



General Assembly

February Session, 2020

***Raised Bill No. 477***

LCO No. 2835



Referred to Committee on GOVERNMENT ADMINISTRATION  
AND ELECTIONS

Introduced by:  
(GAE)

***AN ACT CONCERNING ELIGIBILITY FOR ADMISSION AS AN  
ELECTOR AND CERTAIN ASSISTANCE IN VOTING.***

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

1 Section 1. Section 9-12 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Each citizen of the United States who has attained the age of  
4 eighteen years, and who is a bona fide resident of the town to which the  
5 citizen applies for admission as an elector shall, on approval by the  
6 registrars of voters or town clerk of the town of residence of such citizen,  
7 as prescribed by law, be an elector, except as provided in subsection (b)  
8 of this section. Prior to admission as an elector, any such citizen who has  
9 a developmental disability, as determined by a licensed physician who  
10 specializes in primary care, or the citizen's legal representative, shall  
11 certify under oath that the citizen meets the qualifications set forth in  
12 this subsection. For purposes of this section, (1) a person shall be  
13 deemed to have attained the age of eighteen years on the day of the  
14 person's eighteenth birthday, [and] (2) a person shall be deemed to be a

15 bona fide resident of the town to which the citizen applies for admission  
16 as an elector if such person's dwelling unit is located within the  
17 geographic boundaries of such town, [No mentally incompetent person  
18 shall be admitted as an elector] and (3) "legal representative" has the  
19 same meaning as provided in section 17a-488.

20 (b) Any citizen who will have attained the age of eighteen years on or  
21 before the day of a regular election may apply for admission as an  
22 elector. At the time of such application, any such citizen who has a  
23 developmental disability, as determined by a licensed physician who  
24 specializes in primary care, or the citizen's legal representative, shall  
25 certify under oath that the citizen meets each other qualification set forth  
26 in subsection (a) of this section. If such citizen is found to be qualified,  
27 the citizen shall become an elector on the day of the citizen's eighteenth  
28 birthday. The registrars shall add the name of any person applying  
29 under this subsection, if found qualified, to the registry list and, if  
30 applicable, to the enrollment list, together with the effective date of his  
31 registration. The registrars may place the name of each such person at  
32 the end of the registry and enrollment lists for the voting district.

33 Sec. 2. Section 9-261 of the general statutes is repealed and the  
34 following is substituted in lieu thereof (*Effective from passage*):

35 (a) In each primary, election or referendum, when an elector has  
36 entered the polling place, the elector shall announce the elector's street  
37 address, if any, and the elector's name to the official checker or checkers  
38 in a tone sufficiently loud and clear as to enable all the election officials  
39 present to hear the same. Each elector who registered to vote by mail for  
40 the first time on or after January 1, 2003, and has a "mark" next to the  
41 elector's name on the official registry list, as required by section 9-23r,  
42 shall present to the official checker or checkers, before the elector votes,  
43 either a current and valid photo identification that shows the elector's  
44 name and address or a copy of a current utility bill, bank statement,  
45 government check, paycheck or other government document that shows  
46 the name and address of the elector. Each other elector shall (1) present  
47 to the official checker or checkers the elector's Social Security card or any

48 other preprinted form of identification which shows the elector's name  
49 and either the elector's address, signature or photograph, or (2) on a  
50 form prescribed by the Secretary of the State, write the elector's  
51 residential address and date of birth, print the elector's name and sign a  
52 statement under penalty of false statement that the elector is the elector  
53 whose name appears on the official checklist. Such form shall clearly  
54 state the penalty of false statement. A separate form shall be used for  
55 each elector. If the elector presents a preprinted form of identification  
56 under subdivision (1) of this subsection, the official checker or checkers  
57 shall check the name of such elector on the official checklist, manually  
58 on paper or electronically. If the elector completes the form under  
59 subdivision (2) of this subsection, the registrar of voters or the assistant  
60 registrar of voters, as the case may be, shall examine the information on  
61 such form and either instruct the official checker or checkers to check  
62 the name of such elector on the official checklist, manually on paper or  
63 electronically, or notify the elector that the form is incomplete or  
64 inaccurate.

65 (b) In the event that an elector is present at the polling place but is  
66 unable to gain access to the polling place due to a temporary incapacity,  
67 the elector may request that the ballot be brought to him or her. The  
68 registrars of voters or the assistant registrars of voters, as the case may  
69 be, shall take such ballot, along with a privacy sleeve to such elector.  
70 The elector shall show identification, in accordance with the provisions  
71 of this section. The elector shall forthwith mark the ballot in the presence  
72 of the election officials in such manner that the election officials shall not  
73 know how the ballot is marked. The elector shall place the ballot in the  
74 privacy sleeve. The election officials shall mark the elector's name on the  
75 official voter list, manually on paper or electronically, as having voted  
76 in person and deliver such ballot and privacy sleeve to the voting  
77 tabulator where such ballot shall be placed into the tabulator, by the  
78 election official, for counting. The moderator shall record such activity  
79 in the moderator's diary.

80 (c) In each polling place in which two or more parties are holding  
81 primaries in which unaffiliated electors are authorized to vote, pursuant

82 to section 9-431, an unaffiliated elector shall also announce to the  
83 separate table of the official checker or checkers for unaffiliated electors  
84 the party in whose primary the elector chooses to vote and the official  
85 checker or checkers shall note such party when checking such elector's  
86 name on the checklist of unaffiliated electors, manually on paper or  
87 electronically, provided such choice shall not alter the elector's  
88 unaffiliated status.

89 (d) In each polling place in which two or more parties are holding  
90 primaries in which unaffiliated electors are authorized to vote or in  
91 which one party is holding a primary in which unaffiliated electors are  
92 authorized to vote for some but not all offices to be contested at the  
93 primary, the official checker or checkers shall give to each elector  
94 checked manually on paper or electronically, a receipt provided by the  
95 registrars of voters, in a form prescribed by the Secretary of the State,  
96 specifying either (1) the party with which the elector is enrolled, if any,  
97 or (2) in the case of an unaffiliated elector, the party in whose primary  
98 the elector has so chosen to vote, and whether the elector is authorized  
99 to vote for only a partial ballot.

100 (e) If not challenged by anyone lawfully present in the polling place,  
101 the elector shall be permitted to pass to the separated area to receive the  
102 ballot. The elector shall give any receipt the elector has received to a  
103 ballot clerk who shall give the elector a ballot to vote only in the primary  
104 of the party specified by the receipt. The elector shall be permitted into  
105 the voting booth area, and shall then register his or her vote in secret,  
106 except as provided in subsection (f) of this section. Having voted, the  
107 elector shall immediately exit the voting booth area and deposit the  
108 ballot in the voting tabulator and leave the room. No elector shall remain  
109 within the voting booth longer than the time necessary to complete the  
110 ballot, and, if the elector refuses to leave such booth after completing the  
111 ballot, the elector shall at once be removed by the election officials upon  
112 order of the moderator. Not more than one elector at a time shall be  
113 permitted to be within the enclosed space which the elector occupies  
114 while the elector completes his or her ballot, [provided] except that an  
115 elector may be accompanied within such enclosed space by (1) one or

116 more children who are fifteen years of age or younger and supervised  
117 by the elector, if the elector is the parent or legal guardian of such  
118 children, or (2) an elector with a developmental disability, as described  
119 in section 9-12, as amended by this act, pursuant to subsection (f) of this  
120 section. If any elector, after entering the voting booth area, asks for  
121 further instruction concerning the manner of voting, the election  
122 officials shall give such instructions or directions to the elector; but no  
123 election official instructing or assisting an elector, except as provided in  
124 section 9-264, shall look at the ballot in such a way as to see the elector's  
125 markings or in any manner seek to influence any such elector in the  
126 casting of the elector's vote.

127 (f) In the case of an elector with a developmental disability, as  
128 described in section 9-12, as amended by this act, the legal  
129 representative of such elector may assist such elector in performing any  
130 action under this section, provided such legal representative shall  
131 present to the registrar of voters or assistant registrar of voters, as the  
132 case may be, information sufficient to prove such a relationship with  
133 such elector.

134 Sec. 3. Section 9-19j of the general statutes is repealed and the  
135 following is substituted in lieu thereof (*Effective from passage*):

136 (a) As used in this subsection and subsections (b) to [(i)] (j), inclusive,  
137 of this section, "election day" means the day on which a regular election,  
138 as defined in section 9-1, is held.

139 (b) Notwithstanding the provisions of this chapter, a person who (1)  
140 is (A) not an elector, or (B) an elector registered in a municipality who  
141 wishes to change his or her registration to another municipality  
142 pursuant to the provisions of subdivision (2) of subsection (e) of this  
143 section, and (2) meets the eligibility requirements under subsection (a)  
144 of section 9-12, as amended by this act, may apply for admission as an  
145 elector on election day pursuant to the provisions of subsections (a) to  
146 [(i)] (j), inclusive, of this section.

147 (c) (1) The registrars of voters shall designate a location for the

148 completion and processing of election day registration applications on  
149 election day, provided the registrars of voters have access to the state-  
150 wide centralized voter registration system from such location.

151 (2) The registrars of voters may appoint one or more election officials  
152 to serve at such location and may delegate to such election officials any  
153 of the responsibilities assigned to the registrars of voters. The registrars  
154 of voters shall supervise such election officials and train such election  
155 officials to be election day registration election officials.

156 (d) Any person applying to register on election day under the  
157 provisions of subsections (a) to [(i)] (j), inclusive, of this section shall  
158 make application in accordance with the provisions of section 9-20,  
159 provided (1) on election day, the applicant shall appear in person at the  
160 location designated by the registrars of voters for election day  
161 registration, (2) an applicant who is a student enrolled at an institution  
162 of higher education may submit a current photo identification card  
163 issued by said institution in lieu of the identification required by section  
164 9-20, and (3) the applicant shall declare under oath that the applicant  
165 has not previously voted in the election. If the information that the  
166 applicant is required to provide under section 9-20 and subsections (a)  
167 to [(i)] (j), inclusive, of this section does not include proof of the  
168 applicant's residential address, the applicant shall also submit  
169 identification that shows the applicant's bona fide residence address,  
170 including, but not limited to, a learner's permit issued under section 14-  
171 36 or a utility bill that has the applicant's name and current address and  
172 that has a due date that is not later than thirty days after the election or,  
173 in the case of a student enrolled at an institution of higher education, a  
174 registration or fee statement from such institution that has the  
175 applicant's name and current address.

176 (e) If the registrars of voters determine that an applicant satisfies the  
177 application requirements set forth in subsection (d) of this section, the  
178 registrars of voters shall check the state-wide centralized voter  
179 registration system before admitting such applicant as an elector.

180 (1) If the registrars of voters determine that the applicant is not  
181 already an elector, the registrars of voters shall admit the applicant as  
182 an elector and the privileges of an elector shall attach immediately.

183 (2) If the registrars of voters determine that such applicant is an  
184 elector in another municipality and such applicant states that he or she  
185 wants to change the municipality in which the applicant is an elector,  
186 notwithstanding the provisions of section 9-21, the registrars of voters  
187 of the municipality in which such elector now seeks to register shall  
188 immediately notify the registrars of voters in such other municipality  
189 that such elector is changing the municipality in which the applicant is  
190 an elector. The registrars of voters in such other municipality shall notify  
191 the election officials in such municipality to remove such elector from  
192 the official voter list of such municipality. Such election officials shall  
193 cross through the elector's name on such official voter list and mark "off"  
194 next to such elector's name on such official voter list.

195 (A) If it is reported that such applicant already voted in such other  
196 municipality, the registrars of voters of such other municipality shall  
197 immediately notify the registrars of voters of the municipality in which  
198 such elector now seeks to register. In such event, such elector shall not  
199 receive an election day registration ballot from the registrars of voters  
200 of the municipality in which such elector now seeks to register. For any  
201 such elector, the election day registration process shall cease in the  
202 municipality in which such elector now seeks to register and such  
203 matter shall be reviewed by the registrars of voters in the municipality  
204 in which such elector now seeks to register. After completion of such  
205 review, if a resolution of the matter [can not] cannot be made, such  
206 matter shall be reported to the State Elections Enforcement Commission  
207 which shall conduct an investigation of the matter.

208 (B) If there is no such report that such applicant already voted in the  
209 other municipality, the registrars of voters of the municipality in which  
210 the applicant seeks to register shall admit the applicant as an elector and  
211 the privileges of an elector shall attach immediately.

212 (f) If the applicant is admitted as an elector, the registrars of voters  
213 shall provide the elector with an election day registration ballot and  
214 election day registration envelope and shall make a record of such  
215 issuance. The elector shall complete an affirmation imprinted upon the  
216 back of the envelope for an election day registration ballot and shall  
217 declare under oath that the applicant has not previously voted in the  
218 election. The affirmation shall be in the form substantially as follows and  
219 signed by the voter:

220 AFFIRMATION: I, the undersigned, do hereby state, under penalty  
221 of false statement, (perjury) that:

- 222 1. I am the person admitted here as an elector in the town indicated.
- 223 2. I am eligible to vote in the election indicated for today in the town  
224 indicated.
- 225 3. The information on my voter registration card is correct and  
226 complete.
- 227 4. I reside at the address that I have given to the registrars of voters.
- 228 5. If previously registered at another location, I have provided such  
229 address to the registrars of voters and hereby request cancellation of  
230 such prior registration.
- 231 6. I have not voted in person or by absentee ballot and I will not vote  
232 otherwise than by this ballot at this election.
- 233 7. I completed an application for an election day registration ballot  
234 and received an election day registration ballot.

235 .... (Signature of voter)

236 (g) The elector shall forthwith mark the election day registration  
237 ballot in the presence of the registrars of voters in such a manner that  
238 the registrars of voters shall not know how the election day registration  
239 ballot is marked. The elector shall place the election day registration



240 ballot in the election day registration ballot envelope provided, and  
241 deposit such envelope in a secured election day registration ballot  
242 depository receptacle. At the time designated by the registrars of voters  
243 and noticed to election officials, the registrars of voters shall transport  
244 such receptacle containing the election day registration ballots to the  
245 central location or polling place, pursuant to subsection (b) of section 9-  
246 147a, where absentee ballots are counted and such election day  
247 registration ballots shall be counted by the election officials present at  
248 such central location or polling place. A section of the head moderator's  
249 return shall show the number of election day registration ballots  
250 received from electors. The registrars of voters shall seal a copy of the  
251 vote tally for election day registration ballots in a depository envelope  
252 with the election day registration ballots and store such election day  
253 registration depository envelope with the other election results  
254 materials. The election day registration depository envelope shall be  
255 preserved by the registrars of voters for the period of time required to  
256 preserve counted ballots for elections.

257 (h) The provisions of the general statutes and regulations concerning  
258 procedures relating to the custody, control and counting of absentee  
259 ballots shall apply as nearly as possible, to the custody, control and  
260 counting of election day registration ballots under subsections (a) to [(i)]  
261 (j), inclusive, of this section.

262 (i) After the acceptance of an election day registration, the registrars  
263 of voters shall forthwith send a registration confirmation notice to the  
264 residential address of each applicant who is admitted as an elector on  
265 election day under subsections (a) to [(i)] (j), inclusive, of this section.  
266 Such confirmation shall be sent by first class mail with instructions on  
267 the envelope that it be returned if not deliverable at the address shown  
268 on the envelope. If a confirmation notice is returned undelivered, the  
269 registrars shall forthwith take the necessary action in accordance with  
270 section 9-35 or 9-43, as applicable, notwithstanding the May first  
271 deadline in section 9-35.

272 (j) In the case of an elector with a developmental disability, as

273 described in section 9-12, as amended by this act, the legal  
 274 representative of such elector may assist such elector in performing any  
 275 action under this section, provided such legal representative shall  
 276 present to the registrar of voters or election official appointed by such  
 277 registrar under this section, as the case may be, information sufficient to  
 278 prove such a relationship with such elector.

279 [(j)] (k) No person shall solicit in behalf of or in opposition to the  
 280 candidacy of another or himself or herself or in behalf of or in opposition  
 281 to any question being submitted at the election, or loiter or peddle or  
 282 offer any advertising matter, ballot or circular to another person within  
 283 a radius of seventy-five feet of any outside entrance in use as an entry  
 284 to the registrars' of voters designated location for election day  
 285 registration balloting or in any corridor, passageway or other approach  
 286 leading from any such outside entrance to such registrars' of voters  
 287 designated location or in any room opening upon any such corridor,  
 288 passageway or approach.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-12
Sec. 2	<i>from passage</i>	9-261
Sec. 3	<i>from passage</i>	9-19j

**Statement of Purpose:**

To (1) remove from the voter eligibility statute the restriction as to mental incompetence, (2) permit an individual with a diagnosed developmental disability to be admitted as, or preregistered to be, an elector if such individual or the legal representative thereof certifies under oath to the satisfaction of all voter eligibility requirements, and (3) permit such legal representative to assist such individual during the process of in-person voting at the polling place or registration and voting at an election day registration location.

*[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.]*