



General Assembly

January Session, 2019

Committee Bill No. 6063

LCO No. 6381



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

**AN ACT CONCERNING CHANGES TO THE PROCESS OF VOTING BY
ABSENTEE BALLOT.**

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

1 Section 1. Subsection (b) of section 9-140 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (b) A municipal clerk may transmit an application to a person under
5 this subsection by facsimile machine or other electronic means, if so
6 requested by the applicant. If a municipal clerk has a facsimile
7 machine or other electronic means, an applicant may return a
8 completed application to the clerk by such a machine or device, [
9 provided the applicant shall also mail the original of the completed
10 application to the clerk, either separately or with the absentee ballot
11 that is issued to the applicant. If the clerk does not receive such
12 original application by the close of the polls on the day of the election,
13 primary or referendum, the absentee ballot shall not be counted.]

14 Sec. 2. Section 9-140a of the general statutes is repealed and the

15 following is substituted in lieu thereof (*Effective from passage*):

16 Each absentee ballot applicant shall sign the form on the inner
17 envelope provided for in section 9-137, which shall constitute a
18 statement under the penalties of false statement in absentee balloting.
19 Any absentee ballot applicant who is unable to write may cause his
20 name to be signed on the form by an authorized agent who shall, in the
21 space provided for the signature, write the name of the applicant
22 followed by the word "by" and his own signature. The failure of the
23 applicant or authorized agent to date the form shall not invalidate the
24 ballot. [The] Prior to the return of the ballot to the municipal clerk, the
25 ballot shall be inserted in the inner envelope, and the inner envelope
26 shall be inserted in the outer envelope, [prior to the return of the ballot
27 to the municipal clerk] except that in the case of two or more
28 applicants who are members of the immediate family, as defined in
29 section 9-140b, as amended by this act, of each other, the respective
30 inner envelopes of such applicants may be inserted in a single outer
31 envelope. If an applicant is required to return identification with the
32 ballot pursuant to the Help America Vote Act, P.L. 107-252, as
33 amended from time to time, such identification shall be inserted in the
34 outer envelope so such identification can be viewed without opening
35 the inner envelope.

36 Sec. 3. Subsection (a) of section 9-140b of the general statutes is
37 repealed and the following is substituted in lieu thereof (*Effective from*
38 *passage*):

39 (a) An absentee ballot shall be cast at a primary, election or
40 referendum only if: (1) It is mailed by (A) the ballot applicant, (B) a
41 designee of a person who applies for an absentee ballot because of
42 illness or physical disability, [or] (C) a member of the immediate
43 family of an applicant who is a student, or (D) a member of the
44 immediate family of an applicant, which member is also an applicant,
45 in the same outer envelope as such member, as described in section 9-
46 140a, as amended by this act, so that it is received by the clerk of the

47 municipality in which the applicant is qualified to vote not later than
48 the close of the polls; (2) it is returned by the applicant in person to the
49 clerk by the day before a regular election, special election or primary or
50 prior to the opening of the polls on the day of a referendum; (3) it is
51 returned by a designee of an ill or physically disabled [ballot]
52 applicant, in person, to said clerk not later than the close of the polls on
53 the day of the election, primary or referendum; (4) it is returned by a
54 member of the immediate family of the [absentee voter] applicant, in
55 person, to said clerk not later than the close of the polls on the day of
56 the election, primary or referendum; (5) it is returned by a member of
57 the immediate family of the applicant, which member is also an
58 applicant, in the same outer envelope as such member, as described in
59 section 9-140a, as amended by this act, in person, to said clerk not later
60 than the close of the polls on the day of the election, primary or
61 referendum; (6) in the case of a presidential or overseas ballot, it is
62 mailed or otherwise returned pursuant to the provisions of section 9-
63 158g; or [(6)] (7) it is returned with the proper identification as
64 required by the Help America Vote Act, P.L. 107-252, as amended from
65 time to time, if applicable, inserted in the outer envelope so such
66 identification can be viewed without opening the inner envelope. A
67 person returning an absentee ballot to the municipal clerk pursuant to
68 subdivision (3), [or] (4) or (5) of this subsection shall present
69 identification and, on the outer envelope of the absentee ballot, sign his
70 name in the presence of the municipal clerk, and indicate his address,
71 his relationship to the voter or his position, and the date and time of
72 such return. As used in this section, "immediate family" means a
73 dependent relative who resides in the individual's household or any
74 spouse, child or parent of the individual.

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

78 (a) The municipal clerk shall retain the envelopes containing
79 absentee ballots received by [him] such clerk under section 9-140b, as

80 amended by this act, and shall not open such envelopes. In the case of
81 absentee ballots received by such clerk from two or more applicants
82 who are members of the immediate family, as defined in section 9-
83 140b, as amended by this act, of each other such that the respective
84 inner envelopes of such applicants are received in a single outer
85 envelope, such clerk shall process such ballots, as nearly as practicable
86 and in the manner prescribed by the Secretary of the State, as such
87 clerk processes single absentee ballots and inner envelopes received in
88 single outer envelopes. The municipal clerk shall endorse over his
89 signature, upon each outer envelope as he receives it, the date and
90 precise time of its receipt. The clerk shall make an affidavit attesting to
91 the accuracy of all such endorsements, and at the close of the polls
92 shall deliver such affidavit to the head moderator, who shall endorse
93 the time of its receipt and return it to the clerk after all counting is
94 complete. The clerk shall preserve the affidavit for one hundred eighty
95 days in accordance with the requirements of section 9-150b. The clerk
96 shall keep a list of the names of the applicants who return absentee
97 ballots to the clerk under section 9-140b, as amended by this act. The
98 list shall be preserved as a public record as required by section 9-150b.

99 Sec. 5. Subsection (b) of section 9-150a of the general statutes is
100 repealed and the following is substituted in lieu thereof (*Effective from*
101 *passage*):

102 (b) At the time each group of ballots is delivered to them pursuant
103 to section 9-140c, as amended by this act, the counters shall perform
104 any checking of such ballots required by subsection (i) of said section
105 and shall then proceed as hereinafter provided. In the case of ballots
106 from two or more applicants who are members of the immediate
107 family, as defined in section 9-140b, as amended by this act, of each
108 other such that the respective inner envelopes of such applicants are
109 received in a single outer envelope, such counters shall process such
110 ballots, as nearly as practicable and in the manner prescribed by the
111 Secretary of the State, as such counters process single absentee ballots
112 and inner envelopes received in single outer envelopes.

113 Sec. 6. (*Effective from passage*) The Secretary of the State, or the
 114 Secretary's designee, in consultation with not more than two designees
 115 from each of the Connecticut Town Clerks Association and the
 116 Registrars of Voters Association of Connecticut, shall conduct a study
 117 of (1) additional means for the return of absentee ballots by absentee
 118 ballot applicants to the clerks of the municipalities in which such
 119 applicants are qualified to vote, including, but not limited to, use of
 120 inter-departmental mail for such applicants who are municipal
 121 employees, (2) ways to reduce the number of absentee ballots rejected
 122 at elections, primaries and referenda, and (3) opportunities to
 123 generally make the process of absentee voting easier. Not later than
 124 January 1, 2020, the Secretary shall submit a report to the joint standing
 125 committee of the General Assembly having cognizance of matters
 126 relating to elections, in accordance with section 11-4a of the general
 127 statutes, describing such study findings and recommending legislative
 128 changes necessary to address concerns presented through such study.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-140(b)
Sec. 2	<i>from passage</i>	9-140a
Sec. 3	<i>from passage</i>	9-140b(a)
Sec. 4	<i>from passage</i>	9-140c(a)
Sec. 5	<i>from passage</i>	9-150a(b)
Sec. 6	<i>from passage</i>	New section

Statement of Purpose:

To (1) no longer require an absentee ballot applicant to also return an original of a completed application if such applicant has already submitted a copy thereof to the town clerk by facsimile machine or other electronic means, (2) allow two or more immediate family members who are absentee ballot applicants to return their ballots in a single envelope, and (3) require the Secretary of the State, municipal clerks and registrars of voters to study various aspects of absentee voting to make it easier and minimize ballot rejections.

[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.]

Co-Sponsors: REP. FRANCE, 42nd Dist.

H.B. 6063