

Sec. 3-77-22. Petition for declaratory ruling

(a) These rules set forth the procedure to be followed by the Secretary of the State in the disposition of requests for declaratory rulings as to the applicability of any statutory provision or of any regulation or order of the Secretary of the State.

(b) Any interested person may at any time request a declaratory ruling from the Secretary of the State with respect to the applicability to such person of any statute, regulation or order enforced, administered, or promulgated by the Secretary of the State. Such request shall be in writing, signed by the petitioner or petitioner's attorney, and submitted by mail or hand delivered during normal business hours to the office of the Secretary of the State. In addition, such a request shall:

- (1) state clearly and concisely the substance and nature of the request;
- (2) identify the statute, regulation or order concerning which the inquiry is made;
- (3) identify the particular aspect thereof to which the inquiry is directed. The request for a declaratory ruling shall be accompanied by a statement of any supporting data, facts, and arguments that support the position of the person making the inquiry; and
- (4) include the name, address, and telephone number of the petitioner or the petitioner's attorney to whom all correspondence and/or communications in regard to the petition shall be addressed.

(c) The Secretary of the State may give notice to any person that such a declaratory ruling has been requested, and may receive and consider data, facts, arguments, and opinions from persons other than the person requesting the ruling.

(d) The Secretary of the State may conduct a hearing pursuant to Conn. Gen. Stat. Sec. 4-177 and Sec. 4-178 for the purpose of finding facts as the basis for a declaratory ruling. The Secretary of the State shall give notice of such hearing as shall be appropriate. The provisions of sections 3-77-14 through and including 3-77-19 of these regulations shall apply to such hearings.

(e) If the Secretary of the State determines that a declaratory ruling will not be rendered, the Secretary of the State shall within thirty (30) days, after receipt of the petition notify the person so inquiring that the request has been denied. If the Secretary of the State renders a declaratory ruling, a copy of the ruling shall be sent to the petitioner and to the petitioner's attorney, if any, and to any other person who has filed a written request for a copy with the Secretary of the State.

(Effective September 26, 1988)