



General Assembly

February Session, 2020

Raised Bill No. 5521

LCO No. 2226



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT REVISING CERTAIN STATUTES REGARDING VOTER
REGISTRATION AND ELECTION ADMINISTRATION.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 9-16 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 The registrars of voters in each town shall give notice of the time and
4 place of each session for the admission of electors held pursuant to
5 section 9-17 by publication in a newspaper published or circulated in
6 such town, or on the town's Internet web site, not more than fifteen nor
7 less than five days before each such session. Nothing [herein] in this
8 section shall require that such publication be in the form of a legal
9 advertisement.

10 Sec. 2. Section 9-17a of the general statutes is repealed and the
11 following is substituted in lieu thereof (*Effective from passage*):

12 As used in sections [9-17, 9-19b,] 9-19c, 9-20, [9-23a, 9-24,] 9-31a [, 9-
13 31b] and 9-31l, as amended by this act, unless otherwise provided, the

14 term "admitting official" means a town clerk, assistant town clerk,
15 registrar of voters, deputy registrar of voters or assistant registrar of
16 voters. [or the board for admission of electors.]

17 Sec. 3. Section 9-311 of the general statutes is repealed and the
18 following is substituted in lieu thereof (*Effective from passage*):

19 (a) (1) A person who is denied admission as an elector may appeal a
20 decision of an admitting official of a town concerning the right of such
21 person to be or remain an elector. Any such appeal shall be made to the
22 registrars of voters of such town. [, except that if the admitting official
23 who made such decision is a registrar of voters, the appeal shall be made
24 to the board for admission of electors of such town.]

25 (2) Notice of an appeal shall be in writing and delivered to the
26 registrars. [or to the board for admission of electors. Within] Not later
27 than seven days after receipt of a notice of appeal, the registrars [or the
28 board, as the case may be,] shall give written notice of the time and place
29 where such appeal will be heard to the appellant and to the admitting
30 official whose decision is the subject of the appeal. Such appeal shall be
31 heard [within] not later than twenty-one days after notice of the appeal
32 is delivered to the registrars. [or the board. Neither a registrar whose
33 decision is the subject of the appeal nor a registrar who is an appellant
34 shall be a voting member of the board which hears the appeal.]

35 (3) The registrars [or the board] may receive sworn testimony and any
36 other evidence relating to the qualifications of such person to be or
37 remain an elector.

38 (4) [Within] Not later than seven days after hearing an appeal, the
39 registrars [or the board] shall render a decision and shall send written
40 notice of the decision to the appellant and the admitting official whose
41 decision was the subject of the appeal.

42 (b) (1) The person whose right to be or remain an elector is in dispute
43 may appeal the decision of the registrars [or the board for the admission
44 of electors] under subsection (a) of this section to the State Elections

45 Enforcement Commission. If an appeal is not made to the commission
46 as provided in this subsection, the decision of the registrars [or the
47 board] shall be final.

48 (2) Any such appeal shall be in writing and filed with the State
49 Elections Enforcement Commission at its principal offices not later than
50 fourteen days [following] after the decision of the registrars, [or the
51 board.] A copy of any such notice of appeal shall also be delivered
52 within such time to the registrars [or the board] that rendered the
53 decision under subsection (a) of this section.

54 (3) The registrars [or the board] shall, not later than ten days after
55 receipt of a copy of the notice of appeal, deliver the record of the hearing
56 of the registrars [or board] under subsection (a) of this section to the
57 commission.

58 (4) The commission shall hear such appeal not later than twenty-one
59 days after notice of appeal is filed with the commission. Such hearing
60 shall be conducted in accordance with the provisions of sections 4-176e
61 to 4-180a, inclusive, and section 4-181a. The commission may consider
62 the record of the hearing delivered by the registrars [or the board] and
63 may examine witnesses, documents and any other evidence that it
64 determines may have a bearing on the proper determination of the
65 issues brought on appeal. The commission's hearing shall be recorded.

66 (5) The commission shall render its decision not later than sixty days
67 after the close of its hearing, except that an extension of time may be
68 granted by the commission upon application of any party that sets forth
69 circumstances that the commission determines is appropriate to
70 granting an extension of time. The commission may also initiate an
71 extension of time for rendering its decision, after written notice to the
72 parties, provided all of the parties before the commission give their prior
73 written consent.

74 (6) The decision of the commission shall determine the person's right
75 to be or remain an elector. If any such decision is adverse to such
76 individual's right, the commission shall order both registrars to remove

77 the elector's name from the town's active and inactive registry list and
78 any enrollment list. Any person whose name has been so removed may
79 reapply for admission as an elector with the registrars of voters of the
80 same town at any time. If such application is made within four years
81 after the commission's decision, both registrars may approve such
82 application only after they find that there has been a substantial change
83 in the circumstances that provided the basis for the commission's
84 decision and that the individual is eligible to be an elector. Registrars
85 who approve an individual's application for admission within this time
86 period without a substantial change in circumstances may be subject to
87 a civil penalty imposed by the commission in accordance with
88 subdivision (2) of subsection (a) of section 9-7b if the commission
89 determines, following a written complaint filed with the commission
90 pursuant to said section 9-7b, that the registrars' action was without
91 good cause and constitutes a wilful violation of a prior order of the
92 commission.

93 Sec. 4. Section 9-358 of the general statutes is repealed and the
94 following is substituted in lieu thereof (*Effective from passage*):

95 Any person who, upon oath or affirmation, legally administered,
96 wilfully and corruptly testifies or affirms, before any registrar of voters,
97 any moderator of any election, primary or referendum [, any board for
98 admission of electors] or the State Elections Enforcement Commission,
99 falsely, to any material fact concerning the identity, age, residence or
100 other qualifications of any person whose right to be registered or
101 admitted as an elector or to vote at any election, primary or referendum
102 is being passed upon and decided, shall be guilty of a class D felony and
103 shall be disfranchised.

104 Sec. 5. Section 9-362 of the general statutes is repealed and the
105 following is substituted in lieu thereof (*Effective from passage*):

106 The decision [of the board for admission of electors or] of the
107 registrars or of a moderator, as to a person's right to be admitted to the
108 elector's oath, to registration or to cast his vote, shall, in no case, be a bar

109 to a criminal prosecution for procuring himself to be made an elector or
110 to be registered or for voting, without the qualifications required by law.

111 Sec. 6. Subsections (a) and (b) of section 9-35 of the general statutes
112 are repealed and the following is substituted in lieu thereof (*Effective*
113 *from passage*):

114 (a) The registrars, [on the Tuesday of the fifth week] before each
115 regular election, shall [be in session for the purpose of completing]
116 complete a correct list of all electors who will be entitled to vote at such
117 election. Such registry list shall consist of an active registry list and an
118 inactive registry list. [Such session shall be held during such hours
119 between nine o'clock a.m. and five o'clock p.m. as the registrars find
120 necessary to complete the list. Notice of such session shall be given at
121 least five days before the session by publication in a newspaper having
122 a circulation in such municipality, if any, and by posting on the signpost
123 therein, if any, or at some other exterior place near the office of the town
124 clerk. Such publication shall not be required to be in the form of a legal
125 advertisement.]

126 (b) [At such session and on] On any day except on the day of an
127 election or primary, the registrars shall remove from the list the name of
128 each elector who has died, who has been disfranchised or who has
129 confirmed in writing that the elector has moved out of the municipality,
130 except electors entitled to remain on such list under the provisions of
131 this chapter. An elector shall be deemed to have confirmed in writing
132 that the elector has moved out of the municipality if (1) the elector has
133 submitted a change of address form for purposes of a state motor vehicle
134 operator's license, unless the elector states on the form that the change
135 of address is not for voter registration purposes, (2) the elector has
136 submitted a change of address form to a voter registration agency, as
137 defined in section 9-23n, and such agency has provided such change of
138 address to the registrars of voters, or (3) the registrars of voters have
139 received a cancellation of previous registration from any other election
140 official indicating that such elector has registered as an elector outside
141 such municipality.

142 Sec. 7. Section 9-35a of the general statutes is repealed and the
143 following is substituted in lieu thereof (*Effective from passage*):

144 Immediately after [the close of the session or immediately after] the
145 sending of notice of intended removal provided for in section 9-35, as
146 amended by this act, the registrars of voters shall post at the town hall
147 or municipal building in the municipality in which they serve, in a place
148 readily accessible to the public, a list of the names of the electors whose
149 names were removed from the registry list [at such session] or will be
150 removed on the date specified in section 9-35, as amended by this act,
151 together with the address of each such elector as it appeared on the
152 registry list at the time the name was so removed. Together with such
153 list, and as a part thereof, such registrars shall also cause to be posted a
154 statement that complete information as to such removal and as to the
155 privileges and remedies of those whose names were removed from the
156 registry list is available from such registrars, specifying when and where
157 such registrars are available for such purpose and, in the case of
158 registrars of voters having office hours, specifying such office hours.

159 Sec. 8. Section 9-39 of the general statutes is repealed and the
160 following is substituted in lieu thereof (*Effective from passage*):

161 [The] For the purposes of section 9-234, the registrars of voters of each
162 municipality shall print copies of the final registry list for distribution
163 [in such municipality and] in all the voting districts located [therein]
164 within such municipality. The registrars shall, upon request, produce
165 for any candidate for election the final registry list for each voting
166 district for which such person is a candidate and shall maintain such list,
167 either on paper or in electronic format, for a period of two years.

168 Sec. 9. Section 9-172b of the general statutes is repealed and the
169 following is substituted in lieu thereof (*Effective from passage*):

170 (a) In each municipality or political subdivision in which a special
171 election or referendum is to be held, the registrars of voters shall prepare
172 an updated list of the names and addresses of those persons who
173 acquired voting privileges after the completion of the revised registry

174 list and prior to the day of such special election or referendum. In each
175 such municipality or political subdivision, not later than the day before
176 such special election or referendum, such registrars of voters shall cause
177 to be completed [and printed] such list arranged as provided in section
178 9-35, as amended by this act, and certified by them to be correct, and
179 shall [retain] print a sufficient number of copies to be used by them at
180 such special election or referendum for the [purpose of checking the
181 names of those who vote] purposes of section 9-234, provided the names
182 of any persons who acquired such voting privileges within thirty days
183 before such special election or referendum may be inserted in writing
184 on such printed list. [in writing.]

185 (b) In the case of a special election or referendum, no person admitted
186 as an elector on the day of [the] such special election or referendum shall
187 be entitled to vote in [that] such special election or referendum.

188 Sec. 10. Subsection (d) of section 9-192a of the general statutes is
189 repealed and the following is substituted in lieu thereof (*Effective from*
190 *passage*):

191 (d) The advisory committee shall also [(1)] develop a training
192 program in election procedures for poll workers. [, and (2) develop an
193 election law and procedures training program and guide for registrars,
194 deputy registrars and assistant registrars. The training program
195 developed under subdivision (2) of this subsection shall provide for
196 training to be conducted by trained registrars or former registrars hired
197 for such purpose by the Secretary of the State.] The committee shall
198 submit such training [programs and training guide] program to the
199 Secretary of the State, who shall approve or modify [the programs and
200 guide] such program.

201 Sec. 11. Subdivision (3) of subsection (a) of section 9-192a of the
202 general statutes is repealed and the following is substituted in lieu
203 thereof (*Effective from passage*):

204 (3) Once certified, pursuant to subdivision (1) of this subsection, each
205 registrar shall participate each year in not less than eight hours of

206 training [, not including any training described under subdivision (2) of
207 subsection (d) of this section,] in order to maintain such certification.
208 Such training shall be as prescribed by the Secretary of the State and
209 shall be conducted by said Secretary or a third party approved by said
210 Secretary to conduct such training. Any registrar who fails to satisfy
211 such annual training requirement shall be directed by the Secretary of
212 the State to take remedial measures prescribed by said Secretary.

213 Sec. 12. Subsection (b) of section 9-249 of the general statutes is
214 repealed and the following is substituted in lieu thereof (*Effective from*
215 *passage*):

216 (b) The election officials of such voting districts shall attend the
217 elections training program developed under [subdivision (1) of]
218 subsection (d) of section 9-192a, as amended by this act, and any other
219 meeting or meetings as are called for the purpose of receiving such
220 instructions concerning their duties as are necessary for the proper
221 conduct of the election.

222 Sec. 13. Section 9-233 of the general statutes is repealed and the
223 following is substituted in lieu thereof (*Effective from passage*):

224 Prior to each election, the registrars of voters of each town shall
225 appoint, for each voting tabulator to be used at such election, at least
226 one and not more than two electors of [such town as a] the state to be a
227 voting tabulator tender, unless the registrars of voters have established
228 two shifts for election officials under the provisions of section 9-258a, in
229 which case the registrars shall appoint at least one and not more than
230 two such electors to be voting tabulator tenders, for each voting
231 tabulator, for each shift.

232 Sec. 14. Section 9-232n of the general statutes is repealed and the
233 following is substituted in lieu thereof (*Effective from passage*):

234 Immediately after the close of the polls, the moderator shall seal the
235 provisional ballot depository envelope and deliver such envelope to the
236 registrars of voters of the town. The registrars of voters shall forthwith

237 verify the information contained with each provisional ballot. If the
 238 registrars of voters determine that the applicant is eligible to vote, they
 239 shall note their decision on the outer envelope of the ballot and open
 240 and count the provisional ballot in accordance with the provisions of
 241 sections 9-232i to 9-232o, inclusive, and procedures prescribed by the
 242 Secretary of the State. If the registrars of voters are unable to determine
 243 that the applicant is eligible to vote or determine that the applicant is
 244 not eligible to vote, the [applicant's] applicant's provisional ballot sealed
 245 envelope shall be marked "rejected", along with the reason for such
 246 rejection, and signed by the registrars of voters. The registrars of voters
 247 shall verify and count all provisional ballots in their town not later than
 248 six days after the election or primary. The registrars of voters shall
 249 forthwith prepare and sign in duplicate a report showing the number of
 250 provisional ballots received from electors, the number rejected and the
 251 number counted, and showing the additional votes counted for each
 252 candidate for federal office on the provisional ballots. The registrars of
 253 voters shall file one report with the town clerk and shall seal one in the
 254 depository envelope with the provisional ballots and file such
 255 depository envelope with the town clerk. The depository envelope shall
 256 be preserved by the town clerk for the period of time required to
 257 preserve counted absentee ballots for federal elections. The head
 258 moderator shall forthwith electronically file with the Secretary, and
 259 deliver to the town clerk, a corrected return for federal offices [with the
 260 town clerk and the Secretary] showing (1) the final votes after any
 261 recanvass, pursuant to sections 9-311 to 9-311b, inclusive, as amended
 262 by this act, the votes on provisional ballots and the totals, and (2) the
 263 number of provisional ballots received from electors, the number
 264 rejected and the number counted, as reported by the registrars of voters.

265 Sec. 15. Subsection (c) of section 9-311 of the general statutes is
 266 repealed and the following is substituted in lieu thereof (*Effective from*
 267 *passage*):

268 (c) The votes shall be announced and recorded in the manner
 269 prescribed in section 9-309 on return forms provided by the registrars of
 270 voters and appended thereto shall be a statement signed by the

271 moderator indicating the time and place of the recanvass and the names,
272 addresses, titles and party affiliations of the recanvass officials. The
273 write-in ballots shall be replaced in a properly secured sealed package.
274 Upon the completion of such recanvass, any tabulator used in such
275 recanvass shall be locked and sealed, the keys thereof shall immediately
276 be returned to such registrars of voters and such tabulator shall remain
277 so locked until the expiration of fourteen days after such election or for
278 such longer period as is ordered by a court of competent jurisdiction.
279 The absentee ballots shall be replaced in their wrappers and be resealed
280 by the moderator in the presence of the recanvass officials. Upon the
281 completion of such recanvass, such moderator and at least two of the
282 recanvass officials of different political parties shall forthwith prepare
283 and sign such return forms which shall contain a written statement
284 giving the result of such recanvass for each tabulator and each package
285 of absentee ballots whose returns were so recanvassed, setting forth
286 whether or not the original canvass was correctly made and stating
287 whether or not the discrepancy still remains unaccounted for. Such
288 return forms containing such statement shall forthwith be filed by the
289 moderator in the office of such clerk. If such recanvass reveals that the
290 original canvass of returns was not correctly made, such return forms
291 containing such statement so filed with the clerk shall constitute a
292 corrected return. In the case of a state election, a recanvass return shall
293 be made in duplicate on a form prescribed and provided by the
294 Secretary of the State, and the moderator shall electronically file with
295 the Secretary, and deliver to the town clerk, one copy each of such
296 recanvass return [with the Secretary of the State and one copy with the
297 town clerk] not later than ten days after the election. Such recanvass
298 return shall be substituted for the original return and shall have the
299 same force and effect as an original return.

300 Sec. 16. Section 9-314 of the general statutes is repealed and the
301 following is substituted in lieu thereof (*Effective from passage*):

302 (a) As used in this subsection, "moderator" means the moderator of
303 each state election in each town not divided into voting districts and the
304 head moderator in each town divided into voting districts. The

305 moderator shall make a preliminary list of the votes given for each of
306 the following officers: Presidential electors, Governor, Lieutenant
307 Governor, Secretary of the State, Treasurer, Comptroller, Attorney
308 General, United States senator, representative in Congress, state
309 senator, judge of probate, state representative and registrars of voters
310 when said officers are to be chosen, as reported solely by the tabulator,
311 as provided in section 9-309, in the moderator's town and shall
312 immediately transmit such preliminary list to the Secretary of the State
313 by electronic means as prescribed by the Secretary not later than
314 midnight on election day. Once the preliminary list has been transmitted
315 to the Secretary, [of the State,] the moderator shall make a duplicate list
316 of the votes given in the moderator's town for each of the following
317 officers: Presidential electors, Governor, Lieutenant Governor, Secretary
318 of the State, Treasurer, Comptroller, Attorney General, United States
319 senator, representative in Congress, state senator, judge of probate, state
320 representative and registrars of voters when said officers are to be
321 chosen. Such duplicate list shall indicate the total number of names on
322 the official check list of such town and the total number of names
323 checked as having voted. The moderator shall transmit such duplicate
324 list to the Secretary [of the State] by electronic means as prescribed by
325 the Secretary [of the State] not later than forty-eight hours after the close
326 of the polls on election day. The moderator shall also seal and deliver
327 one of such duplicate lists to the [Secretary of the State] town clerk not
328 later than the third day after the election. Any such moderator who fails
329 to so transmit [or] to the Secretary, and deliver to the town clerk, such
330 duplicate list [to the Secretary of the State] by the time required shall
331 pay a late filing fee of fifty dollars. [The moderator shall also deliver one
332 of such duplicate lists to the clerk of such town.] The Secretary of the
333 State shall enter the returns in tabular form in books kept by the
334 Secretary for that purpose and present a printed report of the same, with
335 the name of, and the total number of votes received by, each of the
336 candidates for said offices, to the General Assembly at its next session.

337 (b) As used in this subsection, "moderator" means the moderator of
338 each municipal election in each town not divided into voting districts,

339 and the head moderator in each town divided into voting districts. The
340 moderator shall make a preliminary list of the votes given for each
341 municipal office elected at such municipal election, as reported solely
342 by the tabulator, as provided in section 9-309, in the moderator's town
343 and shall immediately transmit such preliminary list to the Secretary of
344 the State by electronic means as prescribed by the Secretary not later
345 than midnight on election day. Once the preliminary list has been
346 transmitted to the Secretary, ~~[of the State,]~~ the moderator shall make a
347 duplicate list of the votes given in the moderator's town for each
348 municipal office elected at such municipal election. Such duplicate list
349 shall indicate the total number of names on the official check list of such
350 town and the total number of names checked as having voted and shall
351 be on a form prescribed by the Secretary of the State. The moderator
352 shall transmit such duplicate list to the Secretary ~~[of the State]~~ by
353 electronic means as prescribed by the Secretary ~~[of the State]~~ not later
354 than forty-eight hours after the close of the polls on election day. The
355 moderator shall also seal and deliver one of such duplicate lists to the
356 ~~[Secretary of the State]~~ town clerk not later than the third day after the
357 election. Any such moderator who fails to so transmit ~~[or] to the~~
358 Secretary, and deliver to the town clerk, such duplicate list ~~[to the~~
359 ~~Secretary of the State]~~ by the time required shall pay a late filing fee of
360 fifty dollars. ~~[The moderator shall also deliver one of such duplicate lists~~
361 ~~to the clerk of such town.]~~

362 Sec. 17. Subsection (a) of section 9-322a of the general statutes is
363 repealed and the following is substituted in lieu thereof (*Effective from*
364 *passage*):

365 (a) Not later than forty-eight hours following each regular election,
366 the registrars of voters shall provide the results of the votes cast at such
367 election to the town clerk. Not later than nine o'clock a.m. on the third
368 day following each regular election, the head moderator, registrars of
369 voters and town clerk for each town divided into voting districts shall
370 meet to identify any error in the returns. Not later than one o'clock p.m.
371 on the third day following each regular election, the head moderator
372 shall (1) correct any error identified, ~~[and]~~ (2) electronically file an

373 amended return with the Secretary of the State, and (3) deliver to the
 374 town clerk and the registrars of voters each a duplicate of such amended
 375 return.

376 Sec. 18. Subsection (b) of section 9-1 and sections 9-15a and 9-192b of
 377 the general statutes are repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-16
Sec. 2	<i>from passage</i>	9-17a
Sec. 3	<i>from passage</i>	9-311
Sec. 4	<i>from passage</i>	9-358
Sec. 5	<i>from passage</i>	9-362
Sec. 6	<i>from passage</i>	9-35(a) and (b)
Sec. 7	<i>from passage</i>	9-35a
Sec. 8	<i>from passage</i>	9-39
Sec. 9	<i>from passage</i>	9-172b
Sec. 10	<i>from passage</i>	9-192a(d)
Sec. 11	<i>from passage</i>	9-192a(a)(3)
Sec. 12	<i>from passage</i>	9-249(b)
Sec. 13	<i>from passage</i>	9-233
Sec. 14	<i>from passage</i>	9-232n
Sec. 15	<i>from passage</i>	9-311(c)
Sec. 16	<i>from passage</i>	9-314
Sec. 17	<i>from passage</i>	9-322a(a)
Sec. 18	<i>from passage</i>	Repealer section

Statement of Purpose:

To revise or repeal certain election administration laws concerning (1) admission of electors and maintenance of registry lists, (2) training of certain election officials, (3) residential status of tabulator tenders, and (4) delivery of election returns to the Secretary of the State, town clerks and registrars of voters.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]