

---

---

## **OLR Bill Analysis**

### **sSB 399**

#### ***AN ACT CONCERNING THE DISPOSITION OF CASES BEFORE THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES.***

#### **SUMMARY**

This bill makes the following changes to the procedure for matters before the Commission on Human Rights and Opportunities (CHRO), which investigates complaints of discriminatory practices and enforces state human rights laws:

1. limiting when the parties (complainants and respondents) or CHRO may request early legal intervention after the mandatory mediation conference by requiring that it occur before there is an issued draft investigative report (§ 1);
2. limiting when the parties may reopen a previously closed complaint, but expanding CHRO's ability to do this, and setting the standards for reopening a matter (§ 2); and
3. eliminating the two-year statute of limitations after filing a complaint with CHRO to bring an action in Superior Court for an alleged violation, instead requiring that it be done within the 90 days after receiving a release of jurisdiction from CHRO to bring the action (§§ 3-6).

The bill also makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2026

#### **EARLY LEGAL INTERVENTION**

By law, either party or CHRO may request early legal intervention for complaints that are unresolved after the mandatory mediation conference. Currently, they may do so at any time after the conference. The bill limits when the request may be made by requiring it before a

draft investigative report is issued about the complaint.

Early legal intervention involves a determination of whether a complaint should be sent directly to public hearing, given a release of jurisdiction so that the matter can be pursued in court, or processed for investigation under the usual procedure.

## **REOPENING MATTERS**

By law, a party to a matter can ask CHRO to reopen a case but must apply to do this within two years of CHRO's final decision in the matter.

To reopen a case under current law, in addition to filing within the statute of limitations, the complainant must not have (1) received a release of jurisdiction for failing to accept full relief and filed a civil action or (2) asked for and received a release of jurisdiction that would enable suit in court. Under the bill, the complainant must also not have (1) received a release of jurisdiction after a case assessment review (which determines if a matter should move forward) and filed a civil action, (2) received a final decision at CHRO's Office of Public Hearings, or (3) appealed the final decision to Superior Court.

The bill additionally sets the standards for reopening a matter to include only the following listed reasons, which under current law is a nonexclusive list, thus allowing for other standards:

1. a material mistake of fact or law;
2. an arbitrary or capricious finding;
3. a clearly erroneous finding, based on the whole record's reliable, probative, and substantial evidence; and
4. new discovered evidence that materially affects the case's merits and was not presented during the investigation for good reasons.

Lastly, existing law allows CHRO to reopen a complaint on its own motion if justice requires it. But it cannot currently do this if the matter was appealed to Superior Court after a presiding officer's final order. The bill eliminates this restriction, and so allows CHRO to reopen any

complaint.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 30 Nay 11 (03/23/2026)