



General Assembly

February Session, 2002

**Raised Bill No. 5258**

LCO No. 1216

Referred to Committee on Government Administration and Elections

Introduced by:  
(GAE)

**AN ACT REQUIRING NOTIFICATION OF VOTING OR VOTING REGISTRATION TO CONSERVATORS OF RESIDENTS IN CERTAIN INSTITUTIONS.**

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

1 Section 1. (NEW) (*Effective October 1, 2002*) (a) The administrator of  
2 an institution, as defined in subsection (a) of section 9-159q of the  
3 general statutes, a residential facility for the mentally retarded licensed  
4 pursuant to section 17a-227 of the general statutes, or a community  
5 residence, as defined in section 19a-507a of the general statutes, shall  
6 use his or her best efforts to provide written notice to any conservator  
7 or guardian appointed to manage the affairs of a resident of such  
8 institution, facility or residence pursuant to sections 45a-644 to 45a-663,  
9 inclusive, of the general statutes, as amended, or sections 45a-668 to  
10 45a-684, inclusive, of the general statutes, as amended, at least seven  
11 days prior to the date any voter registration or voting opportunity is  
12 presented to the resident with respect to a primary, referendum or  
13 election. As used in this section, "voter registration" or "voting  
14 opportunity" includes, but is not limited to, the solicitation or  
15 completion of: (1) An application for admission as an elector; (2) an

16 absentee ballot application; or (3) an absentee ballot, regardless of  
17 whether supervised absentee ballot voting will take place at such  
18 institution. The administrator of such institution, facility or residence  
19 shall also use his or her best efforts to provide written notice to any  
20 such conservator or guardian at least seven days prior to the date  
21 when the resident may be brought to a polling place to vote in person.  
22 The notification provisions of this section shall not apply when a  
23 member of the resident's immediate family provides the resident with  
24 an absentee ballot application or brings the resident to a polling place  
25 to vote.

26 (b) Any such notice shall indicate that the resident is entitled to vote  
27 or register to vote unless the resident is determined incompetent to do  
28 so by a probate court, or unless the registrars of voters or their  
29 designees jointly conclude at a supervised voting session that the  
30 resident declines to vote the ballot or they are unable to determine how  
31 the resident desires to vote the ballot, as provided in subsection (g) of  
32 section 9-159q of the general statutes. The notice shall also specify that  
33 a resident who requires assistance to vote in accordance with section 9-  
34 264 of the general statutes, by reason of blindness, disability or  
35 inability to read or write may receive assistance from a person of the  
36 resident's choosing.

37 (c) The administrator of any such institution, facility or residence  
38 may also provide such notice to a person with a power of attorney for  
39 a resident of the institution, facility or residence.

40 Sec. 2. (NEW) (*Effective October 1, 2002*) The guardian or conservator  
41 of an individual may file a petition in probate court to determine such  
42 individual's competency to vote in a primary, referendum or election.  
43 The probate court shall hold a hearing on the petition not later than  
44 fifteen days after the filing of the petition and the hearing shall be  
45 privileged with respect to assignment.

This act shall take effect as follows:

Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>

***Statement of Purpose:***

To require that the conservator or guardian of a resident of a nursing home or other health care institution be notified of voting or voting registration opportunities available to the resident of such home or institution and to assign priority to hearings concerning competency to vote.

*[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.]*