



General Assembly

January Session, 2021

**Raised Bill No. 6464**

LCO No. 3545



Referred to Committee on GOVERNMENT  
ADMINISTRATION AND ELECTIONS

Introduced by:  
(GAE)

**AN ACT EXTENDING TO MAY 31, 2021, SEVERAL CHANGES  
IMPLEMENTED FOR THE 2020 STATE ELECTION AS A RESULT OF  
COVID-19.**

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

1 Section 1. Section 9-135 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Any elector eligible to vote at a primary or an election and any  
4 person eligible to vote at a referendum may vote by absentee ballot if  
5 such elector or person is unable to appear at such elector's or person's  
6 polling place during the hours of voting for any of the following reasons:  
7 (1) Such elector's or person's active service with the armed forces of the  
8 United States; (2) such elector's or person's absence from the town of  
9 such elector's or person's voting residence during all of the hours of  
10 voting; (3) such elector's or person's illness; (4) such elector's or person's  
11 physical disability; (5) the tenets of such elector's or person's religion  
12 forbid secular activity on the day of the primary, election or referendum;  
13 (6) the required performance of such elector's or person's duties as a

14 primary, election or referendum official, including as a town clerk or  
15 registrar of voters or as staff of the clerk or registrar, at a polling place  
16 other than such elector's or person's own during all of the hours of  
17 voting at such primary, election or referendum; or (7) for the state  
18 election in 2020, and any election, primary or referendum held on or  
19 after the effective date of this section but prior to June 1, 2021, the  
20 sickness of COVID-19. As used in this section, "COVID-19" means the  
21 respiratory disease designated by the World Health Organization on  
22 February 11, 2020, as coronavirus 2019, and any related mutation thereof  
23 recognized by said organization as a communicable respiratory disease.

24 (b) No person shall misrepresent the eligibility requirements for  
25 voting by absentee ballot prescribed in subsection (a) of this section, to  
26 any elector or prospective absentee ballot applicant.

27 Sec. 2. Section 9-137 of the general statutes is repealed and the  
28 following is substituted in lieu thereof (*Effective from passage*):

29 (a) Each absentee ballot shall be returned to the municipal clerk,  
30 inserted in an inner envelope which shall be capable of being sealed and  
31 which shall have printed on its face a form containing the following  
32 statements:

33 "I hereby state under the penalties of false statement in absentee  
34 balloting that I am eligible to vote at the primary, election or referendum  
35 in the municipality in which this absentee ballot is to be cast and that I  
36 expect to be unable to appear at my polling place during the hours of  
37 voting at such primary, election or referendum for one or more of the  
38 following reasons: (1) My active service in the armed forces; (2) my  
39 absence from the town in which I am eligible to vote during all of the  
40 hours of voting; (3) my illness or physical disability; (4) the tenets of my  
41 religion which forbid secular activity on the day of the primary, election  
42 or referendum; or (5) my duties as a primary, election or referendum  
43 official.

44 Date ....

45 .... (Signature)"

46 (b) Notwithstanding the provisions of subsection (a) of this section,  
47 for the state election in 2020, and any election, primary or referendum  
48 held on or after the effective date of this section but prior to June 1, 2021,  
49 each inner envelope in which an absentee ballot is returned to the  
50 municipal clerk shall have printed on its face a form containing the  
51 following statements:

52 "I hereby state under the penalties of false statement in absentee  
53 balloting that I am eligible to vote at the primary, election or referendum  
54 in the municipality in which this absentee ballot is to be cast and that I  
55 expect to be unable to appear at my polling place during the hours of  
56 voting at such primary, election or referendum for one or more of the  
57 following reasons: (1) My active service in the armed forces; (2) my  
58 absence from the town in which I am eligible to vote during all of the  
59 hours of voting; (3) my illness or physical disability; (4) the tenets of my  
60 religion which forbid secular activity on the day of the primary, election  
61 or referendum; (5) my duties as a primary, election or referendum  
62 official; or (6) the sickness of COVID-19.

63 Date ....

64 .... (Signature)"

65 Sec. 3. Section 9-139b of the general statutes is repealed and the  
66 following is substituted in lieu thereof (*Effective from passage*):

67 (a) The Secretary of the State may make any changes in any forms  
68 prescribed by this chapter which, in the opinion of the Secretary, are  
69 necessary to conform to the applicable provisions of federal law.

70 (b) For the state election in 2020, and any election, primary or  
71 referendum held on or after the effective date of this section but prior to  
72 June 1, 2021, the Secretary of the State may make any changes in any  
73 forms prescribed by this chapter or in any printed, recorded or  
74 electronic material issued pursuant to this chapter which, in the opinion

75 of the Secretary, are necessary to conform to the applicable provisions  
76 of law.

77 Sec. 4. Subsection (g) of section 9-140 of the general statutes is  
78 repealed and the following is substituted in lieu thereof (*Effective from*  
79 *passage*):

80 (g) (1) On the first day of issuance of absentee voting sets the  
81 municipal clerk shall mail an absentee voting set to each applicant  
82 whose application was received by the clerk prior to that day. When the  
83 clerk receives an application during the time period in which absentee  
84 voting sets are to be issued he shall mail an absentee voting set to the  
85 applicant, within twenty-four hours, unless the applicant submits his  
86 application in person at the office of the clerk and asks to be given his  
87 absentee voting set immediately, in which case the clerk shall comply  
88 with the request. Any absentee voting set to be mailed to an applicant  
89 shall be mailed to the bona fide personal mailing address shown on the  
90 application. Issuance of absentee voting sets shall also be subject to the  
91 provisions of subsection (c) of this section, section 9-150c and section 9-  
92 159q concerning persons designated to deliver or return ballots in cases  
93 involving unforeseen illness or disability and supervised voting at  
94 certain health care institutions.

95 (2) Notwithstanding the provisions of subdivision (1) of this  
96 subsection, for the state election in 2020, and any election, primary or  
97 referendum held on or after the effective date of this section but prior to  
98 June 1, 2021, each absentee voting set required to be mailed to an  
99 applicant under said subdivision (A) shall be mailed by the municipal  
100 clerk within forty-eight hours after the application for such absentee  
101 voting set is received by the clerk, or (B) may be mailed by a third-party  
102 mailing vendor approved and selected by the Secretary of the State for  
103 use by the municipal clerk for such purpose, provided any contract  
104 between the Secretary of the State and any such vendor shall require  
105 that such vendor mail each absentee voting set within seventy-two  
106 hours after the application for such absentee voting set is received by  
107 such vendor from the clerk.

108 Sec. 5. Subsection (c) of section 9-140b of the general statutes is  
109 repealed and the following is substituted in lieu thereof (*Effective from*  
110 *passage*):

111 (c) (1) For purposes of this section, "mailed" means (A) sent by the  
112 United States Postal Service or any commercial carrier, courier or  
113 messenger service recognized and approved by the Secretary of the  
114 State, or (B) for the state election in 2020, and any election, primary or  
115 referendum held on or after the effective date of this section but prior to  
116 June 1, 2021, deposited in a secure drop box designated by the municipal  
117 clerk for such purpose, in accordance with instructions prescribed by  
118 the Secretary.

119 (2) (A) In the case of absentee ballots mailed under subparagraph (B)  
120 of subdivision (1) of this subsection, beginning on the twenty-ninth day  
121 before the state election in 2020 and on each weekday thereafter until  
122 the close of the polls, the municipal clerk shall [(A)] (i) retrieve from the  
123 secure drop box described in said subparagraph each such ballot  
124 deposited in such drop box, and [(B)] (ii) if the drop box is located  
125 outside a building other than the building where the clerk's office is  
126 located, arrange for the clerk or the clerk's designee to be escorted by a  
127 police officer during such retrieval.

128 (B) In the case of absentee ballots mailed under subparagraph (B) of  
129 subdivision (1) of this subsection, beginning on the twenty-ninth day  
130 before any election, primary or referendum held on or after the effective  
131 date of this section but prior to June 1, 2021, and on each weekday  
132 thereafter until the close of the polls at such election, primary or  
133 referendum, the municipal clerk shall retrieve from the secure drop box  
134 described in said subparagraph each such ballot deposited in such drop  
135 box.

136 Sec. 6. Section 9-159r of the general statutes is repealed and the  
137 following is substituted in lieu thereof (*Effective from passage*):

138 (a) Notwithstanding any provision of the general statutes to the

139 contrary, if twenty or more of the patients in any institution in the state  
140 are electors, absentee ballots voted by such electors shall be voted under  
141 the supervision of the registrars of voters or their designees of the town  
142 in which the institution is located, in accordance with the provisions of  
143 this section. As used in this section, "institution" has the same meaning  
144 as provided in section 9-159q.

145 (b) Application for an absentee ballot for any such patient shall be  
146 made to the clerk of the town in which such patient is eligible to vote.  
147 The application procedure set forth in section 9-140, as amended by this  
148 act, shall apply, except that the clerk shall deliver the absentee voting  
149 set for any such application to the clerk of the town in which the  
150 institution is located, who shall deliver all such voting sets he receives  
151 to the registrars of such town, on the date when the supervision of  
152 absentee balloting is to occur. The ballots and envelopes shall be  
153 prepared for delivery to the applicant as provided in sections 9-137 to 9-  
154 140a, inclusive, as amended by this act. The registrars or their designees  
155 shall furnish the town clerk a written receipt for such ballots. The  
156 registrars of the town in which an institution is located and the  
157 administrator of the institution shall mutually agree on a date and time  
158 for such supervision of absentee balloting, which shall be not later than  
159 the last business day before the election or primary.

160 (c) The supervision of absentee balloting under this section shall be  
161 carried out in accordance with the provisions of subsections (g), (h), (i)  
162 and (k) of section 9-159q.

163 (d) (1) Notwithstanding the provisions of subsections (a) to (c),  
164 inclusive, of this section, for the state election in 2020, the Secretary of  
165 the State may waive any requirement under said subsections, provided  
166 the Secretary [(1)] (A) waives such requirement in recognition of the  
167 public health and civil preparedness emergency declared by the  
168 Governor on March 10, 2020, and has consulted with the Commissioner  
169 of Public Health or said commissioner's designee regarding such  
170 waiver, [(2)] (B) has given written notice to the town clerk and registrars  
171 of voters in each municipality, and [(3)] (C) has submitted a report, in

172 accordance with section 11-4a, to the joint standing committee of the  
173 General Assembly having cognizance of matters relating to elections  
174 advising of such waiver and specifying alternative actions to be taken to  
175 provide opportunities for absentee voting by electors described in this  
176 section.

177 (2) Notwithstanding the provisions of subsections (a) to (c), inclusive,  
178 of this section, for any election or primary held on or after the effective  
179 date of this section but prior to June 1, 2021, the Secretary of the State  
180 may waive any requirement under said subsections, provided the  
181 Secretary (A) waives such requirement in recognition of the public  
182 health and civil preparedness emergency declared by the Governor on  
183 March 10, 2020, and has consulted with the Commissioner of Public  
184 Health or said commissioner's designee regarding such waiver, and (B)  
185 has given written notice to the town clerk and registrars of voters in each  
186 municipality.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-135
Sec. 2	<i>from passage</i>	9-137
Sec. 3	<i>from passage</i>	9-139b
Sec. 4	<i>from passage</i>	9-140(g)
Sec. 5	<i>from passage</i>	9-140b(c)
Sec. 6	<i>from passage</i>	9-159r

**GAE**      *Joint Favorable*