
OLR Bill Analysis

sHB 5533

AN ACT CONCERNING PROTECTION OF ELECTION ADMINISTRATION PROCESSES, ELECTIONS SITES, ELECTION WORKERS AND ELECTORS.

SUMMARY

This bill makes various changes in the state's election laws, including, among other things, to penalty and enforcement provisions. Generally, the bill does the following:

1. (a) prohibits certain officers or agents from knowingly being within 250 feet of an elections site (with specified exceptions) or taking certain actions within this perimeter, (b) generally prohibits anyone from obscuring their identity with a mask or covering within this perimeter, and (c) subjects violators to a class C felony and disenfranchisement (§ 1);
2. criminalizes carrying a firearm or deadly weapon within 250 feet of an elections site, with certain exceptions (such as for peace officers engaged in official duties) (§ 2);
3. modifies the penalties for harassing election workers and extends these protections to include assistant municipal clerks (§ 3);
4. makes it a class D felony for an election official to give an unauthorized third party any tabulator or tabulator part or appliance (§ 4);
5. prohibits tampering with absentee ballot drop boxes and related ballots and establishes criminal penalties (§ 5);
6. requires municipal officials and election workers to notify the attorney general (AG) and the secretary of the state (SOTS) of subpoenas, warrants, and other requests for certain election records they receive by giving them a copy of the request (§ 6);

7. authorizes the AG to file election interference complaints with the state supreme court (§ 7); and
8. broadens the AG's general authority to bring actions based on alleged civil rights violations (§ 8).

EFFECTIVE DATE: July 1, 2026

§ 1 — PROHIBITED ACTS NEAR AN ELECTIONS SITE

The bill generally prohibits certain acts near elections sites and subjects violators to a criminal penalty. Under the bill, an "elections site" includes (1) a polling place on the date of an election contest, (2) an early voting location during the early voting period, (3) a same-day election registration location on election day, and (4) an absentee ballot drop box during an absentee voting period.

First, the bill generally prohibits officers and agents authorized by any state or the federal government to use force against, search, detain, or arrest people, and those that supervise or oversee these officers, from knowingly being within 250 feet of any elections site. However, these officers and agents may be within this perimeter if:

1. voting while off-duty as allowed by state law;
2. engaging in protected political expression while off-duty;
3. in transit to another location;
4. the governor deems it necessary for them to use force to repel armed enemies of the U.S. or the state;
5. the person conducting the search, detention, or arrest (a) is acting in their official capacity, (b) notified SOTS and the AG at least 24 hours before, (c) has a legal judicial warrant or order to specifically conduct these activities within the 250-foot perimeter and at the specific location, and (d) is present only as long as reasonably necessary to conduct the activity;
6. exigent circumstances reasonably require it to protect against a

serious threat to life or property, but only as long as reasonably necessary to do so; or

7. SOTS or the moderator (a) requests force to suppress disorder or (b) gives permission (and the permission has not been withdrawn).

Additionally, the bill specifically prohibits these officers, agents, and supervisors from knowingly (1) being within 250 feet of an elections site to attempt to examine voter qualifications or (2) loitering or remaining within this perimeter. Relatedly, the bill specifies that no person may be required to present any identification within 250 feet of an elections site, but this provision does not prevent election, primary, or referendum officials from performing their election duties under state law.

The bill also prohibits any person from wearing a mask or covering that obscures their face, head, or identity within 250 feet of an elections site unless it is (1) medically necessary or of religious significance or (2) reasonable given the weather conditions, as long as the person complies with a moderator's request to remove the mask or covering.

Under the bill, any violation of these provisions is a class C felony, punishable by up to 10 years in prison, up to a \$10,000 fine, or both. Further, any person who violates these provisions must be disenfranchised. (The bill does not specify the process for disenfranchising a person, such as providing notice to election officials that a person may not vote or hold public office. It is also unclear how the state's existing electoral rights forfeiture and restoration laws apply to this provision (CGS §§ 9-46 & 9-46a).)

§ 2 — POSSESSION OF A WEAPON NEAR AN ELECTIONS SITE

The bill creates a new crime of possession of a weapon near an elections site, which is when someone possesses a firearm or deadly weapon within 250 feet of certain elections sites when the person knows it is unlawful to do so. A first offense is a class D felony (punishable by up to five years in prison, up to a \$5,000 fine, or both) and subsequent offenses are a class B felony (punishable by up to 20 years in prison, up

to a \$15,000 fine, or both).

Under the bill, “elections sites” include the following:

1. polling places on the day of an election contest,
2. early voting locations during an early voting period,
3. same-day election registration locations on election day,
4. central ballot counting locations,
5. recanvass locations, and
6. drop boxes during the absentee voting period.

The bill exempts the lawful possession of a firearm or deadly weapon in the following circumstances:

1. on private property that is not part of an elections site;
2. when unloaded and on a motor vehicle in a locked container or firearms rack;
3. for election sites on school grounds, (a) as part of a program approved by school officials; (b) according to an agreement between school officials and a person or that person’s employer; or (c) when traversing school property to gain access to public or private lands open to hunting or for other lawful purposes, if entry is allowed by a local or regional board of education and the firearm is unloaded;
4. by a peace officer engaged in official duties; and
5. by a person passing within the restricted perimeter for only as long as needed to travel to another location.

Under existing law and the bill, a “deadly weapon” includes any weapon, loaded or unloaded, from which a shot may be fired, or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal

knuckles. It does not include an electronic defense weapon (taser) used by a peace officer.

Under existing law, unchanged by the bill, a person possessing a firearm or deadly weapon in or on public or private elementary or secondary school property, or at a school-sponsored activity, knowing they are not authorized to do so is guilty of a class D felony (CGS § 53a-217b).

§ 3 — HARASSMENT OF ELECTION WORKERS

Under current law, it is a class A misdemeanor (punishable by up to 364 days in prison, up to a \$2,000 fine, or both) to publicly disclose an election worker's personal identifying information (such as name, birthdate, and Social Security number) with the intent to harass, terrorize, or alarm the worker or influence them in performing their election administration duties. The bill makes subsequent offenses a class C felony.

It also expands the definition of "election worker" to include assistant municipal clerks, in addition to municipal clerks; registrars of voters; deputy registrars; and election, primary, and recanvass officials as under current law. In doing so, the bill:

1. extends the above penalties to anyone who publicly discloses an assistant municipal clerk's personal identifying information as described above;
2. subjects anyone who influences (or attempts to) an assistant municipal clerk performing election administration duties to a class C felony, as is the case for other election workers under current law (this includes influencing the election worker by force, threat, or harassment); and
3. gives assistant municipal clerks a civil cause of action against violators of the above provisions, as is the case for other election workers under current law.

§ 4 — PROHIBITION ON SHARING TABULATORS OR TABULATOR PARTS WITH UNAUTHORIZED THIRD PARTIES

Under existing law, it is generally a class D felony for an election official to tamper with voting tabulators or alter ballots read by the tabulators. The bill additionally makes it a class D felony for an election official to give a third party any tabulator or tabulator part or appliance (unless authorized by SOTS).

§ 5 — ABSENTEE BALLOT DROP BOX TAMPERING

State law authorizes voters to cast their absentee ballots by depositing them in designated drop boxes during the absentee voting period. The bill establishes a new criminal penalty for certain acts related to these drop boxes. Specifically, it makes it a class D felony to knowingly do the following:

1. tamper with, alter, destroy, or unlawfully carry away a drop box;
2. change or destroy a ballot after it has been deposited;
3. fraudulently deposit additional ballots into a drop box with those lawfully deposited, before or after they have been counted, and falsely claiming the additional ballots were lawfully deposited, with the intent to interrupt or invalidate an election contest; or
4. fraudulently add a ballot to those retrieved from drop boxes during the counting or recanvassing of ballots, with the intent of affecting the election contest or to enter any ballot as evidence in election complaint hearings.

§ 6 — NOTIFICATION OF ELECTION-RELATED SUBPOENAS, WARRANTS, AND REQUESTS

The bill requires notification to certain state officials by all municipal officials and election workers that receive a subpoena, warrant, or other request for or to inspect any record or recording related to an election, primary, or referendum (including related to tabulators, ballot boxes, or other devices used to conduct them) (hereinafter “election records”). This includes all requests made by any private or governmental entity, individual person, or official.

Municipal officials and election workers must give a copy of the request to the AG and SOTS within 36 hours of receiving it. Both the AG and SOTS must post notice on their respective websites on how these copies may be given to them. If SOTS directly receives the request, she must give the AG's office a copy.

§ 7 — ATTORNEY GENERAL RELIEF FOR ELECTION INTERFERENCE

The bill authorizes the AG to seek preliminary or permanent injunctive, declaratory, or other appropriate equitable relief (hereinafter "relief") to prevent or resolve interference in elections for presidential electors and congressional offices. He may do so by filing (1) a complaint alleging the interference with the Connecticut Supreme Court and (2) an attached certification that a copy of the complaint was sent by first-class mail or delivered to SOTS, the State Elections Enforcement Commission (SEEC), and all other interested parties. (The bill does not specify how other interested parties are determined at this point in the complaint process).

If the AG makes the complaint (1) after the election, it must be brought within 14 days of the election or (2) before the election, the judge must quickly proceed to render judgment and provide notice to SOTS and SEEC of the scheduled hearing.

The court, once it has received the complaint, must order any injunctive or declaratory relief necessary to preserve or restore the current situation (including ordering election workers to retain custody of certain election records).

Further, if exigent circumstances are shown, the court may make an immediate ex parte order (an order without a hearing) granting relief it deems appropriate. If it does so, within 3-5 days of making the order, the court must hold a complaint hearing and provide 3-5 days' notice of the hearing's time and place to any affected candidates and election workers, SOTS, SEEC, and to any parties the judge deems proper.

The hearing must be conducted without unnecessary delay by the issuing judge and two other state supreme court judges designated by

the chief court administrator. If sufficient cause is shown, the judges may order (1) SEEC to maintain custody of any election records and (2) permanent relief in connection with an election worker's or SEEC's custody of election records.

§ 8 — ATTORNEY GENERAL AUTHORITY TO BRING AN ACTION

Existing state law authorizes the AG to investigate, intervene in, and bring civil or administrative actions on behalf of the state seeking injunctive or declaratory relief, damages, and any other relief that may be available under law, whenever there is a practice or pattern of conduct that:

1. deprives persons of any rights, privileges, or immunities secured by the U.S. or Connecticut constitutions or laws (civil rights) or
2. interferes, or attempts to interfere by threats, intimidation, or coercion, with another persons' exercise or enjoyment of any rights, privileges, or immunities secured by the U.S. or Connecticut constitutions or laws.

The bill expands the AG's authority to take these actions on behalf of the state by also allowing him to do so when anyone has established a policy that deprives or interferes with another person's civil rights in the ways described above. It also specifies that interfering with another person's civil rights (or attempting to) includes doing so by physical obstruction.

BACKGROUND

Peace Officers

By law, the following people are designated peace officers: state and local police, Division of Criminal Justice inspectors, state marshals exercising statutory powers, judicial marshals performing their duties, conservation or special conservation officers, constables who perform criminal law enforcement duties, appointed special police officers, adult probation officers, Department of Correction officials authorized to make arrests in a correctional institution or facility, investigators in the State Treasurer's Office, certified Department of Motor Vehicles

inspectors, U.S. marshals and deputy marshals, U.S. special agents authorized to enforce federal food and drug laws, and certified police officers of a law enforcement unit created and governed under a state-tribal memorandum (CGS § 53a-3(9)).

Related Bills

sSB 91, favorably reported by the Judiciary Committee, restricts taking people into custody based on a civil offense in state or municipal facilities and protected areas.

sSB 397, favorably reported by the Judiciary Committee, restricts taking people into custody for a civil offense in state or municipal facilities or protected areas and prohibits, with certain exceptions, wearing a facial covering or personal disguise when interacting with the public and performing law enforcement duties.

sSB 463, favorably reported by the Government Administration and Elections (GAE) Committee, has identical provisions.

sHB 5001, §§ 33-35, favorably reported by the Government Administration and Elections (GAE) Committee, has nearly identical provisions on (1) expanding certain election-related protections to assistant municipal clerks, (2) required notifications to certain state officials of election-related requests a municipal official or election worker receives, and (3) the AG’s authorization to address certain election inference claims.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13 Nay 6 (03/20/2026)