



General Assembly

January Session, 2021

Raised Bill No. 6579

LCO No. 3552



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT REVISING CERTAIN STATUTES CONCERNING 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 Section 9-16 of the general statutes is repealed and the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 Section 9-17a of the general statutes is repealed and the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 Section 9-311 of the general statutes is repealed and the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, other than a registrar of
21 voters, concerning the right of such person to be or remain an elector.
22 Any such appeal shall be made to the registrars of voters of such town,
23 [except that if the admitting official who made such decision is a
24 registrar of voters, the appeal shall be made to the board for admission
25 of electors of such town.]

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

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

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

43 (b) (1) The person whose right to be or remain an elector is in dispute
44 may appeal the decision of the registrars [or the board for the admission

45 of electors] under subsection (a) of this section to the State Elections
46 Enforcement Commission. If an appeal is not made to the commission
47 as provided in this subsection, the decision of the registrars [or the
48 board] shall be final.

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

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

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

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

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

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

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

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

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

107 The decision [of the board for admission of electors or] of the
108 registrars or of a moderator, as to a person's right to be admitted to the

109 elector's oath, to registration or to cast his vote, shall, in no case, be a bar
110 to a criminal prosecution for procuring himself to be made an elector or
111 to be registered or for voting, without the qualifications required by law.

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

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

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

142 such municipality.

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

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

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

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

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

171 (a) In each municipality or political subdivision in which a special
172 election or referendum is to be held, the registrars of voters shall prepare

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

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

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

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

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

205 (3) Once certified, pursuant to subdivision (1) of this subsection, each
206 registrar shall participate each year in not less than eight hours of
207 training [, not including any training described under subdivision (2) of
208 subsection (d) of this section,] in order to maintain such certification.
209 Such training shall be as prescribed by the Secretary of the State and
210 shall be conducted by said Secretary or a third party approved by said
211 Secretary to conduct such training. Any registrar who fails to satisfy
212 such annual training requirement shall be directed by the Secretary of
213 the State to take remedial measures prescribed by said Secretary.

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

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

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

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

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

235 Immediately after the close of the polls, the moderator shall seal the

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

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

269 (c) (1) The votes shall be announced and recorded in the manner

270 prescribed in section 9-309 on return forms provided by the registrars of
271 voters and appended thereto shall be a statement signed by the
272 moderator indicating the time and place of the recanvass and the names,
273 addresses, titles and party affiliations of the recanvass officials. The
274 write-in ballots shall be replaced in a properly secured sealed package.
275 Upon the completion of such recanvass, any tabulator used in such
276 recanvass shall be locked and sealed, the keys thereof shall immediately
277 be returned to such registrars of voters and such tabulator shall remain
278 so locked until the expiration of fourteen days after such election or for
279 such longer period as is ordered by a court of competent jurisdiction.
280 The absentee ballots shall be replaced in their wrappers and be resealed
281 by the moderator in the presence of the recanvass officials. Upon the
282 completion of such recanvass, such moderator and at least two of the
283 recanvass officials of different political parties shall forthwith prepare
284 and sign such return forms which shall contain a written statement
285 giving the result of such recanvass for each tabulator and each package
286 of absentee ballots whose returns were so recanvassed, setting forth
287 whether or not the original canvass was correctly made and stating
288 whether or not the discrepancy still remains unaccounted for. Such
289 return forms containing such statement shall forthwith be filed by the
290 moderator in the office of such clerk. If such recanvass reveals that the
291 original canvass of returns was not correctly made, such return forms
292 containing such statement so filed with the clerk shall constitute a
293 corrected return. In the case of a state election, a recanvass return shall
294 be made in duplicate on a form prescribed and provided by the
295 Secretary of the State, and the moderator shall electronically file with
296 the Secretary, and deliver to the town clerk one copy [with the Secretary
297 of the State and one copy with the town clerk] each of such recanvass
298 return not later than ten days after the election. Such recanvass return
299 shall be substituted for the original return and shall have the same force
300 and effect as an original return.

301 (2) Notwithstanding the provisions of subdivision (1) of this
302 subsection, for the state election in 2020, each copy of the recanvass
303 return required under said subdivision to be filed by the moderator with

304 the Secretary of the State and the town clerk shall be so filed not later
305 than twelve days after the election.

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

308 (a) As used in this subsection, "moderator" means the moderator of
309 each state election in each town not divided into voting districts and the
310 head moderator in each town divided into voting districts. The
311 moderator shall make a preliminary list of the votes given for each of
312 the following officers: Presidential electors, Governor, Lieutenant
313 Governor, Secretary of the State, Treasurer, Comptroller, Attorney
314 General, United States senator, representative in Congress, state
315 senator, judge of probate, state representative and registrars of voters
316 when said officers are to be chosen, as reported solely by the tabulator,
317 as provided in section 9-309, in the moderator's town and shall
318 immediately transmit such preliminary list to the Secretary of the State
319 by electronic means as prescribed by the Secretary not later than
320 midnight on election day. Once the preliminary list has been transmitted
321 to the Secretary, [of the State,] the moderator shall make a duplicate list
322 of the votes given in the moderator's town for each of the following
323 officers: Presidential electors, Governor, Lieutenant Governor, Secretary
324 of the State, Treasurer, Comptroller, Attorney General, United States
325 senator, representative in Congress, state senator, judge of probate, state
326 representative and registrars of voters when said officers are to be
327 chosen. Such duplicate list shall indicate the total number of names on
328 the official check list of such town and the total number of names
329 checked as having voted. The moderator shall transmit such duplicate
330 list to the Secretary [of the State] by electronic means as prescribed by
331 the Secretary [of the State] not later than forty-eight hours after the close
332 of the polls on election day. The moderator shall also seal and deliver
333 one of such duplicate lists to the [Secretary of the State] town clerk not
334 later than the third day after the election. Any such moderator who fails
335 to so transmit [or] to the Secretary, and deliver to the town clerk, such
336 duplicate list [to the Secretary of the State] by the time required shall
337 pay a late filing fee of fifty dollars. [The moderator shall also deliver one

338 of such duplicate lists to the clerk of such town.] The Secretary of the
339 State shall enter the returns in tabular form in books kept by the
340 Secretary for that purpose and present a printed report of the same, with
341 the name of, and the total number of votes received by, each of the
342 candidates for said offices, to the General Assembly at its next session.

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

368 (c) Notwithstanding the provisions of subsections (a) and (b) of this
369 section, for the state election in 2020, (1) the duplicate list required under
370 said subsections to be transmitted by electronic means to the Secretary
371 by such moderator shall be so transmitted not later than ninety-six

372 hours after the close of the polls on election day, and (2) the duplicate
373 list required under said subsections to be sealed and delivered to the
374 Secretary shall be so delivered not later than the fifth day after the
375 election.

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

379 (a) (1) Not later than forty-eight hours following each regular
380 election, the registrars of voters shall provide the results of the votes cast
381 at such election to the town clerk. Not later than nine o'clock a.m. on the
382 third day following each regular election, the head moderator, registrars
383 of voters and town clerk for each town divided into voting districts shall
384 meet to identify any error in the returns. Not later than one o'clock p.m.
385 on the third day following each regular election, the head moderator
386 shall (1) correct any error identified, [and] (2) electronically file an
387 amended return with the Secretary of the State, and (3) deliver to the
388 town clerk and the registrars of voters each a duplicate of such amended
389 return.

390 (2) Notwithstanding the provisions of subdivision (1) of this
391 subsection, for the state election in 2020, (A) the results of the votes cast
392 at the election required under said subdivision to be provided to the
393 town clerk by the registrars of voters shall be so provided not later than
394 ninety-six hours following the election, (B) the meeting to identify any
395 error in the returns required under said subdivision among the head
396 moderator, registrars of voters and town clerk for each town divided
397 into voting districts shall occur not later than nine o'clock a.m. on the
398 fifth day following the election, and (C) any identified error required
399 under said subdivision to be corrected, and any amended return
400 required under said subdivision to be filed with the Secretary of the
401 State, the town clerk and the registrars of voters, by the head moderator
402 shall be so corrected or filed, as applicable, not later than one o'clock
403 p.m. on the fifth day following the election.

404 Sec. 18. Subsection (b) of section 9-1 and sections 9-15a and 9-192b of
405 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.]