keys (§ 21) • Establishes a deadline by which town clerks must file a notice of a primary for municipal office candidates and town committee members (§ 22) • Transfers certain election-related duties from town clerks to registrars, generally conforming law to practice (e.g., requires registrars of voters, instead of town clerks, to (1) impound tabulators subject to an investigation (§ 28), (2) provide sample ballots to voting districts (§ 40), (3) submit sample ballots to the secretary of the state for approval and provide them to each polling place (§ 46), (4) verify and correct the names of minor party nominees (§ 51), and (5) provide ballots for an adjourned primary resulting from a tie vote (§ 68)) • Requires the secretary of the state to send posters explaining proposed constitutional amendments to registrars, rather than clerks (§ 53) • Requires the secretary of the state to direct registrars, rather than town clerks, to cancel an adjourned primary when one of the candidates withdraws or become disqualified (§ 68)
PA 12-56	Eliminates the requirement for town clerks to mail duplicate copies of presidential ballot applications from former state residents who moved to another state after its registration deadline to the appropriate state or local official in the municipality where the applicant resides or formerly resided (§ 7)
PA 12-116	Requires the state education commissioner to notify the applicable town clerk (1) upon terminating a local or regional board of education for a low-achieving school district and (2) at least 175 days before the reconstituted board's term will end (so that elections for a new board can occur as the act requires) (§ 18)
PA 13-296	Requires head moderators, registrars of voters, and town clerks in towns with more than one voting district to meet within seven days after a regular state election to identify any errors in the moderator's election night returns
PA 14-217	When an electronic device is used to check in electors, requires registrars to deposit the printed electronic registry list in the town clerk's office the following day; removes the requirement for the moderator to place in the town clerk's office the next day (1) the election return and voted ballots from the polling place and (2) a duplicate copy of a certificate stating the (a) number of names on the registry or enrollment list and (b) number checked as having voted in that election or primary (§ 25)

Table 4 (continued)

Public Acts Since 2006	
Acts	Applicable Provision
PA 15-1	<p>For a municipality with a population of more than 60,000 where a vacancy in the office of mayor occurred between April 15 and April 18, 2015, requires that a special election occur within 45 days after the date of the vacancy and sets deadlines for:</p> <ul style="list-style-type: none"> • the town clerk to file a notice of the office to be filled with the secretary of the state and the chairperson of each major and minor party town committee in the municipality • the legislative body to determine the election date and file notice of it with the town clerk, who must provide notice of the special election under the procedures for regular municipal elections • parties to nominate candidates and certify the nominations to the town clerk • petitioning candidates to submit petitions to the town clerk
PA 15-224	<ul style="list-style-type: none"> • Eliminates the requirement that major parties file endorsement certificates for candidates for municipal office being voted on at state elections with town clerks and instead requires that they file these certificates with the secretary of the state (§ 11) • Correspondingly requires clerks, in state election years, to publish notice that the list of endorsed candidates is available in the secretary's office, not in the clerk's office (§ 12) • Deems a minor party's certification of its list of nominations invalid if it is not timely filed with the town clerk, when applicable (§ 15) • Changes deadlines for: <ul style="list-style-type: none"> ○ registrars to deposit signed registry list with town clerk (§ 21) ○ moderators to deposit the certificate from the official checkers with town clerk (§ 21) ○ moderators to deliver duplicate list of election returns to town clerk (§ 26) ○ registrars to give town clerk the results of votes cast (§ 27) ○ head moderators, town clerks, and registrars in towns divided into voting districts to meet to identify any errors in the election night returns previously submitted to the secretary of the state (§ 27) • If two or more municipalities enter into an agreement to jointly perform an election function that they currently perform individually, requires that the agreement be filed with each participating municipality's town clerk within seven days after the last legislative body to join the agreement ratifies it (§ 30)
PA 16-14	<ul style="list-style-type: none"> • For municipal elections, requires (1) head moderators to give the duplicate list of the votes to their town clerk; (2) registrars to give their town clerk the election results within 48 hours after the election; and (3) head moderators, registrars of voters, and town clerks in towns with more than one voting district to meet within seven days after a regular municipal election to identify any errors in the moderator's election night returns • For both state and municipal elections, it requires head moderators to also file amended returns with the town clerk, not only the secretary and registrars

Table 4 (continued)

Public Acts Since 2006	
Acts	Applicable Provision
PA 17-143	<ul style="list-style-type: none"> • Requires political parties to certify and file nominations with the secretary of the state, rather than with the applicable town clerk, for single-town district legislative candidates in a special election to fill a vacancy (§ 2) • Requires the secretary of the state to mail the list of candidates to the applicable town clerk at least 34 days before a special election to fill such a vacancy (§ 3)
PA 20-3 , July Special Session	<p>For the 2020 state election:</p> <ul style="list-style-type: none"> • (1) authorizes town clerks to mail absentee voting sets using a third-party vendor that the secretary of the state approves and selects and (2) requires town clerks to mail absentee voting sets within 48 hours, rather than within 24 hours, after receiving an application (§ 4) • Requires town clerks to (1) designate secure drop boxes where voters can return their completed absentee ballots and (2) retrieve absentee ballots from the secure drop boxes every weekday starting 29 days before the 2020 election (§ 5) • Requires the secretary of the state to give written notice to the town clerk and registrars of voters in each affected municipality before waiving any requirements under the mandatory supervised absentee voting law after (§ 8) • Changes various timeframes and deadlines, including for town clerks to (1) begin sorting and checking absentee ballots, (2) deliver to registrars of voters any absentee ballots that were received by 11:00 am the day before the election, and (3) meet with head moderators and to identify any errors in the election night returns (§§ 6 & 15)
PA 20-4 , September Special Session	<p>For the 2020 state election:</p> <ul style="list-style-type: none"> • Allows town clerks, on certain days and times before election day, to deliver sorted and checked ballots to the registrars to begin certain pre-counting procedures (also allows the clerk, as under existing law, to deliver the ballots at a later time that he or she mutually agrees upon with the registrar); as under existing law, requires the (1) clerk to include with the ballots an up-to-date copy of the duplicate checklist and (2) clerk and registrars to execute an affidavit of delivery and receipt stating the number of ballots delivered (§ 2) • For municipalities that opt to conduct pre-counting procedures, requires the registrar of voters and town clerk to (1) jointly certify this decision to the secretary of the state and (2) designate in writing a central location that must be published in the election warning (§ 3) • Changes the deadline for the town clerk to publish the election warning (§ 4) • Changes the deadline for electors who submit an absentee ballot to go to the town clerk's office and request to withdraw the absentee ballot if they later find they are able to vote in person (§ 7)

Table 4 (continued)

Public Acts Since 2006	
Acts	Applicable Provision
PA 21-2 , June Special Session	<ul style="list-style-type: none"> • Generally extends provisions that applied to 2020 state election (see PA 20-4, September Special Session above) to any state or municipal election, primary, or referendum occurring before November 3, 2021 (§§ 99, 100, 130, 131, 132, 136, 137) • Modifies the timeline for a town clerk to warn a primary conducted during a specified period of 2021 (§§ 133 & 134) • Changes various timeframes and deadlines, including for town clerks to meet with head moderators and to identify any errors in the election night returns (§ 143) • Requires town clerks to post notices of state and municipal elections on their municipal website and warn the times and locations for election day registration in the town (§§ 99 & 100) • Makes permanent the use of drop boxes for returning absentee ballots (see PA 20-3, July Special Session above) but eliminates a requirement for a police officer to escort the town clerk in retrieving absentee ballots from any drop box located outside of a building other than the clerk's office building (§ 102)
PA 23-5	<p>For early voting:</p> <ul style="list-style-type: none"> • Once early voting locations are finalized, prohibits changing them unless the registrar of voters and town clerk unanimously agree that a location is unusable; if this happens, the registrar and clerk must designate a new location and provide adequate notice (§ 1) • Requires the town clerk to store the receptacles for same day registration (SDR) and early voting ballots at the end of each early voting day in as near a manner as possible to the required methods for securing absentee ballots; if the clerk cannot do so, they must be secured as outlined in an alternate plan submitted by the registrars of voters; the clerk must keep the ballots until they are delivered to the registrars on election day (§ 1) • Requires the municipal clerk to deliver all early voting and SDR ballots received before election day to the registrars between 6:00 am and 10:00 am on election day (§ 2) • Requires the emergency contingency plan for elections, primaries, and referenda developed by the registrar of voters, in consultation with the town clerk, to consider early voting and certain related logistics (§ 4) • Requires registrars of voters and town clerks to jointly certify the number of ballots ordered for each early voting location in a primary or election (§ 8) • Changes various election-related deadlines to accommodate early voting, including deadlines for clerks to place stickers on the ballot with a replacement endorsement rather than reprinting the ballot (§ 14)
PA 23-204	<p>Requires an aggrieved party to send a notification letter asserting a violation to the municipality's clerk by certified mail, return receipt requested, at least 50 days before filing a court action against a municipality for (1) imposing certain practices or policies in a way that impairs protected class members' right to vote or (2) employing election methods in municipal elections that dilute the vote of protected class members (§ 411)</p>

Table 4 (continued)

Public Acts Since 2006	
Acts	Applicable Provision
PA 24-148	<ul style="list-style-type: none"> • Specifies that clerks must check drop boxes at the close of the polls for every election, primary, or referendum and pick up the absentee ballots inside (§ 1) • Requires town clerks to note on the outer envelope of each absentee ballot how the ballot was returned to the clerk; requires town clerks, as soon as reasonably practical after the polls close, to give the secretary of the state a report detailing the total number of absentee ballots returned and a count of ballots returned by each method used (§ 2) • Allows nursing home patients to apply for an absentee ballot within the six-day period before the polls close and to designate someone who will bring them their ballot and deliver it to the town clerk; if the application is delivered within the appropriate timeframe, requires the clerk to give the designee an absentee ballot to be given to the patient (§ 5; this provision is duplicated in PA 24-34) • Makes it a class C felony to influence or attempt to influence through force, threat, or harassment an election worker performing election administration duties, which includes town clerks; makes it a class A misdemeanor to publicly disclose an election worker's personal identifying information with the intent to harass, terrorize, or alarm the worker or influence them in performing their election administration duties; gives election workers a civil cause of action against violators of either provision (§ 7) • Prohibits town clerks from (1) providing or accepting absentee ballots without the applicable year noted on it and (2) giving a person five or more absentee ballot applications for an election, primary, or referendum if requested 90 days or more before absentee ballots are issued for that election contest (§ 9) • Requires town clerks to use the statewide centralized voter registration system when performing duties under state election law (§ 11) • Exempts town clerks (and certain other election officials) who are in the ballot and performing their official duties from bans on (1) candidates up for election or nomination from participating in counting ballots (§15), (2) being in a polling place during voting hours for any reason other than to cast a ballot (§ 14), and (3) being in an early voting or same-day election registration location (§§ 12 & 13) • When there is an unfilled vacancy on the ballot in a primary or general election, generally requires town clerks to obscure the name so it is no longer visible, instead of using blank stickers (§§ 18-23) • Prohibits municipal public agencies from disclosing under the Freedom of Information Act (FOIA) the residential address of certain election-related workers, which include town clerks, if the worker requests it (§ 31)
PA 25-168	<p>For absentee ballots of incarcerated individuals, requires any Department of Correction (DOC) employee who distributes applications to promptly file completed absentee ballot applications he or she receives with the municipal clerk where the applicant is eligible to vote; requires clerks to (1) maintain a log of applications received from incarcerated applicants with certain related information and (2) reject any application made on the DOC-specific form that indicates an address other than a DOC facility (§ 291)</p>

Historic Preservation Revenue

The law sets various fees for town clerks recording certain records and performing other related activities ([CGS § 7-34a\(a\)\(1\)](#)). It also requires the clerks to receive an additional \$10 fee for each document recorded in the municipality's land records (the fee does not apply to records filed by state or municipal employees in conjunction with their official duties). The clerks must keep 20% of the funds collected through this additional fee to use for preserving and managing historic documents. The other 80% must be evenly split between state's General Fund and the historic documents preservation account. Clerks must remit the funds by the 15th day of each month to the state treasurer (for deposit in the General Fund) and state librarian (for deposit in the historic documents preservation account) ([CGS § 7-34a\(d\)](#), as amended by [PA 25-168](#), §§ 411-414).

Fees Retained for Unspecified Uses

The law also allows clerks to retain certain portions of additional fees charged to support the community investment account or for filing certain documents for nominees of a mortgage, however it does not explicitly require that these retained funds be used for historic preservation purposes.

Community Investment Account Fees. By law, clerks must receive an additional \$50 fee for most documents recorded in the municipality's land record. The law requires them to retain \$2 of this fee, although it does not specify a particular use for the funds. Of the remainder of the fee, \$3 becomes the municipality's general revenue to be used for certain local capital improvement projects, and the other \$45 must be remitted to the state treasurer for deposit in the Donald E. Williams, Jr. community investment account ([CGS § 7-34a\(e\)](#), as amended by [PA 25-168](#), § 412).

Nominee of a Mortgage Fees. The law similarly sets fees for filing certain documents from a nominee of a mortgage and allows the clerk to retain a portion of these fees without specifying a particular use for them. By law, a "nominee of a mortgage" is a person who (1) serves as a mortgagee in the land records for a mortgage loan registered on a national electronic database that tracks changes in mortgage servicing and beneficial ownership interests in residential mortgage loans on behalf of its members and (2) is a nominee or agent for the owner of the promissory note or the subsequent buyer, transferee, or beneficial owner of the note.

More specifically, for fees collected for recording most documents by a nominee of a mortgage (except for the assignments or releases discussed below), the clerk must retain (1) \$50, with \$39 of it becoming part of the municipality's general revenue and \$11 deposited in the town clerk fund (with no particular use specified) and (2) any fees for recording any additional pages beyond the first page (with no particular use specified). Another \$110 of the fee must be remitted to the state (with \$45 of that deposited in the community investment account).

For fees for recording an assignment of a mortgage in which the nominee of a mortgage appears as assignor, or a release of a mortgage by a nominee of a mortgage, the clerk must retain \$33 of the fee, which becomes a part of the municipality's general revenue. The rest of the fee must be remitted to the state, with a portion deposited in the community investment account ([CGS § 49-10\(h\)](#)), as amended by [PA 25-168](#), § 413).

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