



# Senate

General Assembly

**File No. 441**

January Session, 2003

Substitute Senate Bill No. 887

*Senate, April 17, 2003*

The Committee on Government Administration and Elections reported through SEN. DEFRONZO of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## ***AN ACT CONCERNING POLLING PLACE ACCESSIBILITY.***

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

1 Section 1. Section 9-168d of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective January 1, 2004*):

3 (a) [On or before July 1, 1980, each] Each polling place shall be made  
4 accessible to and usable by physically disabled persons by [complying  
5 with the following standards of accessibility: (1) Doors, entrances, and  
6 exits used to gain access to or egress from the polling place shall have a  
7 minimum width of thirty-one inches; (2) temporary ramps shall be  
8 made available or curb cuts provided where necessary for accessibility  
9 to the entrance; (3) any stairs necessarily used to enter the polling place  
10 shall have a temporary handrail and ramp; (4) in the polling place, no  
11 barrier shall impede the path of the physically disabled to the voting  
12 booth] complying with the standards of the State Building Code, as  
13 revised pursuant to section 29-269, relating to accessibility to, and use

14 of, buildings and structures by persons with disabilities.

15 (b) The registrars of voters in each town, or the legislative body of  
16 the town, shall select as polling places only those sites which [meet the  
17 standards of accessibility required under the State Building Code, as  
18 revised pursuant to section 29-269, if applicable, or this section]  
19 comply with the standards of the State Building Code, as revised  
20 pursuant to section 29-269, relating to accessibility to, and use of,  
21 buildings and structures by persons with disabilities.

22 (c) The registrars or such legislative body may select a site [not  
23 meeting] that does not comply with such standards if (1) no available  
24 site within the voting district or town can reasonably be made  
25 accessible, [if] and (2) an application for waiver is filed with the  
26 Secretary of the State and approved by the Office of Protection and  
27 Advocacy for Persons with Disabilities. An application for waiver shall  
28 be filed at least sixty days prior to the date on which the primary or  
29 election will be held and shall include evidence of the town's efforts to  
30 secure an accessible location and reasons why the town is unable to  
31 provide a polling place that complies with such standards. The  
32 Secretary of the State shall, within seven days after receipt of any such  
33 application, refer the application to said office of protection and  
34 advocacy. Said office shall, within thirty days, review the application  
35 and inform the Secretary of the State of its approval or disapproval.  
36 The Secretary of the State shall notify the applicant for waiver of such  
37 approval or disapproval within seven days after the secretary is so  
38 informed.

This act shall take effect as follows:	
Section 1	January 1, 2004

**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:**

<b>Agency Affected</b>	<b>Fund-Type</b>	<b>FY 04 \$</b>	<b>FY 05 \$</b>
Protection & Advocacy, Off.	GF - Cost	None	None

Note: GF=General Fund

### **Municipal Impact:**

<b>Municipalities</b>	<b>Effect</b>	<b>FY 04 \$</b>	<b>FY 05 \$</b>
All Municipalities	STATE MANDATE - Cost	Potential Significant	Potential Significant

### **Explanation**

This bill requires polling places to comply to the accessibility for people with physical disabilities requirements of the State Building Code. Municipalities may select a polling place location that does not comply with the State Building Code's accessibility requirements if no site can reasonably be made accessible and by seeking a waiver from the Office of Protection and Advocacy for Persons with Disabilities.

It is anticipated that the Office of Protection and Advocacy for Persons with Disabilities will incur no cost as a result of this bill. The bill's waiver provision is consistent with current practice.

For municipalities that meet the State Building Code's polling place accessibility requirements or are granted a waiver, there is no fiscal impact.

To the extent municipalities have polling place locations that do not meet the accessibility requirements, are unable to secure other accessible polling place locations, and are not granted a waiver, there may be potentially significant costs to comply with the bill's

requirements. However, it is anticipated that municipalities will be able to comply with the State Building Code requirements, find other accessible polling place locations, or will be granted a waiver.

**OLR Bill Analysis**

sSB 887

**AN ACT CONCERNING POLLING PLACE ACCESSIBILITY****SUMMARY:**

This bill removes specific standards for polling place accessibility for people with physical disabilities and replaces them with the requirement that polling places comply with the more extensive requirements of the State Building Code. The standards the bill replaces require polling places to have:

1. doors, entrances, and exits to be at least 31 inches wide;
2. temporary ramps or curb cuts where necessary for accessibility to the entrance;
3. any necessary stairs equipped with a temporary handrail and ramp; and
4. no barriers that impede the path to the voting booth.

The bill adds a requirement that, in selecting a site for use as a polling place, a town's registrars of voters or legislative body include evidence of their efforts to secure an accessible location and the reasons for their inability to do so when they apply for a waiver from the accessibility standards. By law, when no accessible site is available, towns must apply for a waiver to the Office of the Secretary of the State, which refers the application to the Office of Protection and Advocacy for Persons with Disabilities for approval or disapproval.

EFFECTIVE DATE: January 1, 2004

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 16    Nay 0

