



General Assembly

January Session, 2019

Raised Bill No. 915

LCO No. 3848



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

AN ACT CONCERNING TOWN CLERKS AND ELECTIONS.

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2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2019*):

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. Subsections (a) to (c), inclusive, of section 9-453i of the

15 general statutes are repealed and the following is substituted in lieu
16 thereof (*Effective July 1, 2019*):

17 (a) Each page of a nominating petition proposing a candidate for an
18 office to be filled at a regular election shall be submitted to the
19 appropriate town clerk [or to the Secretary of the State] not later than
20 four o'clock p.m. on the ninetieth day preceding the day of the regular
21 election.

22 (b) Each page of a nominating petition proposing a candidate for an
23 office to be filled at a special election, except petitions filed under
24 section 9-216, shall be submitted to the appropriate town clerk [or to
25 the Secretary of the State] not later than four o'clock p.m. on the
26 seventieth day prior to such election, unless (1) such special election is
27 held in conjunction with a regular election and (2) the writ of such
28 special election is issued at least fourteen days before the final day for
29 the filing of primary petitions for municipal offices to be filled at such
30 regular election pursuant to section 9-405, in which case the deadline
31 for submitting such nominating petition pages shall be the same as the
32 deadline for such submission in connection with such regular election
33 as provided in subsection (a) of this section.

34 (c) Each page of a nominating petition proposing a candidate at an
35 election shall be so submitted [either (1)] to the town clerk of the town
36 in which the signers reside [, or (2) to the Secretary of the State, in
37 which case the Secretary of the State shall submit the petition pages to
38 the appropriate town clerk] for the purpose of certifying the signatures
39 on such pages.

40 Sec. 3. Section 9-453j of the general statutes is repealed and the
41 following is substituted in lieu thereof (*Effective July 1, 2019*):

42 Each page of a nominating petition submitted to the town clerk [or
43 the Secretary of the State] and filed by such town clerk with the
44 Secretary of the State under the provisions of sections 9-453a to 9-453s,
45 inclusive, or section 9-216 shall contain a statement as to the residency
46 in this state and eligibility of the circulator and authenticity of the

47 signatures thereon, signed under penalties of false statement, by the
 48 person who circulated the same. Such statement shall set forth (1) such
 49 circulator's residence address, including the town in this state in which
 50 such circulator is a resident, (2) the circulator's date of birth and that
 51 the circulator is at least eighteen years of age, (3) that the circulator is a
 52 United States citizen and not on parole for conviction of a felony, and
 53 (4) that each person whose name appears on such page signed the
 54 same in person in the presence of such circulator and that either the
 55 circulator knows each such signer or that the signer satisfactorily
 56 identified himself to the circulator. Any false statement committed
 57 with respect to such statement shall be deemed to have been
 58 committed in the town in which the petition was circulated.

59 Sec. 4. Section 9-453k of the general statutes is repealed and the
 60 following is substituted in lieu thereof (*Effective July 1, 2019*):

61 (a) The town clerk [or Secretary of the State] shall not accept any
 62 page of a nominating petition from the circulator thereof unless the
 63 circulator [thereof] has signed before him_z or an appropriate person as
 64 provided in section 1-29, the statement as to the residency in this state
 65 and eligibility of the circulator and authenticity of the signatures
 66 thereon required by section 9-453j, as amended by this act.

67 (b) The town clerk_z [or Secretary of the State] or an appropriate
 68 person as provided in section 1-29_z shall certify on each such page that
 69 the circulator thereof signed such statement in his presence and that
 70 either he knows the circulator or that the circulator satisfactorily
 71 identified himself to the individual certifying.

72 (c) The town clerk [or Secretary of the State] shall forthwith give to
 73 each circulator submitting a page or pages of a nominating petition a
 74 receipt indicating the number of such pages so submitted and the date
 75 upon which such pages were submitted.

76 (d) Such town clerk shall certify on each such page the date upon
 77 which it was submitted to the town clerk by the circulator [or the
 78 Secretary of the State] and the number of names of electors on such

79 petition page, which names were on the registry list last-completed or
80 are names of persons admitted as electors since the completion of such
81 list. In the checking of signatures on such nominating petition pages,
82 the town clerk shall reject any name if such name is not the name of an
83 elector as specified above. Such rejection shall be indicated by placing
84 a mark in a manner prescribed by the Secretary of the State before the
85 name so rejected. The town clerk shall not reject any name for which
86 the street address on the petition is different from the street address on
87 the registry list, if (1) such person is eligible to vote for the candidate or
88 candidates named in the petition, and (2) the person's date of birth, as
89 shown on the petition page, is the same as the date of birth on the
90 person's registration record. Such town clerk may place a check mark
91 before each name appearing on such registry list or each name of a
92 person admitted as an elector since the completion of such list, but
93 shall place no other mark on such page except as provided in this
94 section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2019</i>	9-140(b)
Sec. 2	<i>July 1, 2019</i>	9-453i(a) to (c)
Sec. 3	<i>July 1, 2019</i>	9-453j
Sec. 4	<i>July 1, 2019</i>	9-453k

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, and (2) no longer permit circulators of nominating petitions to submit pages thereof directly to the Secretary of the State.

[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.]