

**State of Connecticut
Regulation of
Office of the Secretary of the State
Concerning
The Requirements of Video Recording Absentee Ballot Drop Boxes**

Section 1. The Regulations of Connecticut State Agencies are amended by adding section 9-140b-1.

(NEW) Sec. 9-140b-1. Video Recording of Absentee Ballot Drop Boxes. *Effective July 1, 2025*

(a) Definitions. For the purposes of this section:

(1) “municipality” shall mean any city, borough, or town within the state;

(2) “drop box” shall mean a secure collection box, as required by Connecticut General Statutes Section 9-140b, that is designated by the municipal clerk in compliance with the instructions of the Secretary of the State, for the purpose of absentee ballot collection;

(3) “ballot collection period” shall mean the period beginning on the first day of issuance of absentee voting sets, as provided in subsection (f) of section 9-140, until the last retrieval of absentee ballots from such drop box designated by the municipal clerk for such purpose at the close of the polls at the election or primary;

(4) “publicly available” shall mean existing in a readily viewable format which can be to be copied or transferred on demand or timely upon request;

(5) “readily viewable format” shall mean a video recording existing as an MKV, MP4MPEG4 or MOV file type;

(b) Video recording requirements. All municipalities shall comply with the election security and transparency provisions of subsection (b) of section 9-140 by creating and maintaining video recording for each secure ballot drop box within the municipality’s jurisdiction for the duration of the ballot collection period. Municipalities may utilize a preexisting video recording system, preexisting security system or a designated video recording device with the specific purpose of ballot drop box security. Video recording equipment and arrangement must meet minimum requirements which shall include:

(1) Video recording device(s) must be positioned within twenty feet of the election drop box and remain angled for the duration of the ballot collection period so as to allow for the capture of clear and certain identification of any person utilizing or otherwise interacting with the ballot drop box under environmental lighting conditions that are typical of the location of the ballot drop box;

(2) The video recording device(s) must have the ability to retain twenty-four hour or motion activated video recordings for the duration of the ballot collection period.

Alternatively, the municipality may have a written plan for the collection and preservation of video recordings from the video recording device(s) so as to ensure that the video recording device does not cease recording due to lack of data storage capacity. The recording must be made at a minimum resolution of 1280 x 720 pixels.

(3) The video recording must have a date, time, and location stamp embedded on all recordings. The date and time shall be synchronized and set correctly and shall not significantly obscure the picture; and

(4) The video recording device(s) shall have the ability to remain operational during a power outage for a period of not less than eight hours.

(c) Retention of video recordings. A municipality shall retain all video recordings for at least twelve months after the ballot collection period. If a municipality is aware of a pending criminal, civil or administrative investigation or legal proceeding for which a recording may contain relevant information, the municipality shall retain an unaltered copy of the recording until the investigation or proceeding is closed and the State Elections Enforcement Commission or a court of competent jurisdiction notifies the municipality that it is not necessary to retain the recording. During the applicable retention period, all video recordings shall be retained in their original unaltered format and access to the original video recording file shall be limited to Registrars of Voters.

(d) Public availability of video recordings. Any recording made under this section shall be considered a public record and subject to the provisions of the Freedom of Information Act, Section 1-200 et seq. The municipality shall make publicly available a copy of the video recording made during the ballot collection period. Such availability will be made as soon as practicable, but in no case later than five days after the date the video was recorded. Once a municipality has determined that a video is publicly available, a municipality must respond within twenty-four hours to any request for the video recordings by providing a digital copy in a readily viewable format, the resolution shall not be compressed. Such a request may be for a specific timeframe of an identified camera or for all recording data generally. No municipality shall be required to edit or truncate the available video recordings to respond to a request for a requested timeframe of video recording. No provision of this section shall be read to eliminate the ability of the municipality to charge the party requesting the video recordings for the cost of providing such recordings pursuant to section 1-212 of the Freedom of Information Act.

(e) Uploading video recordings to the internet. In order to comply with the requirements of subsection (d), the municipality may upload all video recordings pertaining to ballot drop boxes during the ballot collection period on an internet platform which is accessible to the general public. Such a platform must maintain an accessible copy of the recording in a readily viewable format for the duration of the retention period outlined in subsection (c) without compressing the resolution of such recording, to comply with these provisions. A municipality choosing to upload video recordings to the internet may respond to requests for recording data by providing access information to the internet website containing the recordings.

(f) Associated fees. Any associated fee for such a request under subsection (d) shall not exceed the cost thereof to the municipality as provided in section 1-212.

(g) Noncompliance. Any individual who contends that a municipality is not in compliance with any of the provisions of this section may bring a complaint to the State Elections Enforcement Commission.

(h) Pre-election test and verification. Prior to the ballot collection period for any primary, election or referenda it shall be the duty of the Registrars of Voters or their designee to test the recording devices to ensure that they are functioning as required in compliance with these provisions.

Statement of Purpose

Pursuant to the authority granted to the Secretary of State in Public Act No. 24-148 section 1 subsection (c)(3), the proposed new regulation sets forth the minimum requirements for a municipality to comply with the video recording provisions of the Act for ballot drop boxes contained within the municipality's jurisdiction and the retention of any such recording for the purposes of election security and transparency. The regulation outlines the required quality of any camera and captured recording. The regulation also details the timeline and process for a municipality to respond to a request for such recordings, as well the permissible associated fee structure.