



Senate

General Assembly

File No. 29

February Session, 2004

Substitute Senate Bill No. 20

Senate, March 11, 2004

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 ELECTION DAY VOTER REGISTRATION.

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

1 Section 1. Section 9-17 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2005*):

3 (a) For the purposes of this section, "primary day" means the day
4 that a primary for state, district and municipal offices is being held in
5 accordance with section 9-423, and "election day" means the day of
6 each regular election. (1) The registrars of voters of each town shall
7 hold sessions to examine the qualifications of electors and admit those
8 found qualified on the dates and at the times set forth in this section.
9 Such sessions shall be held on the following days during the hours
10 indicated, except as provided in subdivision (2) of this subsection:

T1

Day

Hours

T2	Fourteenth day	
T3	before primary day	any two hours between
T4		5:00 p.m. and 9:00 p.m.
T5	<u>Primary day.....</u>	<u>6:00 a.m. to 8:00 p.m.</u>
T6	Saturday of third week	
T7	before election day	10:00 a.m. to 2:00 p.m.
T8	Fourteenth day	
T9	before election day	9:00 a.m. to 8:00 p.m.
T10	<u>Election day.....</u>	<u>6:00 a.m. to 8:00 p.m.</u>

11 The session of the registrars of voters on the fourteenth day before
 12 election day shall be the last regular session for the admission of
 13 electors prior to an election, as defined in subsection (y) of section 9-1.
 14 (2) No town having a population of less than twenty-five thousand
 15 persons shall be required to hold sessions for admission of electors on
 16 the fourteenth day before primary day. (3) The sessions on primary
 17 day and election day shall be held in accordance with the provisions of
 18 section 2 of this act.

19 (b) Notwithstanding the provisions of subsection (a), the registrars
 20 of voters shall hold a limited session on the last week day before each
 21 regular election from nine o'clock a.m. to twelve o'clock noon for the
 22 purpose of admitting only those persons whose qualifications as to
 23 age, citizenship or residence in the municipality were attained after the
 24 last session for the admission of electors prior to an election. The
 25 registrars shall enter the names of those electors admitted at such
 26 limited session on the proper list, with their residences by street and
 27 numbers, if any, before one o'clock p.m. of such last week day before
 28 the election.

29 (c) In addition to the sessions held pursuant to subsections (a) and
 30 (b) of this section, the registrars of voters in each town shall hold one
 31 session each year, between the first of January and the last day of the
 32 school year, at each public high school in such town, for the admission
 33 of persons who are eligible for admission under subsection (a) or (b) of

34 section 9-12, provided, in the case of a public high school in a regional
35 school district, such session shall be held on a rotating basis by the
36 registrars of voters for each town which is a member of the regional
37 school district. The registrars of voters need not give notice of this
38 session by publication in a newspaper.

39 Sec. 2. (NEW) (*Effective January 1, 2005*) The registrars of voters shall
40 examine the qualifications of electors at the session held on the day
41 that a primary for state, district and municipal offices is being held in
42 accordance with section 9-423 of the general statutes or the day of a
43 regular election, pursuant to section 9-17 of the general statutes, as
44 amended by this act, or on the day that a presidential preference
45 primary is held under section 9-464 of the general statutes, and admit
46 those found qualified in accordance with the provisions of section 9-20
47 of the general statutes, as amended by this act, except that:

48 (1) Each applicant for admission shall present to the registrars a
49 preprinted form of identification that shows the applicant's name and
50 residence within the municipality in which the applicant is applying. If
51 the applicant does not have a preprinted form of identification that
52 includes a photograph of the applicant, the registrars shall provide for
53 a photograph of the applicant to be taken;

54 (2) (A) In addition to the application for admission as an elector
55 submitted to the registrars of voters, the applicant shall also submit a
56 statement substantially as follows, which the applicant shall sign
57 under oath or affirmation:

58 I swear or affirm that:

59 1. I meet the eligibility requirements to be an elector as indicated on
60 today's application for admission as an elector;

61 2. I have not registered or voted this day in any other election
62 jurisdiction; and

63 3. I have read and understand the Warning Notice below to mean
64 that I can be convicted of perjury and imprisoned for not more than

96 (6) If the registrars admit an applicant as an elector and, upon
97 subsequent investigation in accordance with the National Voter
98 Registration Act of 1993, P.L. 103-31, cannot validate the applicant, the
99 registrars shall place the name of the applicant on the inactive registry
100 list and forward such name to the State Elections Enforcement
101 Commission.

102 Sec. 3. (NEW) (*Effective January 1, 2005*) The Secretary of the State, in
103 cooperation with the Registrars of Voters Association of Connecticut,
104 shall train persons to train registrars of voters concerning the
105 provisions of section 9-17 of the general statutes, as amended by this
106 act, and section 2 of this act. After receiving such training, registrars of
107 voters shall train their deputies and assistants and other election
108 officials concerning said provisions.

109 Sec. 4. Section 9-158a of the general statutes is repealed and the
110 following is substituted in lieu thereof (*Effective January 1, 2005*):

111 As used in sections 9-139c, 9-140b, 9-158a to 9-158m, inclusive, and
112 9-307:

113 (1) "Federal election" means any general or special election or any
114 primary held solely or in part for the purpose of selecting, nominating
115 or electing any candidate for the office of President, Vice President,
116 presidential elector, member of the United States Senate or member of
117 the United States House of Representatives;

118 (2) "Former resident" means a person who was a bona fide resident
119 of a town in this state and who has [~~removed~~] moved from that town
120 to another state less than thirty days before the day of a presidential
121 election and who for that reason is unable to register to vote in the
122 election in [~~his~~] such person's present [~~town or~~] state of residence;

123 (3) "Overseas elector" means any person permitted to vote pursuant
124 to subsection (b) of section 9-158b;

125 (4) "Presidential election" means an election at which electors of
126 President and Vice-President are elected;

127 (5) "Resident" means a bona fide resident of a town in this state;

128 (6) "State" includes any of the several states, the District of
129 Columbia, the Commonwealth of Puerto Rico, Guam and the Virgin
130 Islands; and

131 (7) "United States" includes the several states, the District of
132 Columbia, the Commonwealth of Puerto Rico, Guam and the Virgin
133 Islands, but does not include American Samoa, The Canal Zone, the
134 trust territory of the Pacific Islands or any other territory or possession
135 of the United States.

136 Sec. 5. Subsection (a) of section 9-158b of the general statutes is
137 repealed and the following is substituted in lieu thereof (*Effective*
138 *January 1, 2005*):

139 (a) Each citizen of the United States who is at least eighteen years of
140 age, is a [resident or] former resident and [who] has not forfeited [his]
141 such citizen's electoral privileges because of a disfranchising crime,
142 may vote for presidential and vice-presidential electors, but for no
143 other offices, in the town in this state in which [he resides, or] such
144 citizen formerly resided in the manner provided in sections 9-158c to 9-
145 158m, inclusive, as amended by this act.

146 Sec. 6. Subsection (a) of section 9-158c of the general statutes is
147 repealed and the following is substituted in lieu thereof (*Effective*
148 *January 1, 2005*):

149 (a) Not earlier than forty-five days before the election and not later
150 than the close of the polls on election day, each [resident, or] former
151 resident who desires to vote in a presidential election under sections 9-
152 158a to 9-158m, inclusive, as amended by this act, may apply for a
153 "presidential ballot" to the municipal clerk of the town in which [he]
154 such former resident is qualified to vote on the form prescribed in
155 section 9-158d, as amended by this act. Application for a "presidential
156 ballot" may be made in person or absentee, in the manner provided for
157 applying for an absentee ballot under section 9-140, except as provided

158 in said sections 9-158a to 9-158m, inclusive, as amended by this act.

159 Sec. 7. Subsection (a) of section 9-158d of the general statutes is
160 repealed and the following is substituted in lieu thereof (*Effective*
161 *January 1, 2005*):

162 (a) The application for a presidential ballot shall be a form signed in
163 duplicate by the applicant under penalty of false statement in absentee
164 balloting, which shall provide substantially as follows:

165 To the Town Clerk of the Town of ..., Connecticut

166 I, the undersigned, declare under penalty of false statement in
167 absentee balloting that the following statements are true:

168 1. I am a citizen of the United States.

169 2. I have not forfeited my electoral privileges because of conviction
170 of a disfranchising crime.

171 3. I was born on ..., and on the day of the next presidential election,
172 I shall be at least 18 years of age. [Check and complete 4 or 5,
173 whichever applies:]

174 [4. RESIDENT. I am a bona fide resident of the above town, to
175 which I am making this application, and I reside at ... Street. I moved
176 to said town on the ... day of ..., 20... Before becoming a resident of
177 said town, I resided at ... Street, in the Town of ... County of ..., State
178 of ...]

179 [5.] 4. FORMER RESIDENT. I am a former resident of the above
180 town, to which I am making this application, and resided at ... Street
181 therein. I moved from such town to my present town of residence on
182 the ... day of ..., 20.., being within thirty days before the date of the
183 next presidential election, and for that reason I cannot register to vote
184 in said presidential election in my present town of residence. I am now
185 a bona fide resident of the Town of ..., in the state of ..., now residing
186 at ... Street therein.

187 [6.] 5. I hereby apply for a "presidential ballot" for the election to be
188 held on ..., 20... I have not voted and will not vote otherwise than by
189 this ballot at that election. I am not eligible to vote for electors of
190 President and Vice-President [in any other town in Connecticut or] in
191 any other state.

192 [7.] 6. The said ballot is to be given to me personally mailed to me at
193 (bona fide mailing address)

194 Dated at ..., this ... day of ... 20...

195 (Signature of applicant)

196 Sec. 8. Subsection (a) of section 9-158e of the general statutes, as
197 amended by section 98 of public act 03-6 of the June 30 special session,
198 is repealed and the following is substituted in lieu thereof (*Effective*
199 *January 1, 2005*):

200 (a) A person applying for a presidential ballot in person shall
201 present: (1) A current and valid photo identification, or (2) a copy of a
202 current utility bill, bank statement, government check, paycheck or
203 other government document that shows the name and address of the
204 voter. The application for a presidential ballot by mail shall be
205 accompanied by: (A) A copy of a current and valid photo
206 identification, or (B) a copy of a current utility bill, bank statement,
207 government check, paycheck or government document that shows the
208 name and address of the voter. Upon receipt of an application for a
209 presidential ballot under sections 9-158a to 9-158m, inclusive, as
210 amended by this act, the clerk, if satisfied that the application is proper
211 and that the applicant is qualified to vote under said sections, shall
212 forthwith give or mail to the applicant, as the case may be, a ballot for
213 presidential and vice-presidential electors for use at the election and
214 instructions and envelopes for its return. At such time the clerks shall
215 also mail a duplicate of the application to the appropriate official of [(i)
216 the state or the town in this state in which the applicant last resided in
217 the case of an applicant who is a resident, or (ii) the state or the town in

218 this state] the state in which the applicant now resides. [in the case of
219 an applicant who is a former resident.]

220 Sec. 9. Section 9-158j of the general statutes is repealed and the
221 following is substituted in lieu thereof (*Effective January 1, 2005*):

222 Upon receipt of an application for a "Presidential Ballot" or
223 "Overseas Ballot" the town clerk shall forthwith notify the registrars of
224 voters of the applicant's name, with a notation designating [him] the
225 applicant as a person voting for presidential and vice-presidential
226 electors or federal offices only. If the name of a presidential voter [who
227 is a former resident] appears on the registry list, the registrars shall
228 insert the letters "pf" in the margin preceding [his] the voter's name.
229 The registrars shall prepare a list of names and addresses of
230 presidential voters and overseas electors whose names do not appear
231 on the registry list, for each voting district, which list shall accompany
232 the check list to be used at such election in such district. The registrars
233 shall insert the letters "pf" in the margin of such list of presidential
234 voters preceding the name of each applicant. [who is a former
235 resident.]

236 Sec. 10. Section 9-158k of the general statutes is repealed and the
237 following is substituted in lieu thereof (*Effective January 1, 2005*):

238 The municipal clerk shall file each duplicate application or other
239 official information received by [him] such clerk from another state, [or
240 from another town in this state,] indicating that a person who formerly
241 resided [or presently resides] in such town has made application to
242 vote at a presidential election in such other state, [or town,] and shall
243 maintain an alphabetical index of such information for a period of one
244 hundred eighty days after the election. The clerk shall compare each
245 such application or statement of information with applications made
246 under the provisions of sections 9-158a to 9-158m, inclusive, as
247 amended by this act, and, after the election, with the names checked
248 off as having voted on the check list for the election, to ascertain that
249 any such person has not voted more than once. Whenever the record
250 indicates that any person has applied for a presidential ballot and

251 indicated in [his] such person's application that [he] such person is
 252 applying as a former resident, and there is record evidence that such
 253 person has applied in another state [or town] as a new resident, the
 254 applicant's ballot shall not be cast in [his] such person's former town of
 255 residence.

256 Sec. 11. Section 9-23a of the general statutes is repealed and the
 257 following is substituted in lieu thereof (*Effective January 1, 2005*):

258 (a) Except as provided in subsection (b) of this section and section 2
 259 of this act, no person admitted as an elector after twelve o'clock noon
 260 on the last business day before a primary shall be permitted to vote in
 261 such primary.

262 (b) An applicant for admission or enrollment under section 9-26
 263 shall be entitled to vote in a primary if he files his application for
 264 admission or enrollment with the town clerk before the day of the
 265 primary and is otherwise eligible to vote in the primary.

This act shall take effect as follows:	
Section 1	<i>January 1, 2005</i>
Sec. 2	<i>January 1, 2005</i>
Sec. 3	<i>January 1, 2005</i>
Sec. 4	<i>January 1, 2005</i>
Sec. 5	<i>January 1, 2005</i>
Sec. 6	<i>January 1, 2005</i>
Sec. 7	<i>January 1, 2005</i>
Sec. 8	<i>January 1, 2005</i>
Sec. 9	<i>January 1, 2005</i>
Sec. 10	<i>January 1, 2005</i>
Sec. 11	<i>January 1, 2005</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-Effect
Elect. Enforcement Com.	GF - None
Secretary of the State	GF - None

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 05 \$	FY 06 \$
All Municipalities	STATE MANDATE - Cost	See Below	See Below

Explanation

This bill allows people to register to vote in the registrars of voters' office on the day of an election, primary, or presidential preference primary. The Secretary of the State (SOTS), in cooperation with the Registrars of Voters Association of Connecticut, shall train persons to train registrars of voters concerning the new registration procedures. After receiving such training, registrars of voters shall train their deputies and assistants and other election officials concerning said provisions. This bill eliminates the use of presidential ballots for state residents. This bill will result in an increased workload for the SOTS and State Elections Enforcement Commission (SEEC), which will not require additional funding.

Municipal Impact

This bill will result in a cost to municipalities. Municipalities will have to hire additional part-time or temporary personnel to handle people who register to vote during the additional registration periods. The extent of the personnel costs depends on the population of the

municipality and the anticipated number of people who register to vote. Municipalities will also incur costs to purchase instant cameras and film to take photographs of those voter registration applicants not possessing photo identification.

OLR Bill Analysis

sSB 20

AN ACT CONCERNING ELECTION DAY VOTER REGISTRATION**SUMMARY:**

This bill allows people to register to vote during voting hours at sessions the registrars of voters hold on the day of an election, primary, or presidential preference primary. It establishes procedures applicants and registrars must follow for registration on Election Day. The bill also eliminates the use of presidential ballots for state residents and requires the secretary of the state and the registrars' association to train registrars and poll workers in the new procedures

EFFECTIVE DATE: January 1, 2005

ELECTION DAY REGISTRATION

The bill requires registrars of voters to conduct a voter registration session on the day of a state, district, or municipal election or primary and a presidential preference primary. The applicant must show the registrars identification with his name, address, and photograph. If the identification has no photograph, the registrars must have one taken. The applicant must also sign a statement swearing or affirming that he meets the eligibility requirements to register and did not register or vote elsewhere. The statement includes a notice of the penalty for signing a false statement (a perjury conviction and up to five years in prison, a fine up to \$5,000, or both).

If the registrars admit an applicant who registers on Election Day, they must (1) give the person a notice of acceptance (as prescribed by the secretary of the state) indicating his voting district and polling place, (2) attach a copy of the ID including the photo, and (3) seal and sign the notice and copies. The person can go to his polling place, present the notice and copies, and vote. At the polling place, the assistant registrar adds the person's name to the supplementary list with the notation "ED."

The registrars must keep a copy of the identification (including the

photograph) with the registration card until satisfied that the post office has delivered the applicant's confirmation notice. If they cannot validate the application, they must put the person's name on the inactive registry list and notify the State Elections Enforcement Commission.

PRESIDENTIAL BALLOTS

The bill removes the provision for Connecticut residents to vote by presidential ballot, leaving the procedures in place only for former state residents. A former state resident who moved to another state after its deadline to register can apply for a presidential ballot in Connecticut and vote for presidential and vice-presidential electors, but no other offices. The application and voting procedures (which include the requirement to show current identification) remain the same as under current law.

TRAINING

The bill requires the secretary of the state, in cooperation with the Registrars of Voters Association of Connecticut, to train people who will train the state's registrars in the registration procedures. In turn, the registrars must train deputy and assistant registrars and other poll workers.

BACKGROUND

Presidential Ballots

The 1965 federal Voting Rights Act (42 USC § 1973aa-1) requires state law to provide for those otherwise qualified to vote who fail to meet a residency requirement to vote in an election for U.S. President and vice-president. A person who moved after the deadline for voter registration in his new residence must be allowed to vote for President and vice-president in the state or town where he lived before moving.

COMMITTEE ACTION

Government Administration and Elections Committee
Joint Favorable Substitute
Yea 14 Nay 3