



House of Representatives

General Assembly

File No. 451

January Session, 2003

Substitute House Bill No. 6533

House of Representatives, April 17, 2003

The Committee on Government Administration and Elections reported through REP. O'ROURKE of the 32nd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT ESTABLISHING A PILOT PROGRAM FOR REFORMING THE ABSENTEE BALLOT PROCESS TO PREVENT FRAUD AND ABUSE.

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

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section:

2 (1) "Commission" means the State Elections Enforcement
3 Commission; and

4 (2) "Designee" means (A) a person who is caring for an absentee
5 ballot applicant because of the applicant's illness or physical disability,
6 including but not limited to, a licensed physician or a registered or
7 practical nurse, or (B) a member of any such applicant's family, who is
8 designated by an absentee ballot applicant and who consents to such
9 designation.

10 (b) Notwithstanding any provision of title 9 of the general statutes,
11 the State Elections Enforcement Commission shall establish a pilot

12 program for absentee voting at the municipal elections and primaries
13 held in three municipalities in 2003. The commission shall notify
14 municipalities of the opportunity to participate in the pilot program
15 and shall select three municipalities, which may include municipalities
16 interested in participating and any other municipalities. In making
17 such selections, the commission shall rank all municipalities from
18 highest population to lowest population, and select one municipality
19 in the highest third of such ranking, one municipality in the middle
20 third of such ranking, and one municipality in the lowest third of such
21 ranking.

22 (c) The provisions of chapter 145 of the general statutes shall apply
23 in each municipality participating in the pilot program, except that:

24 (1) Only municipal clerks, registrars of voters and absentee ballot
25 coordinators appointed by registrars of voters may issue absentee
26 ballot applications;

27 (2) Such officials may issue absentee ballot applications only to
28 persons who (A) request such applications for themselves, (B) have
29 been identified by candidates or political parties as potential absentee
30 voters, or (C) are designees;

31 (3) For a municipal election, each registrar of voters shall appoint at
32 least one absentee ballot coordinator for each two hundred persons
33 who voted by absentee ballot in the most recent municipal election. For
34 a municipal primary, each registrar of voters shall appoint at least one
35 absentee ballot coordinator for each two hundred persons who voted
36 by absentee ballot in the most recent municipal primary. A registrar of
37 voter's appointment of an absentee ballot coordinator shall not be
38 effective until the registrar files the appointment with the municipal
39 clerk;

40 (4) Absentee ballot coordinators serving in a municipality shall be
41 residents of such municipality (A) who apply for such positions, or (B)
42 whose names are submitted by candidates or slates of candidates at the
43 election or primary or by political parties. Absentee ballot coordinators

44 may not be municipal employees or members of a town committee or
45 be employed by, or volunteer for, any campaign or political party;

46 (5) Absentee ballot coordinators shall be compensated by the
47 municipalities appointing the coordinators, receive training in
48 absentee voting procedures by the appointing registrar or registrars of
49 voters, and be sworn to the faithful performance of their duties as
50 election officials, in accordance with the provisions of section 9-231 of
51 the general statutes;

52 (6) (A) Except as provided in subparagraph (B) of this subdivision,
53 only absentee ballot coordinators may be present and provide
54 assistance to an applicant in completing an absentee ballot application
55 outside of the office of a registrar of voters or a municipal clerk. In the
56 case of a municipal election, two absentee ballot coordinators of
57 different political parties, and in the case of a primary, two absentee
58 ballot coordinators representing competing slates or candidates in the
59 primary, shall jointly provide such assistance to an applicant residing
60 in the municipality who requests it. Each coordinator who provides
61 such assistance shall sign the application in the space provided. One or
62 both of such coordinators shall deliver the completed application to
63 the municipal clerk not later than two business days after the date of
64 completion of the application. This section shall not apply to
65 supervised voting at institutions under section 9-159q or 9-159r of the
66 general statutes; and

67 (B) A designee of an ill or physically disabled applicant may also be
68 present and provide assistance to an applicant in completing an
69 absentee ballot application. The persons listed in subsection (a) of
70 section 9-140b of the general statutes may also assist in the return of
71 absentee ballot applications;

72 (7) Each absentee ballot coordinator shall account to the municipal
73 clerk for blank absentee ballot applications issued by the coordinator;

74 (8) When a municipal clerk or a registrar of voters provides
75 assistance to an absentee ballot applicant in the office or the clerk or

76 registrar, such official shall also sign the application; and

77 (9) The list of absentee ballot applicants who have executed
78 applications shall remain confidential until the third business day
79 before an election or primary.

80 (d) The State Elections Enforcement Commission shall have the
81 power to enforce the provisions of this section to the same extent as the
82 commission has the power to enforce provisions of election statutes
83 under section 9-7b of the general statutes.

84 (e) After the municipal elections and primaries held in 2003, the
85 State Elections Enforcement Commission shall survey election officials
86 and participants in the three municipalities participating in the pilot
87 program for absentee voting. Not later than January 15, 2004, the
88 commission shall submit a report on its findings and recommendations
89 concerning the pilot program to the joint standing committee of the
90 General Assembly having cognizance of matters relating to elections.

This act shall take effect as follows:	
Section 1	<i>from passage</i>

GAE *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Type	FY 03 \$	FY 04 \$
Elect. Enforcement Com.	GF - Cost	None	None

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 03 \$	FY 04 \$
Various Municipalities	Cost	Minimal	Minimal

Explanation

This bill requires the State Elections Enforcement Commission (SEEC) to establish a pilot program for absentee voting in three municipalities for the 2003 municipal elections. The bill requires the SEEC to select one large, one medium-sized, and one small town, based on population, to participate in the pilot program.

The bill creates absentee ballot coordinators who can distribute absentee ballots, and assist voter applicants in completing the absentee ballot form. The bill also requires the SEEC to submit a report on the pilot program to the Government Administration and Elections Committee.

The SEEC will incur a workload increase to establish and oversee the absentee ballot pilot program, and to submit a report on the program to the General Assembly. It is anticipated that the SEEC's workload increase will not require additional appropriations.

Municipal Impact

The bill requires the three participating municipalities to hire one absentee ballot coordinator for every 200 people that voted by absentee

ballot at the last municipal election. In the pilot program for a municipal election, the bill requires two absentee ballot coordinators from different political parties be present to help an applicant who requests absentee ballot assistance.

The fiscal impact on municipalities depends on the number of absentee ballots cast at the last municipal election. For illustrative purposes, the number of absentee ballots cast (the total of voted and rejected absentee ballots) at the November 7, 2000¹ election varies from a low of 24 in Union, to a high of 3,917 in Stamford. Therefore, it is estimated that Stamford, if selected to participate in the program, would be required to hire no more than 20 absentee ballot coordinators, and that Union, if selected, would need to hire two (from different political parties). While the number of hours absentee ballot coordinators work and their hourly wage cannot be determined at this time, it is estimated that the pilot program costs will be less than \$2,000 for a large city.

¹ 2000 was a Presidential election year. The number of absentee ballots cast increases significantly in Presidential election years.

OLR Bill Analysis

sHB 6533

AN ACT ESTABLISHING A PILOT PROGRAM FOR REFORMING THE ABSENTEE BALLOT PROCESS TO PREVENT FRAUD AND ABUSE**SUMMARY:**

This bill requires the State Elections Enforcement Commission (SEEC) to establish a pilot program for absentee voting in three municipalities for the 2003 municipal elections and primaries and report on its results to the Government Administration and Elections Committee. The bill includes the program specifications, including the creation of the position of absentee ballot coordinator (ABC). Registrars of voters appoint volunteers or nominees but not municipal employees or party or campaign workers. The bill limits the authority to distribute absentee ballot applications to town clerks and registrars of voters, who can currently distribute them, and the new ABCs.

Under the bill, only clerks, registrars, ABCs, or designees of an applicant can help an applicant complete the form, and two ABCs must be present to provide assistance jointly. The bill requires ABCs to account for blank applications and makes the list of applicants confidential until the Thursday before a Tuesday election or primary.

The statutory requirements of the state's absentee ballot laws apply in the selected towns, with the exception of the procedures established for this program.

EFFECTIVE DATE: Upon passage

PROGRAM TOWNS

The bill requires the SEEC to select three towns that may, but not necessarily, volunteer to participate. The commission must select one large, one medium-sized, and one small town, based on a population ranking of the towns in the state.

ABSENTEE BALLOT APPLICATIONS

Current law allows anyone to pick up and distribute an application or ask a town clerk or registrar to mail one to any qualified prospective absentee voter. The bill limits the distribution to the clerks, registrars, and ABCs and permits them to issue an application only to people who (1) request one for themselves, (2) have been identified by a candidate or political party as potential absentee voters, or (3) are designees of potential absentee voters. The bill defines a “designee” as a family member or caregiver (including a doctor or nurse) of someone who is ill or disabled who has been named as a designee and accepts the responsibility.

The bill requires a town clerk or registrar of voters who helps an absentee ballot applicant complete the application in the office to sign the application. ABCs who provide assistance must also sign the application. Current law requires any person who assists another in completing an application to sign it and print his name, address, and telephone number.

Under the bill, the list of absentee ballot applicants remains confidential until the third business day before the election or primary.

ABSENTEE BALLOT COORDINATORS

Appointment

The bill authorizes registrars of voters to appoint ABCs and file a notice of appointment with the town clerk. Each participating town registrar must appoint at least one for every 200 people who voted by absentee ballot at the last municipal election or primary, as the case may be.

Any town resident, other than a town employee, member of a town committee, or a campaign or party volunteer or employee, can apply for appointment as an ABC or be submitted for appointment by a candidate, slate of candidates, or party.

Duties

Each ABC must account for each application he receives from the clerk and issues.

Under the bill, only ABCs or a voter's designee may be present and provide assistance when an applicant completes the application form outside of the clerk's or registrar's office. If ABCs provide assistance for an election, two of them from different political parties must help the applicant; in the case of a primary, two ABCs representing different slates or candidates must do so. Both ABCs must sign the application. Within two business days, one or both must deliver the application to the town clerk. The bill permits those who can return an absentee ballot also to return the application. They are the applicant, his designee, or immediate family member.

Registrars of voters must train the people appointed as ABCs and swear them to perform their duties faithfully as election officials. Towns must pay the ABCs.

ELECTIONS ENFORCEMENT COMMISSION

The bill gives the commission authority to establish the pilot program and select the participating towns. It may exercise its existing authority and powers to enforce the pilot program's provisions.

After the election, the SEEC must survey the program's election officials and participants in the three towns and report its findings and recommendations to the GAE Committee by January 15, 2004.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 15 Nay 1