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## OLR Bill Analysis

### sSB 485

#### ***AN ACT EXPANDING THE ADDRESS CONFIDENTIALITY PROGRAM TO SHIELD LAND RECORDS AND INCLUDE PRIVATE ENTITIES.***

#### **SUMMARY**

This bill makes various changes to the Secretary of the State's (SOTS) address confidentiality program (see BACKGROUND), including to:

1. require any person, and not just public agencies as currently required, to use a program participant's program address instead of the participant's residential, work, or school address when requested to do so (this applies to any person, including communities, companies, corporations, limited liability companies, societies, and associations); and
2. create the real property address confidentiality program notice process to shield program participants' real property records from public inspection, with exceptions.

It creates relevant processes and duties for SOTS, town clerks, and other state and local agencies who interact with program participants and their real property records.

Under the bill, real property address confidentiality program notices are not public records under the Freedom of Information Act (FOIA), and it exempts from FOIA disclosure any real property records shielded under the real property address confidentiality program notice.

EFFECTIVE DATE: October 1, 2026

#### **ADDRESS CONFIDENTIALITY PROGRAM**

##### ***Program Address Acceptance by Any Person***

If a program participant requests to use the SOTS program address

in place of his or her residential, work, or school address, the bill expands who must accept and use the program address to include any persons, as well as public agencies as under existing law. As with agencies, the bill requires participants to show their SOTS program certification card to a person, who then may make photocopies for his or her records. If an agency or person receives a written request on a form that the bill requires SOTS to create, the bill prohibits them from knowingly disclosing a participant's name or confidential address.

***Prohibiting Requiring a Substitute Address***

The bill prohibits an agency or person from requiring participants to provide their confidential address as a substitute or in addition to the program address, or as a condition of receiving services or benefits, unless it would be impossible to provide the service or benefit without knowing the participant's physical location.

**REAL PROPERTY SHIELDING**

***Real Property Shielding Authorization***

The bill authorizes program participants who acquire an ownership interest in real property to file a real property confidentiality program notice to request shielding of the real property records, which includes any record or data maintained by a town clerk or tax assessor as part of municipal records. Shielding means removing the record from public inspection to a separate secure area where people without a legitimate reason to access it are denied access.

The real property confidentiality program notice applies to the following records:

1. an instrument submitted for recordation at the same time as the notice, including proof of tax payment; and
2. any other instrument concerning the property identified in the notice that is later recorded during the time period that the participant holds a recorded interest in the property and is a program participant.

***Real Property Address Confidentiality Program Notice Process***

To request shielding of real property records, the bill requires the participant or his or her agent to submit a real property address confidentiality program notice (a completed SOTS form) and the deed or other instrument to be recorded to the town clerk where the real property is located. The participant must also provide the notice to SOTS. Once received, the bill requires the town clerk to keep the participant's real property records confidential, and prohibits making available for inspection or copying the name and address of the program participant, unless:

1. the participant provides written consent to the disclosure, with his or her signature and certification code;
2. a law enforcement agency requests it to be sent to the same law enforcement agency;
3. directed by a court order to a person identified in the court order;  
or
4. SOTS authorizes disclosure for a bona fide title examination (see below).

If a participant has more than one ownership interest, the participant must use a separate real property address confidentiality program notice for each property. If a participant intends to request shielding real property records, the bill prohibits submission of any instrument for recordation electronically.

***Notice Form***

The bill requires SOTS to create a form for the real property address confidentiality program notice, which must include:

1. the participant's full legal name, including middle name;
2. the participant's certification code from the certification card;
3. the SOTS program address;

4. a description of the property and the physical address; and
5. the participant's signature.

***Town Clerk and Agency Duties***

The bill authorizes the town clerk to share the program notice with authorized personnel of the tax assessor and other departments with access to real property records and also prohibits them from disclosing the shielded information. However, the bill permits town clerks to return an original deed or other instrument to the person who submitted it for recordation.

Town clerks must establish procedures for recording deeds and other instruments to comply with the program notice. The procedures must include:

1. shielding recorded instruments containing the participant's physical address or identifying information,
2. notifying other municipal authorized personnel, and
3. providing notice to the public of the existence of a shielded instrument and how to request access for a bona fide title examination.

For any records under the program notice, the bill requires state and local agencies involved in real property assessments and taxation to establish procedures for maintaining records, including tax, utility, and zoning records.

***Disclosure for Bona Fide Title Examinations***

Under the bill, SOTS may authorize disclosure of shielded real property records for a bona fide title examination. If a request is made for a bona fide title examination, it must include:

1. the requestor's name, title, address, and affiliated organization, if applicable;
2. the purpose for requesting disclosure;

3. the requestor's relationship, if any, to the program participant;
4. a legal description of the property subject to the title examination;
5. a statement that any information disclosed must be treated as confidential and can only be used and disclosed for the identified purpose;
6. the requestor's signature; and
7. any information required by SOTS.

SOTS must provide a written response approving or denying the request within two business days of receipt. The bill authorizes SOTS to approve the request only if it meets the requirements and SOTS confirms the property is subject to a program notice of a current program participant.

If the property owner is no longer a program participant, the bill requires (1) SOTS to give written notice to the relevant town clerk and inform the requestor that the records are no longer shielded, (2) the town clerk to stop shielding all real property records related to the property, and (3) the town clerk to notify all authorized municipal personnel to stop shielding related real property records.

### ***Continuation and Cancellation of Shielded Property Records***

Under the bill, the property records disclosure prohibition continues until (1) the participant consents in a signed writing to terminate the real property address confidentiality program notice, (2) a court order terminates the real property address confidentiality program notice, (3) the participant no longer holds an ownership interest in the relevant property, or (4) SOTS notifies the town clerk that the participant's certification is cancelled.

The bill requires SOTS to notify, in writing, the town clerk of the municipality where the real property is located when a program participant's certification has been cancelled.

## **BACKGROUND**

### ***Address Confidentiality Program***

By law, the SOTS address confidentiality program is available to people who fear for their safety because they are (1) a victim of family violence, injury or risk of injury to a child, kidnapping, sexual assault, stalking, trafficking in persons, or child abuse or neglect or (2) involved with a case where a termination of parental rights was granted. An eligible individual can apply to receive a program mailing address to keep his or her residential address confidential due to safety concerns.

Once an applicant to the program is certified by SOTS, he or she receives the program address and a certification card. The certification card includes the participant's name, signature, certification code, program address, and expiration date. SOTS receives any mail and service of process sent to the program address and forwards it to the participant's confidential address free of charge.

Participants may generally have (1) their street addresses omitted from voter registries, (2) correspondence from state agencies sent to the substitute address, and (3) their marriage records kept confidential. Participants may renew their certification every four years. SOTS may cancel a participant's certification under certain circumstances, but a cancelled participant may reapply at any time.

### ***Related Bills***

HB 5555, favorably reported by the Government Administration and Elections Committee, expands who is eligible for the SOTS address confidentiality program to include individuals who have safety concerns because they are involved in providing reproductive or gender-affirming health care services.

sSB 295, favorably reported by the Judiciary Committee, among other things, expands who is eligible for the SOTS address confidentiality program to include individuals engaged in the provision, facilitation, or promotion of a legally protected health care activity (which includes gender-affirming and reproductive health care services).

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 16 Nay 2 (03/20/2026)