



# OLR RESEARCH REPORT

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## VOTING BY ABSENTEE BALLOT IN A REFERENDUM

By: Kristin Sullivan, Principal Analyst

You asked for a summary of the absentee voting process at a local referendum, including an explanation for why town clerks cannot mail the absentee ballots under certain conditions, and whether legislation would be required to change the prohibition.

By law, an elector who meets the eligibility criteria to vote by absentee ballot at an election or primary (e.g., active service in the U.S. armed forces or absence from town during voting hours) can vote by absentee at a referendum ([CGS § 9-369a](#)). Such individuals may generally apply in person or by mail to the town clerk. Once the application is received or on the 19<sup>th</sup> day before the referendum, whichever is later, the clerk must give or mail to the applicant an absentee voting set (the ballot, return envelopes, and instructions) ([CGS § 9-369c\(e\)](#)).

But when a referendum is held with less than three weeks notice, town clerks may not, as a practical matter, receive the final question in time to print and mail absentee ballot sets. This often happens after a budget referendum fails and a subsequent referendum is necessary to approve it.

The law therefore requires town clerks to make the absentee ballots available in their office no later than four business days after receiving the final question. The applicant or his or her designee must apply for the ballot in person rather than by mail ([CGS § 9-369c\(a\)](#)). (A designee may be a family member, local police officer, registrar or deputy registrar of voters from the town in which the applicant lives, physician, nurse, or any person caring for the absentee voter because of illness.)

The law authorizes a referendum with less than three weeks notice (1) when a question is submitted to voters at an adjourned town meeting; (2) when a local charter or ordinance authorizes it; (3) on a regional school district budget; or (4) for subsequent referenda after a question in any of these cases fails ([CGS §§ 7-7](#), [9-369c\(a\)](#), and [10-51\(a\)](#)). Since the statutes set the procedures for these referenda, and specifically prohibit town clerks from mailing absentee ballots without three weeks notice, legislation would be necessary to change the prohibition.

For more information on: eligibility to vote by absentee ballot, see OLR Report [2006-R-0536](#); absentee voting at an adjourned town meeting, see OLR Report [2004-R-0604](#); municipal budget referenda see OLR Report [2002-R-0911](#); and regional school district referenda see OLR Report [2010-R- 224](#).

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