



General Assembly

February Session, 2024

Raised Bill No. 390

LCO No. 2713



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING PENALTIES FOR CERTAIN ELECTION
CRIMES.***

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

1 Section 1. Section 9-352 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2024*):

3 Any election official who, with intent to cause or permit any voting
4 tabulator to fail to correctly register all votes cast thereon, tampers with
5 or disarranges such tabulator in any way or any part or appliance
6 thereof, or causes such tabulator to be used or consents to its being used
7 for voting at any election with knowledge of the fact that the same is not
8 in order, or not perfectly set and adjusted to correctly register all votes
9 cast thereon, or who, for the purpose of defrauding or deceiving any
10 elector or of causing it to be doubtful for what candidate or candidates
11 or proposition any vote is cast, or causing it to appear upon such
12 tabulator that votes cast for one candidate or proposition were cast for
13 another candidate or proposition, removes, changes or mutilates any
14 ballot shall be guilty of a class D felony with a minimum term of

15 imprisonment of twelve months that may not be suspended or reduced.

16 Sec. 2. Section 9-353 of the general statutes is repealed and the
17 following is substituted in lieu thereof (*Effective October 1, 2024*):

18 Any election official who, at the close of the polls, purposely causes
19 the vote registered on the tabulator to be incorrectly taken down as to
20 any candidate or proposition voted on, or who knowingly causes to be
21 made or signed any false statement, certificate or return of any kind, of
22 such vote, or who knowingly consents to any such act, shall be guilty of
23 a class D felony with a minimum term of imprisonment of twelve
24 months that may not be suspended or reduced.

25 Sec. 3. Section 9-354 of the general statutes is repealed and the
26 following is substituted in lieu thereof (*Effective October 1, 2024*):

27 Any person who prints or causes to be printed upon any official ballot
28 the name of any person not a candidate of a party whose name is printed
29 at the head of the column containing such nominees or who prints or
30 causes to be printed any authorized ballot in any manner other than that
31 prescribed by the Secretary of the State shall be guilty of a class D felony
32 with a minimum term of imprisonment of twelve months that may not
33 be suspended or reduced.

34 Sec. 4. Section 9-355 of the general statutes is repealed and the
35 following is substituted in lieu thereof (*Effective October 1, 2024*):

36 Any person who, without reasonable cause, neglects to perform any
37 of the duties required of him by the laws relating to elections or
38 primaries and for which neglect no other punishment is provided, and
39 any person who is guilty of fraud in the performance of any such duty,
40 and any person who makes any unlawful alteration in any list required
41 by law, shall be fined not more than three hundred dollars or be
42 imprisoned not more than [one year] twelve months or be both fined
43 and imprisoned. Any official who is convicted of fraud in the
44 performance of any duty imposed upon him by any law relating to the
45 registration or admission of electors or to the conduct of any election

46 shall be disfranchised. Any public officer or any election official upon
47 whom any duty is imposed by part I of chapter 147 and sections 9-308
48 to 9-311, inclusive, who wilfully omits or neglects to perform any such
49 duty or does any act prohibited therein for which punishment is not
50 otherwise provided shall be guilty of a class E felony with a minimum
51 term of imprisonment of twelve months that may not be suspended or
52 reduced.

53 Sec. 5. Section 9-359 of the general statutes is repealed and the
54 following is substituted in lieu thereof (*Effective October 1, 2024*):

55 (a) Any [(1)] person who executes an absentee ballot for the purpose
56 of informing any other person how he votes, or procures any absentee
57 ballot to be prepared for such purpose [, (2)] shall be guilty of a class D
58 felony.

59 (b) Any (1) municipal clerk or moderator, elector appointed to count
60 any absentee ballot or other person who wilfully attempts to ascertain
61 how any elector marked his absentee ballot or how it was cast, [(3)] (2)
62 person who unlawfully opens or fills out, except as provided in section
63 9-140a with respect to a person unable to write, any elector's absentee
64 ballot signed in blank, [(4)] (3) person designated under section 9-140a
65 who executes an absentee ballot contrary to the elector's wishes, or [(5)]
66 (4) person who wilfully violates any provision of chapter 145, shall be
67 guilty of a class D felony with a minimum term of imprisonment of
68 twelve months that may not be suspended or reduced.

69 Sec. 6. Section 9-359a of the general statutes is repealed and the
70 following is substituted in lieu thereof (*Effective October 1, 2024*):

71 (a) (1) A person is guilty of false statement in absentee balloting in the
72 first degree when such person intentionally signs the name of another
73 person to the application for an absentee ballot or the inner envelope
74 accompanying any such ballot, which such person does not believe to
75 be true and which signature is intended to mislead a public servant in
76 the performance of such public servant's official function.

77 (2) False statement in absentee balloting in the first degree is a class
78 D felony with a minimum term of imprisonment of twelve months that
79 may not be suspended or reduced.

80 (b) (1) A person is guilty of false statement in absentee balloting in
81 the second degree when [he] such person intentionally makes a false
82 written statement in or on [or signs the name of another person to] the
83 application for an absentee ballot or the inner envelope accompanying
84 any such ballot, which [he] such person does not believe to be true and
85 which statement [or signature] is intended to mislead a public servant
86 in the performance of [his] such public servant's official function.

87 [(b)] (2) False statement in absentee balloting in the second degree is
88 a class D felony.

89 Sec. 7. Section 9-363 of the general statutes is repealed and the
90 following is substituted in lieu thereof (*Effective October 1, 2024*):

91 Any person who, with intent to defraud any elector of his or her vote
92 or cause any elector to lose his or her vote or any part thereof, gives in
93 any way, or prints, writes or circulates, or causes to be written, printed
94 or circulated, any improper, false, misleading or incorrect instructions
95 or advice or suggestions as to the manner of voting on any tabulator, the
96 following of which or any part of which would cause any elector to lose
97 his or her vote or any part thereof, or would cause any elector to fail in
98 whole or in part to register or record the same on the tabulator for the
99 candidates of his or her choice, shall be guilty of a class D felony with a
100 minimum term of imprisonment of twelve months that may not be
101 suspended or reduced.

102 Sec. 8. Section 9-364 of the general statutes is repealed and the
103 following is substituted in lieu thereof (*Effective October 1, 2024*):

104 Any person who, with intent to disenfranchise any elector, influences
105 or attempts to influence by force or threat, bribery or corrupt, fraudulent
106 or deliberately deceitful means any elector to stay away from any
107 election shall be guilty of a class D felony with a minimum term of

108 imprisonment of twelve months that may not be suspended or reduced.

109 Sec. 9. Section 9-365 of the general statutes is repealed and the
110 following is substituted in lieu thereof (*Effective October 1, 2024*):

111 Any person who (1) during the period that is sixty days or less prior
112 to any election, municipal meeting, school district election or school
113 district meeting, attempts to influence the vote of any operative in his or
114 her employ by threats of withholding employment from him or her or
115 by promises of employment, or (2) dismisses any operative from his or
116 her employment on account of any vote he or she has given at any such
117 election or meeting shall be guilty of a class D felony with a minimum
118 term of imprisonment of twelve months that may not be suspended or
119 reduced.

120 Sec. 10. Section 9-366 of the general statutes is repealed and the
121 following is substituted in lieu thereof (*Effective October 1, 2024*):

122 Any person who induces or attempts to induce any elector to write,
123 paste or otherwise place, on a ballot, or a table or booth used for voting,
124 any name, sign or device of any kind, as a distinguishing mark by which
125 to indicate to another how such elector voted, or enters into or attempts
126 to form any agreement or conspiracy with any person to induce or
127 attempt to induce electors or any elector to so place any distinguishing
128 mark on such ballot, table or booth, or attempts to induce any elector to
129 do anything with a view to enabling another person to see or know for
130 what persons or any of them such elector votes, or enters into or
131 attempts to form any agreement or conspiracy to induce any elector to
132 do any act for the purpose of enabling another person or persons to see
133 or know for what person or persons such elector votes, or attempts to
134 induce any person to place himself or herself in such position, or to do
135 any other act for the purpose of enabling him or her to see or know for
136 what candidates any elector other than himself or herself votes, or
137 himself or herself attempts to get in such position to do any act so that
138 he or she will be enabled to see or know how any elector other than
139 himself or herself votes, or does any act which invades or interferes with

140 the secrecy of the voting or causes the same to be invaded or interfered
141 with, shall be guilty of a class D felony with a minimum term of
142 imprisonment of twelve months that may not be suspended or reduced.

143 Sec. 11. Section 9-368c of the 2024 supplement to the general statutes
144 is repealed and the following is substituted in lieu thereof (*Effective*
145 *October 1, 2024*):

146 (a) No person shall intentionally misrepresent the contents of a
147 petition circulated under this title.

148 (b) Any person who violates any provision of this section shall be
149 guilty of a class D felony with a minimum term of imprisonment of
150 twelve months that may not be suspended or reduced.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	9-352
Sec. 2	<i>October 1, 2024</i>	9-353
Sec. 3	<i>October 1, 2024</i>	9-354
Sec. 4	<i>October 1, 2024</i>	9-355
Sec. 5	<i>October 1, 2024</i>	9-359
Sec. 6	<i>October 1, 2024</i>	9-359a
Sec. 7	<i>October 1, 2024</i>	9-363
Sec. 8	<i>October 1, 2024</i>	9-364
Sec. 9	<i>October 1, 2024</i>	9-365
Sec. 10	<i>October 1, 2024</i>	9-366
Sec. 11	<i>October 1, 2024</i>	9-368c

Statement of Purpose:

To provide that certain felony violations of election laws shall carry a penalty of a minimum term of imprisonment of twelve months that may not be suspended or reduced.

[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.]