



General Assembly

February Session, 2020

Raised Bill No. 485

LCO No. 3022



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING VARIOUS PROCEDURES SURROUNDING
ABSENTEE VOTING.***

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

1 Section 1. Subsections (a) and (b) of section 9-159q of the general
2 statutes are repealed and the following is substituted in lieu thereof
3 (*Effective from passage*):

4 (a) As used in this section:

5 (1) "Institution" means a veterans' health care facility, residential care
6 home, health care facility for the handicapped, nursing home, rest home,
7 mental health facility, alcohol or drug treatment facility, an infirmary
8 operated by an educational institution for the care of its students, faculty
9 and employees or an assisted living facility; [and]

10 (2) "Public housing complex" means a complex of dwelling units
11 owned or managed by a housing authority; and

12 [(2)] (3) "Designee" means an elector of the same town and political

13 party as the appointing registrar of voters which elector is not an
 14 employee of (A) the institution at which supervised voting is conducted
 15 or, (B) the housing authority that owns or manages the public housing
 16 complex at which supervised voting is conducted.

17 (b) Notwithstanding any provision of the general statutes to the
 18 contrary, if less than twenty of the patients in any institution in the state
 19 are electors, absentee ballots voted by such electors shall, upon request
 20 of either registrar of voters in the town of such electors' voting residence
 21 or the administrator of such institution, be voted under the supervision
 22 of such registrars of voters or their designees, which may include one or
 23 more members of the League of Women Voters, in accordance with the
 24 provisions of this section. The registrars of voters of a town other than
 25 the town in which an institution is located may refuse a request by the
 26 administrator of such institution when, in their written opinion, the
 27 registrars agree that such request is unnecessary, in which case this
 28 section shall not apply. Such registrars shall inform the administrator
 29 and the town clerk of the electors' town of voting residence of their
 30 refusal.

31 Sec. 2. Subsection (l) of section 9-159q of the general statutes is
 32 repealed and the following is substituted in lieu thereof (*Effective from*
 33 *passage*):

34 (l) (1) Notwithstanding any provision of the general statutes, if a town
 35 clerk receives twenty or more absentee ballot applications from the same
 36 street address in a town, including, but not limited to, an apartment
 37 building or complex, absentee ballots voted by the electors submitting
 38 such applications may, at the discretion of the registrars of voters of such
 39 town, be voted under the supervision of such registrars of voters or their
 40 designees in accordance with the same procedures set forth in this
 41 section for supervised absentee voting at institutions.

42 (2) Notwithstanding any provision of the general statutes, if a town
 43 clerk receives thirty or more absentee ballot applications from the same
 44 public housing complex, as determined by the name of such complex,

45 in a town, absentee ballots voted by the electors submitting such
 46 applications shall be voted under the supervision of the registrars of
 47 voters of such town or their designees in accordance with the same
 48 procedures set forth in this section for supervised absentee voting at
 49 institutions.

50 Sec. 3. Section 9-359 of the general statutes is repealed and the
 51 following is substituted in lieu thereof (*Effective from passage*):

52 Any (1) person who executes an absentee ballot for the purpose of
 53 informing any other person how he votes, or procures any absentee
 54 ballot to be prepared for such purpose, (2) municipal clerk or moderator,
 55 elector appointed to count any absentee ballot or other person who
 56 wilfully attempts to ascertain how any elector marked his absentee
 57 ballot or how it was cast, (3) person who unlawfully opens or fills out,
 58 except as provided in section 9-140a with respect to a person unable to
 59 write, any elector's absentee ballot signed in blank, (4) person
 60 designated under section 9-140a who executes an absentee ballot
 61 contrary to the elector's wishes, [or] (5) state or municipal employee who
 62 is not a designee, as defined in subsection (b) of section 9-140b, and who
 63 is otherwise not authorized by any provision of the general statutes to
 64 possess a ballot or ballot envelope, or (6) person who wilfully violates
 65 any provision of chapter 145, shall be guilty of a class D felony.

66 Sec. 4. Section 9-323 of the general statutes is repealed and the
 67 following is substituted in lieu thereof (*Effective from passage*):

68 Any elector or candidate who claims that he or she is aggrieved by
 69 any ruling of any election official in connection with any election for
 70 presidential electors and for a senator in Congress and for
 71 representative in Congress or any of them, held in his or her town, or
 72 that there was a mistake in the count of the votes cast at such election
 73 for candidates for such electors, senator in Congress and representative
 74 in Congress, or any of them, at any voting district in his or her town, or
 75 any candidate for such an office or elector who claims that he or she is
 76 aggrieved by a violation of any provision of section 9-355, 9-357 to 9-361,

77 inclusive, 9-364, 9-364a or 9-365 in the casting of absentee ballots at such
 78 election, may bring his or her complaint to any judge of the Supreme
 79 Court, in which he or she shall set out the claimed errors of such election
 80 official, the claimed errors in the count or the claimed violations of said
 81 sections. In any action brought pursuant to the provisions of this section,
 82 the complainant shall file a certification attached to the complaint
 83 indicating that a copy of the complaint has been sent by first-class mail
 84 or delivered to the State Elections Enforcement Commission. If such
 85 complaint is made prior to such election, such judge shall proceed
 86 expeditiously to render judgment on the complaint and shall cause
 87 notice of the hearing to be given to the Secretary of the State and the
 88 State Elections Enforcement Commission. If such complaint is made
 89 subsequent to the election, it shall be brought not later than fourteen
 90 days after the election or, if such complaint is brought in response to the
 91 manual tabulation of paper ballots authorized pursuant to section 9-
 92 320f, such complaint shall be brought not later than seven days after the
 93 close of any such manual tabulation, and in either such circumstance,
 94 the judge shall forthwith order a hearing to be had upon such complaint,
 95 upon a day not more than five or less than three days from the making
 96 of such order, and shall cause notice of not less than three or more than
 97 five days to be given to any candidate or candidates whose election may
 98 be affected by the decision upon such hearing, to such election official,
 99 to the Secretary of the State, to the State Elections Enforcement
 100 Commission and to any other party or parties whom such judge deems
 101 proper parties thereto, of the time and place for the hearing upon such
 102 complaint. Such judge, with two other judges of the Supreme Court to
 103 be designated by the Chief Court Administrator, shall, on the day fixed
 104 for such hearing and without unnecessary delay, proceed to hear the
 105 parties. If sufficient reason is shown, such judges may order any voting
 106 tabulators to be unlocked, [or] any ballot boxes to be opened or any
 107 recanvass or audit materials to be produced and a recount of the votes
 108 cast, including absentee ballots, to be made. Such judges shall
 109 thereupon, in the case they, or any two of them, find any error in the
 110 rulings of the election official, any mistake in the count of such votes or
 111 any violation of said sections, certify the result of their finding or

112 decision, or the finding or decision of a majority of them, to the Secretary
 113 of the State before the first Monday after the second Wednesday in
 114 December. Such judges may order a new election or a change in the
 115 existing election schedule, provided such order complies with Section
 116 302 of the Help America Vote Act, P.L. 107-252, as amended from time
 117 to time. Such certificate of such judges, or a majority of them, shall be
 118 final upon all questions relating to the rulings of such election officials,
 119 to the correctness of such count and, for the purposes of this section
 120 only, such claimed violations, and shall operate to correct the returns of
 121 the moderators or presiding officers so as to conform to such finding or
 122 decision.

123 Sec. 5. Section 9-324 of the general statutes is repealed and the
 124 following is substituted in lieu thereof (*Effective from passage*):

125 Any elector or candidate who claims that such elector or candidate is
 126 aggrieved by any ruling of any election official in connection with any
 127 election for Governor, Lieutenant Governor, Secretary of the State, State
 128 Treasurer, Attorney General, State Comptroller or judge of probate, held
 129 in such elector's or candidate's town, or that there has been a mistake in
 130 the count of the votes cast at such election for candidates for said offices
 131 or any of them, at any voting district in such elector's or candidate's
 132 town, or any elector or any candidate for such an office who claims that
 133 such elector or candidate, as applicable, is aggrieved by a violation of
 134 any provision of section 9-355, 9-357 to 9-361, inclusive, 9-364, 9-364a or
 135 9-365 in the casting of absentee ballots at such election or any candidate
 136 for the office of Governor, Lieutenant Governor, Secretary of the State,
 137 State Treasurer, Attorney General or State Comptroller, who claims that
 138 such candidate is aggrieved by a violation of any provision of sections
 139 9-700 to 9-716, inclusive, may bring such elector's or candidate's
 140 complaint to any judge of the Superior Court, in which such elector or
 141 candidate shall set out the claimed errors of such election official, the
 142 claimed errors in the count or the claimed violations of said sections. In
 143 any action brought pursuant to the provisions of this section, the
 144 complainant shall send a copy of the complaint by first-class mail, or
 145 deliver a copy of the complaint by hand, to the State Elections

146 Enforcement Commission. If such complaint is made prior to such
147 election, such judge shall proceed expeditiously to render judgment on
148 the complaint and shall cause notice of the hearing to be given to the
149 Secretary of the State and the State Elections Enforcement Commission.
150 If such complaint is made subsequent to the election, it shall be brought
151 not later than fourteen days after the election or, if such complaint is
152 brought in response to the manual tabulation of paper ballots
153 authorized pursuant to section 9-320f, such complaint shall be brought
154 not later than seven days after the close of any such manual tabulation
155 and, in either such circumstance, such judge shall forthwith order a
156 hearing to be had upon such complaint, upon a day not more than five
157 nor less than three days from the making of such order, and shall cause
158 notice of not less than three nor more than five days to be given to any
159 candidate or candidates whose election may be affected by the decision
160 upon such hearing, to such election official, the Secretary of the State,
161 the State Elections Enforcement Commission and to any other party or
162 parties whom such judge deems proper parties thereto, of the time and
163 place for the hearing upon such complaint. Such judge shall, on the day
164 fixed for such hearing and without unnecessary delay, proceed to hear
165 the parties. If sufficient reason is shown, such judge may order any
166 voting tabulators to be unlocked, [or] any ballot boxes to be opened or
167 any recanvass or audit materials to be produced and a recount of the
168 votes cast, including absentee ballots, to be made. Such judge shall
169 thereupon, in case such judge finds any error in the rulings of the
170 election official, any mistake in the count of the votes or any violation of
171 said sections, certify the result of such judge's finding or decision to the
172 Secretary of the State before the fifteenth day of the next succeeding
173 December. Such judge may order a new election or a change in the
174 existing election schedule. Such certificate of such judge of such judge's
175 finding or decision shall be final and conclusive upon all questions
176 relating to errors in the rulings of such election officials, to the
177 correctness of such count, and, for the purposes of this section only, such
178 claimed violations, and shall operate to correct the returns of the
179 moderators or presiding officers, so as to conform to such finding or
180 decision, unless the same is appealed from as provided in section 9-325.

181 Sec. 6. Section 9-328 of the general statutes is repealed and the
182 following is substituted in lieu thereof (*Effective from passage*):

183 Any elector or candidate claiming to have been aggrieved by any
184 ruling of any election official in connection with an election for any
185 municipal office or a primary for justice of the peace, or any elector or
186 candidate claiming that there has been a mistake in the count of votes
187 cast for any such office at such election or primary, or any elector or any
188 candidate in such an election or primary claiming that he or she is
189 aggrieved by a violation of any provision of sections 9-355, 9-357 to 9-
190 361, inclusive, 9-364, 9-364a or 9-365 in the casting of absentee ballots at
191 such election or primary, may bring a complaint to any judge of the
192 Superior Court for relief therefrom. In any action brought pursuant to
193 the provisions of this section, the complainant shall send a copy of the
194 complaint by first-class mail, or deliver a copy of the complaint by hand,
195 to the State Elections Enforcement Commission. If such complaint is
196 made prior to such election or primary, such judge shall proceed
197 expeditiously to render judgment on the complaint and shall cause
198 notice of the hearing to be given to the Secretary of the State and the
199 State Elections Enforcement Commission. If such complaint is made
200 subsequent to such election or primary, it shall be brought not later than
201 fourteen days after such election or primary, except that if such
202 complaint is brought in response to the manual tabulation of paper
203 ballots, authorized pursuant to section 9-320f, such complaint shall be
204 brought not later than seven days after the close of any such manual
205 tabulation, to any judge of the Superior Court, in which he or she shall
206 set out the claimed errors of the election official, the claimed errors in
207 the count or the claimed violations of said sections. Such judge shall
208 forthwith order a hearing to be had upon such complaint, upon a day
209 not more than five nor less than three days from the making of such
210 order, and shall cause notice of not less than three nor more than five
211 days to be given to any candidate or candidates whose election or
212 nomination may be affected by the decision upon such hearing, to such
213 election official, the Secretary of the State, the State Elections
214 Enforcement Commission and to any other party or parties whom such

215 judge deems proper parties thereto, of the time and place for the hearing
 216 upon such complaint. Such judge shall, on the day fixed for such hearing
 217 and without unnecessary delay, proceed to hear the parties. If sufficient
 218 reason is shown, [he] such judge may order any voting tabulators to be
 219 unlocked, [or] any ballot boxes to be opened or any recanvass or audit
 220 materials to be produced and a recount of the votes cast, including
 221 absentee ballots, to be made. Such judge shall thereupon, if he or she
 222 finds any error in the rulings of the election official or any mistake in the
 223 count of the votes, certify the result of his or her finding or decision to
 224 the Secretary of the State before the tenth day succeeding the conclusion
 225 of the hearing. Such judge may order a new election or primary or a
 226 change in the existing election schedule. Such certificate of such judge
 227 of his or her finding or decision shall be final and conclusive upon all
 228 questions relating to errors in the ruling of such election officials, to the
 229 correctness of such count, and, for the purposes of this section only, such
 230 claimed violations, and shall operate to correct the returns of the
 231 moderators or presiding officers, so as to conform to such finding or
 232 decision, except that this section shall not affect the right of appeal to the
 233 Supreme Court and it shall not prevent such judge from reserving such
 234 questions of law for the advice of the Supreme Court as provided in
 235 section 9-325. Such judge may, if necessary, issue his or her writ of
 236 mandamus, requiring the adverse party and those under him or her to
 237 deliver to the complainant the appurtenances of such office, and shall
 238 cause his or her finding and decree to be entered on the records of the
 239 Superior Court in the proper judicial district.

240 Sec. 7. Section 9-329a of the general statutes is repealed and the
 241 following is substituted in lieu thereof (*Effective from passage*):

242 (a) Any (1) elector or candidate aggrieved by a ruling of an election
 243 official in connection with any primary held pursuant to (A) section 9-
 244 423, 9-425 or 9-464, or (B) a special act, (2) elector or candidate who
 245 alleges that there has been a mistake in the count of the votes cast at such
 246 primary, or (3) elector or candidate in such a primary who alleges that
 247 he or she is aggrieved by a violation of any provision of sections 9-355,
 248 9-357 to 9-361, inclusive, 9-364, 9-364a or 9-365 in the casting of absentee

249 ballots at such primary, may bring his or her complaint to any judge of
 250 the Superior Court for appropriate action. In any action brought
 251 pursuant to the provisions of this section, the complainant shall file a
 252 certification attached to the complaint indicating that a copy of the
 253 complaint has been sent by first-class mail or delivered to the State
 254 Elections Enforcement Commission. If such complaint is made prior to
 255 such primary such judge shall proceed expeditiously to render
 256 judgment on the complaint and shall cause notice of the hearing to be
 257 given to the Secretary of the State and the State Elections Enforcement
 258 Commission. If such complaint is made subsequent to such primary it
 259 shall be brought, not later than fourteen days after such primary, or if
 260 such complaint is brought in response to the manual tabulation of paper
 261 ballots, described in section 9-320f, such complaint shall be brought, not
 262 later than seven days after the close of any such manual tabulation, to
 263 any judge of the Superior Court.

264 (b) Such judge shall forthwith order a hearing to be held upon such
 265 complaint upon a day not more than five nor less than three days after
 266 the making of such order, and shall cause notice of not less than three
 267 days to be given to any candidate or candidates in any way directly
 268 affected by the decision upon such hearing, to such election official, to
 269 the Secretary of the State, the State Elections Enforcement Commission
 270 and to any other person or persons, whom such judge deems proper
 271 parties thereto, of the time and place of the hearing upon such
 272 complaint. Such judge shall, on the day fixed for such hearing, and
 273 without delay, proceed to hear the parties and determine the result. If,
 274 after hearing, sufficient reason is shown, such judge may order any
 275 voting tabulators to be unlocked, [or] any ballot boxes to be opened or
 276 any recanvass or audit materials to be produced and a recount of the
 277 votes cast, including absentee ballots, to be made. Such judge shall
 278 thereupon, if he or she finds any error in the ruling of the election
 279 official, any mistake in the count of the votes or any violation of said
 280 sections, certify the result of his or her finding or decision to the
 281 Secretary of the State before the tenth day following the conclusion of
 282 the hearing. Such judge may (1) determine the result of such primary;

283 (2) order a change in the existing primary schedule; or (3) order a new
 284 primary if he or she finds that [but for the] any error in the ruling of the
 285 election official, any mistake in the count of the votes or any violation of
 286 said sections [, the result of such primary might have been different and
 287 he is unable to determine the result of such primary] amounts to
 288 substantial irregularity in the process of voting which casts doubt over
 289 the results of such primary.

290 (c) The certification by the judge of his or her finding or decision shall
 291 be final and conclusive upon all questions relating to errors in the ruling
 292 of such election official, to the correctness of such count, and, for the
 293 purposes of this section only, such alleged violations, and shall operate
 294 to correct any returns or certificates filed by the election officials, unless
 295 the same is appealed from as provided in section 9-325. In the event a
 296 new primary is held pursuant to such Superior Court order, the result
 297 of such new primary shall be final and conclusive unless a complaint is
 298 brought pursuant to this section. The clerk of the court shall forthwith
 299 transmit a copy of such findings and order to the Secretary of the State.

300 Sec. 8. Section 9-140 of the general statutes is repealed and the
 301 following is substituted in lieu thereof (*Effective from passage*):

302 (a) Application for an absentee ballot shall be made to the clerk of the
 303 municipality in which the applicant is eligible to vote or has applied for
 304 such eligibility. Any person who assists another person in the
 305 completion of an application shall, in the space provided, sign the
 306 application and print or type his or her name, residence address and
 307 telephone number, provided any such first person shall neither be
 308 employed by or volunteer for the campaign of any candidate nor assist
 309 more than four other persons for a particular election, primary or
 310 referendum, as applicable, unless such other persons reside in a single
 311 household. Such signature shall be made under the penalties of false
 312 statement in absentee balloting. The municipal clerk shall not invalidate
 313 the application solely because it does not contain the name of a person
 314 who assisted the applicant in the completion of the application. The
 315 municipal clerk shall not distribute with an absentee ballot application

316 any material which promotes the success or defeat of any candidate or
 317 referendum question. The municipal clerk shall maintain a log of all
 318 absentee ballot applications provided under this subsection, including
 319 the name and address of each person to whom applications are
 320 provided and the number of applications provided to each such person,
 321 provided any such person to whom multiple applications has been
 322 provided shall neither be employed by or volunteer for the campaign of
 323 any candidate nor provide, in turn, more than four applications to other
 324 persons for a particular election, primary or referendum, as applicable,
 325 unless such other persons reside in a single household. Each absentee
 326 ballot application provided by the municipal clerk shall be
 327 consecutively numbered and be stamped or marked with the name of
 328 the municipality issuing the application. The application shall be signed
 329 by the applicant under the penalties of false statement in absentee
 330 balloting on (1) the form prescribed by the Secretary of the State
 331 pursuant to section 9-139a, (2) a form provided by any federal
 332 department or agency if applicable pursuant to section 9-153a, or (3) any
 333 of the special forms of application prescribed pursuant to section 9-150c,
 334 9-153a, 9-153b, 9-153d, 9-153e, 9-153f or 9-158d, if applicable. Any such
 335 absentee ballot applicant who is unable to write may cause the
 336 application to be completed by an authorized agent who shall, in the
 337 spaces provided for the date and signature, write the date and name of
 338 the absentee ballot applicant followed by the word "by" and his or her
 339 own signature, provided any such authorized agent shall neither be
 340 employed by or volunteer for the campaign of any candidate nor be an
 341 authorized agent for more than four persons for a particular election,
 342 primary or referendum, as applicable, unless such other persons reside
 343 in a single household. If the ballot is to be mailed to the applicant, the
 344 applicant shall list the bona fide personal mailing address of the
 345 applicant in the appropriate space on the application.

346 (b) A municipal clerk may transmit an application to a person under
 347 this subsection by facsimile machine or other electronic means, if so
 348 requested by the applicant. If a municipal clerk has a facsimile machine
 349 or other electronic means, an applicant may return a completed

350 application to the clerk by such a machine or device, provided the
 351 applicant shall also mail the original of the completed application to the
 352 clerk, either separately or with the absentee ballot that is issued to the
 353 applicant. If the clerk does not receive such original application by the
 354 close of the polls on the day of the election, primary or referendum, the
 355 absentee ballot shall not be counted.

356 (c) The municipal clerk shall check the name of each absentee ballot
 357 applicant against the last-completed registry list and any updated
 358 registry lists on file in the municipal clerk's office. If the name of such
 359 applicant does not appear on any of such lists, the clerk shall send such
 360 applicant a notice, in a form prescribed by the Secretary of the State, to
 361 the effect that (1) the applicant's name did not appear on the list of
 362 electors of the municipality at the time the application was processed,
 363 and (2) unless the applicant is admitted or restored as an elector of the
 364 municipality by the applicable cutoff dates an absentee ballot will not
 365 be mailed to him. Such notice shall not be so mailed if, prior to the
 366 mailing of the notice, the registrars provide the clerk with reliable
 367 information showing the absentee ballot applicant to be an elector of the
 368 municipality.

369 (d) An absentee voting set shall consist of an absentee ballot, inner
 370 and outer envelopes for its return, instructions for its use, and if
 371 applicable, explanatory texts concerning ballot questions, as provided
 372 for in sections 2-30a and 9-369b. No other material shall be included
 373 with an absentee voting set issued to an applicant except as provided in
 374 sections 9-153e and 9-153f or where necessary to correct an error or
 375 omission as provided in section 9-153c.

376 (e) Upon receipt of an application, the municipal clerk shall, unless a
 377 notice is mailed to the applicant pursuant to subsection (c) of this
 378 section, write the serial number of the outer envelope included in the
 379 absentee voting set to be issued to the applicant in the space provided
 380 for that purpose on the application form. Sets shall be issued to
 381 applicants in consecutive ascending numerical order of the envelope
 382 serial numbers, and the clerk shall keep a list of the numbers indicating

383 beside each number the name of the applicant to whom that set was
384 issued. The list shall be preserved as a public record as required by
385 section 9-150b, as amended by this act.

386 (f) Absentee voting sets shall be issued beginning on the thirty-first
387 day before an election and the twenty-first day before a primary or, if
388 such day is a Saturday, Sunday or legal holiday, beginning on the next
389 preceding business day.

390 (g) On the first day of issuance of absentee voting sets the municipal
391 clerk shall mail an absentee voting set to each applicant whose
392 application was received by the clerk prior to that day. When the clerk
393 receives an application during the time period in which absentee voting
394 sets are to be issued he shall mail an absentee voting set to the applicant,
395 within twenty-four hours, unless the applicant submits his application
396 in person at the office of the clerk and asks to be given his absentee
397 voting set immediately, in which case the clerk shall comply with the
398 request. Any absentee voting set to be mailed to an applicant shall be
399 mailed to the bona fide personal mailing address shown on the
400 application. Issuance of absentee voting sets shall also be subject to the
401 provisions of subsection (c) of this section, section 9-150c and section 9-
402 159q, as amended by this act, concerning persons designated to deliver
403 or return ballots in cases involving unforeseen illness or disability and
404 supervised voting at certain health care institutions.

405 (h) No absentee ballot shall be issued on the day of an election or
406 primary, or after the opening of the polls on the day of a referendum,
407 except in cases involving unforeseen illness or disability or presidential
408 or overseas ballots as provided in section 9-150c and sections 9-158a to
409 9-158m, inclusive.

410 (i) The municipal clerk shall file executed applications in alphabetical
411 order according to the applicants' surnames. Such applications shall be
412 preserved as a public record as required by section 9-150b, as amended
413 by this act.

414 (j) No person shall pay or give any compensation to another and no

415 person shall accept any compensation solely for (1) distributing
416 absentee ballot applications obtained from a municipal clerk or the
417 Secretary of the State or (2) assisting any person in the execution of an
418 absentee ballot.

419 (k) (1) A person shall register with the town clerk before distributing
420 [five or more] four absentee ballot applications for an election, primary
421 or referendum, not including applications distributed to such person's
422 immediate family. [Such requirement shall not apply to a person who is
423 the designee of an applicant.]

424 (2) Any person who distributes absentee ballot applications shall
425 maintain a list of the four names and addresses of prospective absentee
426 ballot applicants who receive such applications, and shall file such list
427 with the town clerk prior to the date of the primary, election or
428 referendum for which the applications were so distributed. Any person
429 who distributes absentee ballot applications and receives an executed
430 application shall forthwith file the application with the town clerk,
431 provided such person may only receive an executed application from
432 one of the four prospective absentee ballot applicants to which such
433 person has distributed an application.

434 (l) [No candidate, party or political committee, or agent of such
435 candidate or committee shall mail unsolicited applications for absentee
436 ballots to any person, unless such mailing includes: (1) A written
437 explanation of the eligibility requirements for voting by absentee ballot
438 as prescribed in subsection (a) of section 9-135, and (2) a written warning
439 that voting or attempting to vote by absentee ballot without meeting one
440 or more of such eligibility requirements subjects the elector or applicant
441 to potential civil and criminal penalties. As used in this subsection,
442 "agent" means any person authorized to act on behalf of another
443 person.] No person shall have in his possession any absentee ballot
444 application except the applicant to whom such application was issued,
445 the Secretary of the State or his or her authorized agents, any official
446 printer of absentee ballot applications form and his designated carriers,
447 the United States Postal Service, any other carrier, courier or messenger

448 service recognized and approved by the Secretary of the State, any
 449 person authorized by a town clerk to receive and process absentee ballot
 450 applications on behalf of the town clerk or any other person authorized
 451 under this section to possess an absentee ballot application. The State
 452 Elections Enforcement Commission shall levy a civil penalty, in
 453 accordance with the provisions of section 9-7b, to any person found in
 454 violation of this provision.

455 (m) The Secretary of the State shall conspicuously post on the
 456 Secretary of the State's web site, adjacent to the absentee ballot
 457 application form available for downloading, a notice that the
 458 application may be downloaded by a person only for (1) the person's
 459 own use, (2) the use of a member of the person's immediate family, or
 460 (3) the use of a designee of the applicant. The notice shall also contain
 461 an advisory statement concerning the requirements of subsection (k) of
 462 this section.

463 (n) The State Elections Enforcement Commission, in consultation
 464 with the Secretary of the State, shall prepare a summary of the
 465 requirements and prohibitions of the absentee voting laws, which shall
 466 be posted on said agencies' Internet web sites. [Candidates and political
 467 party chairpersons shall provide such summary to campaign and party
 468 employees and volunteers.]

469 (o) As used in this section, (1) "immediate family" has the same
 470 meaning as provided in subsection (a) of section 9-140b, and (2)
 471 "designee" has the same meaning as provided in subsection (b) of
 472 section 9-140b.

473 Sec. 9. Subsection (b) of section 9-135 of the general statutes is
 474 repealed and the following is substituted in lieu thereof (*Effective from*
 475 *passage*):

476 (b) No person shall misrepresent the eligibility requirements for
 477 voting by absentee ballot prescribed in subsection (a) of this section, to
 478 any elector or prospective absentee ballot applicant. The State Elections
 479 Enforcement Commission shall levy a civil penalty, in accordance with

480 the provisions of section 9-7b, to any person found in violation of this
 481 provision.

482 Sec. 10. Subsection (h) of section 9-150b of the general statutes is
 483 repealed and the following is substituted in lieu thereof (*Effective from*
 484 *passage*):

485 (h) For sixty days after the election, primary or referendum the
 486 following shall be preserved by the municipal clerk as a public record
 487 open to public inspection: (1) All [executed] absentee ballot application
 488 forms, whether executed or not, and direction by registrar forms, as
 489 required by subdivision (i) of section 9-140, as amended by this act; (2)
 490 the list and index of applicants for presidential or overseas ballots as
 491 required by section 9-158h; (3) the numerical list of absentee voting sets
 492 issued as required by subsection (e) of section 9-140, as amended by this
 493 act; (4) the list of the names of persons whose absentee ballots are
 494 received by the municipal clerk, as required by subsection (a) of section
 495 9-140c; (5) all unused absentee ballots; and (6) all envelopes containing
 496 ballots received by the municipal clerk after the close of the polls, which
 497 shall remain unopened.

498 Sec. 11. (NEW) (*Effective from passage*) The Secretary of the State shall
 499 (1) research the availability of computer applications, software or other
 500 programs that may be used in assisting with the tracking of absentee
 501 ballot applications and absentee ballots by town clerks, (2) analyze any
 502 such application, software or program to evaluate its performance in
 503 helping to streamline the processes set forth in chapter 145 of the general
 504 statutes and ensuring town clerks comply with the provisions of said
 505 chapter, including multiple verifications of information concerning
 506 absentee ballot applicants and voters, and (3) not later than January 1,
 507 2021, identify one or more of such applications, software or programs as
 508 recommended by the secretary for such use by town clerks.

509 Sec. 12. (NEW) (*Effective from passage*) The Secretary of the State shall
 510 develop an absentee voting law and procedures training program and
 511 guide for town clerks and persons authorized to act on behalf of town

512 clerks in the performance of any duty required of town clerks under the
 513 provisions of chapter 145 of the general statutes. The training program
 514 developed under this section shall provide for training to be conducted
 515 by trained town clerks or former town clerks hired for such purpose by
 516 the secretary.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-159q(a) and (b)
Sec. 2	<i>from passage</i>	9-159q(l)
Sec. 3	<i>from passage</i>	9-359
Sec. 4	<i>from passage</i>	9-323
Sec. 5	<i>from passage</i>	9-324
Sec. 6	<i>from passage</i>	9-328
Sec. 7	<i>from passage</i>	9-329a
Sec. 8	<i>from passage</i>	9-140
Sec. 9	<i>from passage</i>	9-135(b)
Sec. 10	<i>from passage</i>	9-150b(h)
Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>from passage</i>	New section

Statement of Purpose:

To (1) require supervised absentee voting at any public housing complex on the application of thirty or more tenants at such complex, (2) permit registrars of voters to designate members of the League of Women Voters to assist in supervised absentee voting, (3) provide that any state or municipal employee who handles an absentee ballot without authorization to do so under the general statutes shall be guilty of a class D felony, (4) afford electors standing to challenge election results where violations of absentee voting laws are alleged, (5) permit a judge of the Superior Court to order a new primary if it is found substantial violations of the law cast doubt over the results of such primary, (6) restrict the handling of absentee ballot applications to certain individuals and in certain quantities, (7) subject to a civil penalty by the State Elections Enforcement Commission any person found to have improperly possessed an absentee ballot application or misrepresented the eligibility requirements for absentee voting, (8) require the destruction of all unused absentee ballot applications after each election, primary or referendum, (9) require the Secretary of the

State to identify computer applications, software or programs to assist town clerks in the performance of their duties with regard to absentee voting, and (10) require the Secretary of the State to develop an absentee voting law and training program for town clerks.

[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.]