



General Assembly

Substitute Bill No. 5321

February Session, 2010

* HB05321GAE 031810 *

**AN ACT CONCERNING A PILOT PROGRAM FOR MUNICIPAL
PRIMARY DAY REGISTRATION.**

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

1 Section 1. (*Effective October 1, 2010*) (a) The Secretary of the State
2 shall establish a pilot program to require municipalities to allow for
3 primary day voter registration at municipal primaries held in 2011, in
4 accordance with the provisions of this section.

5 (b) As used in this section, "primary day" means the day that a
6 primary for a municipal office is being held in accordance with section
7 9-423 of the general statutes.

8 (c) Notwithstanding the provisions of chapter 143 of the general
9 statutes, a person who (1) is not an elector in the municipality in which
10 the person is applying for admission, and (2) meets the eligibility
11 requirements under subsection (a) of section 9-12 of the general
12 statutes, may apply for admission as an elector on primary day.

13 (d) (1) The registrars of voters shall have the authority to designate a
14 location for the completion and processing of primary day registration
15 applications on primary day, provided such location shall enable the
16 registrars of voters to access the state-wide centralized voter
17 registration system. The registrars of voters may appoint one or more
18 election officials to serve at such location and may delegate to such

19 election officials any of the responsibilities assigned to the registrars of
20 voters. The registrars of voters shall train and supervise such primary
21 day registration election officials. Any such location designated by the
22 registrars of voters shall comply with section 9-168d of the general
23 statutes and shall provide the same opportunity for access and
24 participation, including privacy and independence, for all voters.

25 (2) No person shall solicit on behalf of or in opposition to the
26 candidacy of another or himself or on behalf of or in opposition to any
27 question being submitted at the primary, or loiter or peddle or offer
28 any advertising matter, ballot or circular to another person within a
29 radius of seventy-five feet of any outside entrance in use as an entry to
30 the registrars of voters' designated location for primary day
31 registration balloting or in any corridor, passageway or other approach
32 leading from any such outside entrance to such registrars of voters'
33 designated location or in any room opening upon any such corridor,
34 passageway or approach.

35 (e) Any such application shall be made in accordance with the
36 provisions of section 9-20 of the general statutes, provided (1) on
37 primary day, the applicant shall appear in person at the location
38 designated by the registrars of voters for primary day registration, (2)
39 an applicant who is a student enrolled at an institution of higher
40 education may submit a current and valid photo identification issued
41 by such institution in lieu of the identification required by section 9-20
42 of the general statutes, and (3) the applicant shall declare under oath
43 that the applicant has not previously voted in the primary. If the
44 information that the applicant is required to provide under section 9-
45 20 of the general statutes and this section does not include proof of the
46 applicant's residential address, the applicant shall also submit current
47 and valid identification that shows the applicant's bona fide residence
48 address, including, but not limited to, a United States passport, a
49 learner's permit or a utility bill that has the applicant's name and
50 current address and is due not later than thirty days after the primary,
51 as applicable or, in the case of a student enrolled at an institution of
52 higher education, a registration or fee statement from such institution

53 that has the applicant's name and current address. The registrars of
54 voters shall check the state-wide centralized voter registration system
55 before admitting an applicant as an elector. If the registrars of voters
56 determine that an applicant is qualified to register as an elector, the
57 registrars of voters shall admit the applicant as an elector and the
58 privileges of an elector shall attach immediately.

59 (f) Notwithstanding the provisions of section 9-21 of the general
60 statutes, if an applicant is an elector in another municipality and the
61 applicant states that he or she wants to change the municipality in
62 which the applicant is an elector, the registrars of voters of the
63 municipality in which such elector now seeks to register shall
64 immediately notify the registrars of voters in such other municipality
65 that such elector is changing the municipality in which the applicant is
66 an elector. The registrars of voters in such other municipality shall
67 immediately notify the election officials in such other municipality to
68 remove such elector from the official voter list of such other
69 municipality. Such election officials shall cross through the elector's
70 name on such official voter list and mark "off" next to such elector's
71 name on such official voter list. If it is reported that such applicant
72 already voted in such other municipality, the registrars of voters of
73 such other municipality shall immediately notify the registrars of
74 voters of the municipality in which such elector now seeks to register.
75 In such event, such elector shall not receive a primary day registration
76 ballot from the registrars of voters of the municipality in which such
77 elector now seeks to register. For any such elector, the primary day
78 registration process shall cease in the municipality in which such
79 elector now seeks to register and such matter shall be reviewed by the
80 registrars of voters in the municipality in which such elector now seeks
81 to register. After completion of such review, if a resolution of the
82 matter cannot be made, such matter shall be reported to the State
83 Elections Enforcement Commission which shall conduct an
84 investigation of the matter.

85 (g) Notwithstanding the provisions of sections 9-56, 9-57 and 9-59 of
86 the general statutes, an applicant admitted as an elector pursuant to

87 the provisions of this section shall immediately be entitled to the
88 privileges of party enrollment for the party named in such person's
89 application for admission.

90 (h) If the applicant is admitted as an elector, the registrars of voters
91 shall provide the elector with a primary day registration ballot to vote
92 in the primary of the party with which the elector is enrolled and a
93 security envelope, and shall make a record of such issuance. The
94 elector shall complete an affirmation imprinted upon the back of the
95 envelope for a primary day registration ballot and shall declare under
96 oath that the applicant has not previously voted in the primary. The
97 affirmation shall be in the form substantially as follows and signed by
98 the voter:

99 AFFIRMATION: I, the undersigned, do hereby state, under penalty
100 of false statement, (perjury) that:

- 101 1. I am the person admitted here as an elector in the town indicated.
- 102 2. I am eligible to vote in the primary indicated for today in the
103 town indicated.
- 104 3. The information on my voter registration card is correct and
105 complete.
- 106 4. I reside at the address that I have given to the registrars of voters.
- 107 5. If previously registered at another location, I have provided such
108 address to the registrars of voters and hereby request cancellation of
109 such prior registration.
- 110 6. I have not voted in person or by absentee ballot and I will not
111 vote otherwise than by this ballot at this primary.
- 112 7. I completed an application for primary day registration ballot and
113 received a primary day registration ballot.

114 (Signature of voter)

115 (i) The elector shall forthwith mark the primary day registration
116 ballot in the presence of the registrars of voters in such a manner that
117 the registrars of voters shall not know how the primary day
118 registration ballot is marked. The elector shall place the primary day
119 registration ballot in the primary day registration ballot envelope
120 provided and deposit such envelope in a secured primary day
121 registration ballot depository receptacle. The registrars of voters shall
122 transport such receptacle to the area where such primary day
123 registration ballots shall be counted. At the time designated by the
124 registrars of voters and noticed to election officials, the primary day
125 registration ballots issued pursuant to this section shall be delivered to
126 the area, either district or central, where absentee ballots are counted
127 and such primary day registration ballots shall be counted by the
128 election officials present at such location. A section of the head
129 moderator's return shall show the number of primary day registration
130 ballots received from electors. The registrars of voters shall seal a copy
131 of the votes cast on primary day registration ballots in the depository
132 envelope with the primary day registration ballots and store such
133 primary day registration envelope with the other primary results
134 materials. The primary day registration depository envelope shall be
135 preserved by the registrars of voters for the period of time required to
136 preserve counted ballots for primaries.

137 (j) The provisions of the general statutes and regulations concerning
138 procedures relating to the custody, control and counting of absentee
139 ballots shall apply as nearly as possible, to the custody, control and
140 counting of primary day registration ballots under this section.

141 (k) After the acceptance of a primary day registration, the registrars
142 of voters shall forthwith send a registration confirmation notice to the
143 residential address of the applicant who is admitted as an elector on
144 primary day under this section. Such confirmation shall be sent by first
145 class mail with instructions on the envelope that it be returned if not
146 deliverable at the address shown on the envelope. Notwithstanding
147 the May first deadline in section 9-35 of the general statutes, if a

148 confirmation notice is returned undelivered, the registrars of voters
149 shall investigate and shall take the necessary action in accordance with
150 section 9-35 or 9-43 of the general statutes, as applicable.

151 (l) After the municipal primaries held in 2011, the Secretary of the
152 State shall survey election officials for municipalities that held such
153 municipal primaries. Not later than January 10, 2012, said Secretary
154 shall submit a report on the secretary's findings and recommendations
155 concerning the pilot program to the joint standing committee of the
156 General Assembly having cognizance of matters relating to elections,
157 in accordance with the provisions of section 11-4a of the general
158 statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2010	New section

Statement of Legislative Commissioners:

In section 1(a), ", in accordance with the provisions of this section" was inserted for clarity and in section 1(g), "an applicant admitted" was substituted for "a person for admission" for accuracy.

GAE *Joint Favorable Subst.*