



House of Representatives

General Assembly

File No. 259

February Session, 2026

Substitute House Bill No. 5509

House of Representatives, March 30, 2026

The Committee on Planning and Development reported through REP. KAVROS DEGRAW of the 17th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING JUSTICES OF THE PEACE.

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

1 Section 1. (NEW) (*Effective October 1, 2026*) (a) For the purposes of this
2 section and sections 2 to 4, inclusive, of this act:

3 (1) "Justice of the peace" means any person that holds the office of
4 justice of the peace pursuant to section 9-183b, 9-183c, 9-184 or 9-184c of
5 the general statutes, as amended by this act, or section 4 of this act;

6 (2) "Official misconduct" means, in the performance of the duties of a
7 justice of the peace, (A) a justice of the peace's performance of an act
8 prohibited by the general statutes or failure to perform an act mandated
9 by the general statutes, or (B) a justice of the peace's performance of an
10 act in a manner found by the Secretary of the State to be negligent,
11 fraudulent, unlawful or against the public interest, including any
12 conduct prohibited by subsection (a) of section 2 of this act; and

13 (3) "Secretary" means the Secretary of the State.

14 (b) To be qualified to hold the office of justice of the peace, a person
15 shall:

16 (1) Be appointed pursuant to section 9-183b, 9-183c, 9-184 or 9-184c of
17 the general statutes, as amended by this act; and

18 (2) Not later than (A) thirty days after an appointment made after July
19 1, 2027, or (B) August 1, 2027, if such appointment is made on or before
20 July 1, 2027, certify, on a form prescribed by the Secretary, that such
21 person has received and read the manual published by the Secretary
22 pursuant to subsection (c) of this section.

23 (c) Not later than July 1, 2027, the Secretary shall publish a manual
24 describing the duties of a justice of the peace on the Internet web site of
25 the Secretary of the State.

26 Sec. 2. (NEW) (*Effective January 1, 2027*) (a) No justice of the peace shall
27 (1) perform any official action with intent to deceive or defraud any
28 person, (2) use the title of justice of the peace in an endorsement or
29 promotional statement for any product, third-party service, contest or
30 other offering, or (3) perform a marriage that the justice of the peace
31 knows or should have known is (A) unlawful under any provision of
32 the general statutes, or (B) fraudulent in violation of 8 USC 1325, as
33 amended from time to time.

34 (b) A justice of the peace shall be liable to any person for any damages
35 proximately caused to that person as a result of the justice of the peace's
36 official misconduct.

37 Sec. 3. (NEW) (*Effective January 1, 2027*) (a) The Secretary of the State
38 shall investigate any allegations of official misconduct concerning a
39 justice of the peace and issue a finding at the conclusion of any such
40 investigation.

41 (b) If the Secretary determines that a justice of the peace engaged in
42 official misconduct, the Secretary may (1) deliver a written warning or

43 reprimand to such justice of the peace, or (2) notwithstanding the
44 provisions of any special act, municipal charter or ordinance to the
45 contrary, suspend or revoke the appointment of the justice of the peace.

46 (c) The voluntary or involuntary termination, revocation or lapse of
47 the appointment of a justice of the peace shall not interrupt or preclude
48 an investigation into any allegation of official misconduct concerning
49 such justice of the peace under this section.

50 (d) The Secretary may adopt regulations, in accordance with the
51 provisions of chapter 54 of the general statutes, to carry out the
52 provisions of this section and sections 1 and 2 of this act.

53 Sec. 4. (NEW) (*Effective October 1, 2026*) (a) Notwithstanding the
54 provisions of section 9-183b, 9-183c or 9-184c of the general statutes, as
55 amended by this act, any vacancy in the office of a justice of the peace
56 created by the adoption of an ordinance or charter amendment by a
57 municipality that (1) increases the number of justices of the peace in
58 such municipality, and (2) is effective not less than ninety-one days prior
59 to the next quadrennial appointment of justices of the peace in the
60 municipality, may be filled by appointment prior to the next
61 quadrennial appointment according to the provisions of this section.

62 (b) (1) The political parties that are major political parties, as defined
63 in subparagraph (B) of subdivision (5) of section 9-372 of the general
64 statutes, shall be entitled to nominate an equal number of the total
65 number of justices of the peace to fill the vacancies created by the
66 adoption of such ordinance, except in any municipality where the
67 number of justices of the peace to be nominated under this section is not
68 divisible by the number of political parties entitled to nominate justices
69 of the peace under this section, the registrars of voters shall determine
70 by lot which of said parties may nominate one more justice of the peace
71 than may be nominated by the other party or parties. Such nomination
72 by such parties shall qualify a nominee to serve as a justice of the peace.

73 (2) In the event that a political party that is a major party, as defined
74 in subparagraph (A) of subdivision (5) of section 9-372 of the general

75 statutes, but is not a major party, as defined in subparagraph (B) of said
76 subdivision, is entitled to nominate an individual or individuals to serve
77 as a justice of the peace to fill any such vacancy, such party shall be
78 entitled to nominate twenty per cent of the total number of justices of
79 the peace to fill such vacancies, provided such percentage shall be
80 rounded down to the nearest whole number. Such nomination by such
81 parties shall qualify a nominee to serve as a justice of the peace.

82 (c) Notwithstanding the provisions of sections 9-183b, 9-183c and 9-
83 184c of the general statutes, as amended by this act, any person
84 appointed to fill a vacancy in the office of a justice of the peace pursuant
85 to subsection (b) of this section shall serve until the next quadrennial
86 appointment of justices of the peace in the municipality.

87 (d) If a vacancy in the office of a justice of the peace has been filled by
88 appointment by a town committee, the chairperson or secretary of such
89 town committee shall file with the town clerk a certificate of each such
90 appointment, and the town clerk shall record the certificate with the
91 records of the town meeting. The town clerk shall notify the Secretary
92 of the State of any such appointment.

93 Sec. 5. Section 9-184c of the general statutes is repealed and the
94 following is substituted in lieu thereof (*Effective October 1, 2026*):

95 (a) In 1994, 1996, and quadrennially thereafter, the town clerk of each
96 town shall appoint as justice of the peace a number of electors of the
97 town who are not members of major parties, as defined in section 9-372,
98 which shall not exceed (1) where no justices of the peace are selected
99 under section 9-183c, one-third of the total number of justices of the
100 peace in the town, or (2) where justices of the peace are selected under
101 section 9-183c, one-third of the total number of justices of the peace in
102 the town less the number of justices of the peace in the town selected
103 under section 9-183c. Such percentage shall be rounded up to the nearest
104 whole number of justices of the peace. Any such appointment shall be
105 made upon written application submitted on or after August first and
106 on or before November first, in such year. No person who has
107 enrollment privileges in the town in a political party [which] that

108 selected justices of the peace under section 9-183b or [under section] 9-
109 183c within the period beginning three months before said August first
110 and ending on the date the person is to be appointed under this [section]
111 subsection, shall be eligible for such appointment. Not later than August
112 1, 1996, and quadrennially thereafter, the town clerk shall send a written
113 notice to each incumbent justice of the peace appointed under this
114 section. Such notice shall inform such justices of the peace of the
115 procedures set forth in this section concerning the reappointment of
116 such justices of the peace.

117 (b) If, on November first in such year, the number of applications for
118 justice of the peace filed with the town clerk under subsection (a) of this
119 section exceeds the number of justices of the peace allowed under this
120 section, (1) each such applicant who is an incumbent justice of the peace
121 appointed under this section shall be reappointed if there are sufficient
122 openings and (2) the town clerk shall, on or before the fifteenth business
123 day of November, select the remaining applicants to be appointed as
124 justices of the peace by lot in a ceremony which shall be open to the
125 public and held on five days' public notice. At such lottery the town
126 clerk shall determine the order of all such remaining applications for the
127 purpose of filling future vacancies under subsection (d) of this section.
128 If [a] the town clerk receives a number of applications pursuant to
129 subsection (a) of this section that is less than the number of justices of
130 the peace that [he] the town clerk is authorized to appoint under this
131 section in any year, [he shall not] the town clerk may only appoint [any]
132 additional justices of the peace to fill vacancies in the office of a justice
133 of the peace in accordance with the provisions of subsections (d) and (e)
134 of this section.

135 (c) Justices of the peace appointed in 1994 [,] shall serve a term of two
136 years beginning on the first Monday in 1995, and justices of the peace
137 appointed in 1996 and thereafter shall serve a term of four years
138 beginning on the first Monday in January in the succeeding year.

139 (d) Any vacancy in the office of any such justice of the peace, except
140 for a vacancy described in subsection (a) of section 4 of this act, shall be

141 filled by appointment by the town clerk of an elector qualifying under
142 subsection (a) of this section in the order determined in the lottery held
143 under [said] subsection (b) of this section. If no such lottery is held, or if
144 the town clerk receives a number of applications that is less than the
145 number of justices of the peace that the town clerk is authorized to
146 appoint under this section, such that the number of vacancies exceeds
147 the number of remaining applicants determined in the lottery held
148 under subsection (b) of this section, the vacancy shall [not] be filled
149 pursuant to subsection (e) of this section.

150 (e) If no such lottery is held, or if the number of vacancies exceeds the
151 number of remaining applicants determined in the lottery held under
152 subsection (b) of this section, the town clerk shall issue a public notice
153 of the number of such vacancies and the procedure for appointing new
154 justices of the peace under this subsection. Any such appointment shall
155 be made upon written application submitted not later than thirty days
156 following such public notice. No person who has enrollment privileges
157 in the town in a political party that selected justices of the peace under
158 section 9-183b or 9-183c during the period beginning three months
159 before the public notice under this subsection and ending on the date
160 the person is to be appointed under this subsection shall be eligible for
161 such appointment. If the number of applications for justice of the peace
162 filed with the town clerk under this subsection exceeds the number of
163 vacancies specified in the public notice, the town clerk shall, not earlier
164 than ten days and not later than fifteen days following the close of the
165 period for submission of such applications, select the remaining
166 applicants to be appointed as justices of the peace by lottery in a
167 ceremony that shall be open to the public and held not earlier than five
168 days after the giving of public notice by the town clerk. At such lottery,
169 the town clerk shall determine the order of all such remaining
170 applications for the purpose of filling future vacancies under subsection
171 (d) of this section. If a town clerk receives a number of applications
172 under this subsection that is less than the number of justices of the peace
173 that the town clerk is authorized to appoint under this section in any
174 year, the town clerk shall not appoint any additional justices of the
175 peace.

176 Sec. 6. Section 46b-25 of the general statutes is repealed and the
177 following is substituted in lieu thereof (*Effective October 1, 2026*):

178 No license may be issued by the registrar until both persons have
179 appeared before the registrar and [made application] applied for a
180 license. The registrar shall issue a license to any two persons eligible to
181 marry under this chapter, provided no such license may be issued by
182 the registrar sooner than forty-eight hours after the time of such
183 application. The license shall be completed in its entirety, dated, signed
184 and sworn to by each applicant and shall state each applicant's name,
185 age, birthplace, residence, whether single, widowed or divorced and
186 whether under the supervision or control of a conservator or guardian.
187 The Social Security numbers of both persons shall be recorded in the
188 "administrative purposes" section of the license. [If] For the purpose of
189 determining the time of application pursuant to this section, if the
190 license is signed and sworn to by the applicants on different dates, the
191 later date shall be deemed the date of application.

192 Sec. 7. Section 46b-24 of the general statutes is repealed and the
193 following is substituted in lieu thereof (*Effective October 1, 2026*):

194 (a) Except as provided in section 46b-28a, no persons may be joined
195 in marriage in this state until both have complied with the provisions of
196 this section, sections 46b-20a, 46b-25, as amended by this act, and 46b-
197 29 to 46b-33, inclusive, and have been issued a license by the registrar
198 for the town in which the marriage is to be celebrated, which license
199 shall bear the certification of the registrar that the persons named
200 therein have complied with the provisions of said sections.

201 (b) Such license, when certified by the registrar, is sufficient authority
202 for any person authorized to perform a marriage ceremony in this state
203 to join such persons in marriage, provided the ceremony is performed
204 [within a period of not more] not sooner than forty-eight hours after the
205 date of application for such license and not later than sixty-five days
206 after the [date of application] issuance of such license.

207 (c) [Anyone] Any person who joins any other persons in marriage

208 without having received [such] a certified license from [them] such
209 persons shall be fined not more than one hundred dollars.

210 (d) Except as otherwise provided in this chapter, in order to be valid
211 in this state, a marriage ceremony shall be conducted by_z and in the
212 physical presence of_z a person who is authorized to solemnize marriages
213 in the state.

214 Sec. 8. (NEW) (*Effective from passage*) (a) There is established a
215 working group to examine and make recommendations concerning (1)
216 the methods of determining the number of justice of the peace positions
217 in each municipality and statewide; (2) the portability of a justice of the
218 peace appointment in one municipality to other municipalities; (3) the
219 process by which justices of the peace are selected; (4) potential training,
220 minimum qualifications, application processes and background check
221 requirements for justices of the peace; (5) oversight of justices of the
222 peace, including the potential for levying fines; (6) potential legal
223 consequences for misrepresenting a person's status as a justice of the
224 peace; and (7) issues related to human trafficking, forced marriage and
225 marriage fraud.

226 (b) The working group shall consist of the following members:

227 (1) Two appointed by the speaker of the House of Representatives,
228 one of whom is a justice of the peace and one of whom is a representative
229 of a professional organization for justices of the peace;

230 (2) Two appointed by the president pro tempore of the Senate, who
231 are town clerks;

232 (3) One appointed by the majority leader of the House of
233 Representatives, who is a town party chairperson;

234 (4) One appointed by the majority leader of the Senate, who is a
235 justice of the peace and not a member of a major political party;

236 (5) Two appointed by the minority leader of the House of
237 Representatives, one of whom is a town party chairperson and one of

238 whom is a town clerk;

239 (6) Two appointed by the minority leader of the Senate, one of whom
240 is a justice of the peace and one of whom is a town clerk; and

241 (7) The Secretary of the State, or the Secretary's designee.

242 (c) All initial appointments to the working group shall be made not
243 later than thirty days after the effective date of this section. Any vacancy
244 shall be filled by the appointing authority.

245 (d) The Secretary of the State, or the Secretary's designee, shall be the
246 chairperson of the working group and shall schedule the first meeting
247 of the working group, which shall be held not later than sixty days after
248 the effective date of this section.

249 (e) Not later than January 1, 2027, the working group shall submit a
250 report on its findings and recommendations to the joint standing
251 committee of the General Assembly having cognizance of matters
252 relating to government administration and elections, in accordance with
253 the provisions of section 11-4a of the general statutes, and to the
254 Secretary of the State. The working group shall terminate upon the
255 submission of such report.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	New section
Sec. 2	January 1, 2027	New section
Sec. 3	January 1, 2027	New section
Sec. 4	October 1, 2026	New section
Sec. 5	October 1, 2026	9-184c
Sec. 6	October 1, 2026	46b-25
Sec. 7	October 1, 2026	46b-24
Sec. 8	from passage	New section

PD 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 27 \$	FY 28 \$
Public Health, Dept.	GF - Potential Revenue Loss	Minimal	Minimal

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 27 \$	FY 28 \$
All Municipalities	Potential Revenue Loss	Minimal	Minimal

Explanation

The bill requires registrars to wait at least 48 hours after application to grant marriage licenses, resulting in a minimal revenue loss to the Department of Public Health (DPH) and a potential minimal revenue loss to municipalities annually beginning in FY 27. The bill additionally makes changes regarding justices of the peace, which have no fiscal impact.

Sections 6 and 7 require registrars to wait at least 48 hours after application to grant marriage licenses, resulting in a potential minimal revenue loss to the state and municipalities beginning in FY 27 to the extent fewer marriage licenses are issued due to this change.¹

¹ Pursuant to CGS Sec. 7-73, the total marriage license fee is \$50, which is distributed as follows: \$16 is retained by the municipality (a \$15 base fee plus a \$1 administrative retention), and \$34 is forwarded to the Department of Public Health and credited to a separate non-lapsing account used to provide shelter services for victims of household abuse and rape crisis services.

Section 8 establishes a task force to study the number of justices of the peace, current practices, selection process, training, qualifications, and issues related to forced marriage and marriage fraud, resulting in no fiscal impact. The task force has the necessary expertise to implement the bill's provisions.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future, subject to the number of couples that would have otherwise purchased a marriage license and the cost of the marriage license.

OLR Bill Analysis**sHB 5509*****AN ACT CONCERNING JUSTICES OF THE PEACE.*****SUMMARY**

This bill requires vital statistics registrars (often town clerks) to wait at least 48 hours after receiving an application for a marriage license before issuing the license. It correspondingly delays the period during which the wedding can be held (no sooner than 48 hours after applying for the license and no later than 65 days after the license's issuing date, rather than the application date).

Separately, the bill defines what constitutes official misconduct by justices of the peace ("justices") and makes them liable for any damages caused by their misconduct. It correspondingly requires the secretary of the state ("secretary") to investigate allegations of misconduct and authorizes her to take certain enforcement actions, including revoking a justice's appointment. The bill also requires the secretary to publish a manual on justice duties by July 1, 2027, which justices must certify they have read.

Justices are normally appointed according to a four-year schedule. The bill establishes processes for appointing them when (1) a municipality creates new justice positions 91 days or more ahead of the next scheduled appointment period or (2) the town clerk must fill vacancies but did not get enough applications during the quadrennial application filing period.

Lastly, the bill establishes a working group to examine and make recommendations on various justice-related topics by January 1, 2027.

EFFECTIVE DATE: October 1, 2026, except the (1) provisions barring justice misconduct and allowing the secretary to investigate misconduct take effect January 1, 2027, and (2) working group provision is effective

upon passage.

§ 1 — JUSTICE MANUAL & QUALIFICATIONS

The bill requires the secretary, by July 1, 2027, to publish on her office's website a manual that describes the justices' duties (see BACKGROUND). To be qualified as a justice under the bill, an individual must (1) be appointed through one of the processes set out in existing law and (2) certify, on a form the secretary creates, that they received and read the manual. Generally, justices must make this certification within 30 days after their appointment. For justices appointed before July 1, 2027, they must do it by August 1, 2027.

§§ 1-3 — JUSTICE MISCONDUCT

Prohibited Acts

The bill prohibits justices from doing any of the following:

1. performing any official action with the intent to deceive or defraud anyone;
2. using their title to endorse or promote any product, third-party service, contest, or offering; or
3. performing a marriage the justice knows, or should know, is unlawful under state law or the federal law that, among other things, criminalizes entering a marriage to evade immigration laws.

Liability for Official Misconduct

Under the bill, a justice has engaged in official misconduct if he or she, while executing justice duties, performs an act (1) described above (a "prohibited act") or that another state law prohibits; (2) in a way the secretary finds to be negligent, fraudulent, or unlawful; or (3) that is against the public interest. Failure to perform an act state law requires is also official misconduct under the bill.

The bill makes a justice liable for damages that were proximately caused by the justice's official misconduct.

Secretary of the State Enforcement

The bill requires the secretary to investigate any allegations of official misconduct by a justice. It specifies that this investigation may continue even if the justice's appointment expires, is revoked, or is voluntarily terminated.

At the end of the investigation, the secretary must issue findings. If the secretary finds that a justice engaged in official misconduct, the bill authorizes her to (1) issue a written warning or reprimand or (2) suspend or revoke the justice's appointment, even if it would conflict with a special act or municipal charter or ordinance.

The bill also authorizes the secretary to adopt regulations to carry out these misconduct-related provisions.

§ 4 — FILLING NEWLY CREATED POSITIONS

Through a process specified in existing law, justices are selected by major political parties (Republicans, Democrats, and any parties whose last gubernatorial candidate received at least 20% of all votes cast). Under this process, they are generally selected on a quadrennial schedule that aligns with state election years and their appointment terms are for four years. But the law currently does not specify a process by which newly created justice positions may be filled.

Under the bill, when a municipal ordinance or charter amendment creates new justice positions 91 days or more ahead of the scheduled quadrennial appointment, justices may be appointed to serve the remainder of the four-year term (until the next scheduled appointment).

Division of Appointments

Of these new positions, generally half are selected by each political party that is considered major based on its party enrollment (the Democrats and Republicans), with the registrars of voters deciding by lottery which party gets an additional selection if there are an uneven number. However, if a third political party qualifies as major based on its candidate receiving at least 20% of the votes cast in the prior gubernatorial election, it selects 20% of the positions, rounded down to

the nearest whole number. Under the bill, whoever the political parties nominate as their selections qualify as justices.

If a major party fills a vacancy, it must file an appointment certificate with the town clerk, as existing law requires. The town clerk must record the certificate with the town meeting's records and notify the secretary about the appointment.

§ 5 — FILLING TOWN CLERK-APPOINTED VACANCIES MID-SCHEDULE

By law, people seeking an appointment by a town clerk (meaning they are not affiliated with a major political party) must apply between August 1 and November 1, inclusive, during the scheduled appointment year (every fourth year). If there are more applicants than open justice positions, the town clerk must first reappoint applicants who are incumbent justices, then order the remaining applicants using a lottery system. If a town clerk must fill a mid-term vacancy (if a justice gives up his or her role early, for example), the law requires the clerk to appoint the applicant who is next highest in the lottery order.

Under current law, if there are more vacancies than applicants remaining on the list, or the lottery was never held, the vacancy must stay unfilled until the next quadrennial application period. The bill instead requires the town clerk to hold another application period. The clerk must give public notice about the number of vacancies and appointment procedure and then accept written applications from eligible individuals for the next 30 days. Under the bill, anyone eligible for an appointment by a major political party (generally a registered Democrat or Republican) in the three months before the public notice is ineligible to apply.

The same notice requirements apply to the process under the bill (filling mid-term vacancies) as apply to the process in existing law (filling quadrennial vacancies). If there are more applicants than open positions, the town clerk must hold a public lottery, after at least five days' notice, to prioritize applicants to fill these and any future vacancies. The bill requires the town clerk to hold the lottery between

10 and 15 days after the application period ends. If, in any year, the clerk gets too few applications to fill all of the vacancies, the bill prohibits the clerk from appointing any more justices.

§ 8 — JUSTICE WORKING GROUP

The bill establishes an 11-member working group to examine and make recommendations on the following:

1. ways to determine the number of justice positions in each municipality and statewide;
2. the portability of a justice appointment from one municipality to other municipalities;
3. the justice selection process;
4. potential training, qualification, application, and background check requirements;
5. oversight of justices, including potential fines;
6. potential legal consequences of misrepresenting oneself as a justice; and
7. issues related to human trafficking, forced marriage, and marriage fraud.

The working group must consist of the secretary of the state or her designee, who serves as the chairperson, and the 10 appointed members shown in the table below. Appointing authorities must make their initial appointments within 30 days after the bill’s passage and fill any vacancies that arise.

Table: Task Force Appointed Members

<i>Appointing Authority</i>	<i>Number of Appointments</i>	<i>Qualifications</i>
House speaker	Two	One justice and one representative of a professional organization for justices
Senate president pro tempore	Two	Town clerks

Appointing Authority	Number of Appointments	Qualifications
House majority leader	One	Town party chairperson
House minority leader	Two	One town party chairperson and one town clerk
Senate majority leader	One	Justice who is not a member of a major political party
Senate minority leader	Two	One justice and one town clerk

The chairperson must schedule and hold the first meeting within 60 days after the bill passes. The working group must report its findings and recommendations, by January 1, 2027, to the Government Administration and Elections Committee. It ends on the date it submits the report.

BACKGROUND

Justice of the Peace Authority

A justice’s authority generally includes administering oaths and signing affidavits after administering oaths (CGS § 1-24), acknowledging legal documents (CGS § 1-29), performing marriage ceremonies (CGS § 46b-22), taking depositions and issuing subpoenas to compel witnesses to attend them (CGS § 52-148c), and issuing tax warrants (CGS § 12-130).

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 21 Nay 0 (03/13/2026)