

Office of the Secretary of the State



At a Glance

Office of the Secretary of the State
Mark F. Kohler, Secretary of the State
Scott D. Bates, Deputy Secretary of the State

Established - 1639

Statutory authority - State Constitution; CGS Sec. 3-77 et seq., CGS 9-3, 9-4 and Title 9 Generally; CGS Titles 33-35.

Central office – 165 Capitol Avenue, Hartford, CT 06106

Number of employees - General Fund: 79 permanent full-time (69 filled)

Recurring operating expenses: General Fund: \$10,116,202.16 (FY 2021-22), YTD for FY 2022-23 is \$1,527,736.00 as of 8/11/2022.

Revenue deposited: General Fund: \$48,493,781.00 (FY 2021-22), YTD for FY 2022-22 is \$4,578,806.19, as of 8/25/22.

Organizational structure –Business Services (Commercial Recording) and Publication Divisions (Christopher Drake, Esq., Director, Nancy Nicolescu, Asst. Director); Legislation and Elections Administration Division (Theodore Bromley, Esq., Director); Management and Support Services Division (Shantelle Varrs, Fiscal Administrative Manager); Information Technology (Thomas Miano, Manager).

Mission

Through the commitment of a knowledgeable staff and advanced technology, the Office of the Secretary of the State works as a team to provide a wide range of services for the people and businesses of Connecticut.

We are a repository of records for the state and provide important information and resources regarding business and commercial filings, elections, and authentication as prescribed by the constitution, federal, and state laws.

We seek to support business development opportunities and to foster a more inclusive political process by educating, informing, and engaging communities and youth in civic participation.

Our vision is to be the leader in providing prompt quality service, increasing access to information, and promoting participation in the democratic process.

Statutory Responsibility

The Secretary of the State is designated by the Constitution and General Statutes of Connecticut as the official keeper of a wide array of public records and documents. The office is a vital source of information regarding various businesses, commercial lenders, elections, legislation, regulations, and other areas, and responds to more than 600,000 requests for information annually. It also publishes, distributes, and sells the State Register and Manual and other publications.

Connecticut law makes the Secretary of the State responsible for the administration of many aspects of business law including the approval of all certificates of incorporation, organization and dissolution, as well as annual and biennial reports. Trademarks are registered here as well.

As Commissioner of Elections for the State of Connecticut, the Secretary is charged to administer, interpret, and implement election laws and ensure fair and impartial elections. Under the terms of the National Voter Registration Act of 1993 and the Help America Vote Act of 2002, the Secretary has the same responsibility for federal elections.

Affirmative Action

The Secretary of the State's Office is an affirmative action employer and is committed to an aggressive and comprehensive Affirmative Action plan. This policy applies to all current and prospective employees without regard to race, color, religious creed, age, sex, pregnancy, sexual orientation, gender identity or expression, marital status, national origin, ancestry, intellectual disability, genetic information, learning disability, physical disability, (including, but not limited to, blindness) mental disability (past/present history thereof), military or veteran status, or criminal record, unless the provisions of Sec. 46a-80 (b) or Sec. 46a-81 (b) of the Connecticut General Statutes apply or a bona fide occupational qualification exists that excludes a protected group. The Office also recognizes that sexual harassment is a form of sex discrimination. Therefore, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct which is used as conditions of employment decisions or which operates to create an intimidating, hostile or offensive working environment will not be tolerated. These policies are pursuant to all applicable Federal and State constitutional provisions, laws, regulations, guidelines and executive orders. It is the intention of this Office to adhere to both the letter and the spirit of these laws and regulations, which, in addition to guaranteeing equal employment opportunity, require that special affirmative action be taken by SOTS to overcome the effects of past discrimination.

Public Service

The office serves the public through five divisions:

- ***Business Services Division (BSD)*** files and maintains legally required records showing the formation of and fundamental changes to corporations, limited liability companies, limited liability partnerships, limited partnerships, and other business entities. The BSD disseminates that

information to the general public and the business, banking, and legal communities. Transactions relevant to security interests in personal property are perfected by filing statements under the Uniform Commercial Code statutes with the Research and Response unit. These filings protect the holder of the security interest by securing the lien and providing public notice that such interest exists. Trade, service, collective, certification, and device marks are granted registration and the Division investigates and collects fees and penalties from foreign corporations doing business in Connecticut without authority. BSD offers real time access to corporate and UCC (Uniform Commercial Code) documents via business.ct.gov. Over 96% of business filings are now completed online. Our Public Service Area is open for customers from 8:30 a.m. - 4:00 p.m. The division is responsible for administering the Address Confidentiality Program (ACP), which provides services to victims of crime.

BSD is also responsible for commissioning Notaries Public in Connecticut. The Division processes about 10,000 notary applications, renewals, and reinstatements annually, over 99% of which are filed online through the state's eLicense system at elicense.ct.gov.

BSD also processes requests to apostille or authenticate state public records pursuant to the Hague Convention and as authorized by the United States Department of Homeland Security. This process allows the holder of a Connecticut public record such as a birth certificate, marriage certificate or death certificate, to have the record recognized as legitimate in a foreign country.

- ***Legislation and Elections Administration Division (LEAD)*** administers, interprets, and implements all state and federal laws pertaining to elections, primaries, nominating procedures, and the exercise of voting rights. The Division encourages and monitors the implementation of the federal National Voter Registration Act (motor voter), the Help America Vote Act, and other voter registration and election administration laws in Connecticut. In conjunction with local town clerks and registrars of voters, the division provides training for local elected officials. The Division, working with local officials, has put into operation a statewide-computerized voter registry system, which complies with the Help America Vote Act. More recently, the Division has launched online voter registration, Election Day Registration, begun to implement automatic voter registration and improved compliance with the motor voter law through the Department of Motor Vehicles.

Additionally, the Division is the official keeper of all acts, orders, grants, and resolutions of the General Assembly, receives and maintains legislation and a wide range of other public documents as required by statute, and updates information on state, local, and federal government on a weekly

basis. The Division administers a state-wide, online calendar of public meetings held by state agencies that includes access to agendas and minutes.

- **Information Technology** is responsible for the administration, support, development, and maintenance of all computer systems and related applications within the agency. It also provides support to the Centralized Voter Registration System, the Election Management System, CONCORD (Connecticut Online Commercial Recording Database), the agency website, and all E-Government initiatives within the agency. Within the Secretary's office, Information Technology also has the primary responsibility for ensuring the cybersecurity of the agency, as well as coordinating the agency's cybersecurity efforts with other agencies.
- **Management and Support Services** supports the office in the areas of human resources, affirmative action, fiscal administration, business, revenue depositing, purchasing, data processing, and other support services. It also serves as the sales agent and distributor of the *Connecticut State Register and Manual*.
- **Publications Division** administers eRegulations, the online platform for the promulgation and publication of the Regulations of Connecticut State Agencies. All aspects of the system are electronic, including notice, drafting, and final publication. It also publishes the Connecticut State Register and Manual (the "Blue Book") and other agency publications, including online publications.

In addition, the Office of the Secretary of the State administers a wide range of programs and services for Connecticut's voters, citizens, and businesses. These include:

- **Civic Health Initiatives** – The Secretary of the State's civic health initiatives are designed to foster civic participation, increase interest in civic institutions, and supplement civic education initiatives for Connecticut's students. These initiatives include the Red, White, and Blue Schools program, the Civic Ambassadors program, work with the Connecticut Kid Governor, and various other programs, many undertaken in conjunction with the state Department of Education.
- **The Address Confidentiality Program (ACP)** – The ACP program became effective on January 1, 2004. Program participants are residents of the State of Connecticut who have recently relocated because of abuse and whose new location is unknown to their abuser and undocumented in government records. The goal of the ACP is to help survivors of certain crimes (family violence, sexual assault, injury or risk of injury to a minor, or stalking) keep their new address confidential. The Address Confidentiality Program offers its participants two services, each of which helps keep the survivor's new location private. One component is the participant's use of an ACP substitute mailing address. The ACP provides cost-free mail forwarding services. The Office of

the Secretary of the State serves as each program participant's legal agent for service of process and receipt of first class mail. The second component of the program prevents public access to a participant's actual address on government records including voter registry lists and keeps marriage records confidential.

- **Business Initiatives** – In partnership with the Department of Administrative Services, the Secretary of the State has led the effort to modernize and streamline the customer experience when starting in business in the state. Since its launch in June 2021, over 50,000 businesses have formed in business.ct.gov and the system has received over 500,000 total business filings.
- **Records Management** - The Records and Archiving Unit supports the Secretary's constitutional duty to "have the safe keeping and custody of the public records and documents" by providing records management, archives, and library services to the Office of the Secretary of the State. It also serves as the office's liaison to the Public Records Administrator, as required by law. It maintains the Office library, administers on and off-site storage of, and access to, the wide variety of records filed with and generated by the Office, researches, prepares, and implements record retention schedules for the Office, creates microfilm and digital copies of records, responds to hundreds of annual staff and public reference requests, and creates indexes and guides to Office record series to facilitate staff and public access to information. In addition, the Unit provides indexing, access, and preservation services for the original bills, acts, and resolutions of the General Assembly, state agency regulations, and various special documents filed with the Office by state law.

Improvements/Achievements 2021-22

- **Automatic Voter Registration** – In 2016, the Secretary entered into a Memorandum of Understanding (MOU) with the DMV that set out a framework for implementing Automatic Voter Registration (AVR) over a two-year period, beginning in the short term with semi-automated system that would dovetail with the existing online voter registration system launched by the Secretary in 2014. The first stage of the automated voter registration system was launched at the Department of Motor Vehicles (DMV) on August 8, 2016. In the first two years of the system, more than 315,000 new voters registered through AVR at the DMV. Bonding for the hardware necessary for the full implementation was approved in February 2018, and the full rollout was completed in early 2020. In the 2021 legislative session, the legislature codified AVR at the DMV and tasked the Secretary with studying and eventually rolling out AVR to other state agencies as appropriate. The Secretary has identified the Department of Social Services (DSS) as the next agency where AVR can be rolled out and is currently working with DSS to implement.

- **Implementation of the Voter Registry Privacy Program** – The legislature passed a law in 2021 allowing voters to opt out of the publicly-disclosed voter file, if inclusion in that file would put the life or safety of the voter or the voter’s family at risk. The Secretary’s office implemented this statute in the summer of 2021, and has been running the program since then.
- **Replacement of the Central Voter Registration System and the Election Management System** – The Secretary and staff have begun the process of replacing the outdated Central Voter Registration System (CVRS) and Election Management System (EMS). After gathering input from the local election officials who are the main users of the systems and other key stakeholders, the office created criteria, released a Request For Proposal, evaluated those proposals, and is in the process of selecting new systems. The new systems are scheduled to come online prior to the 2023 municipal elections.