



Substitute Senate Bill No. 218

Public Act No. 12-73

AN ACT CONCERNING POLLING PLACES FOR PRIMARIES, REGISTRARS OF VOTERS, REGISTRY LISTS, VOTING DISTRICT MAPS, ELECTION RETURNS AND SUPERVISED ABSENTEE VOTING AT INSTITUTIONS.

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

Section 1. Section 9-438 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[In] (a) Except as otherwise provided in subsection (b) of this section, in each municipality or voting district, the polling place or places for [primaries] a primary held under sections 9-382 to 9-450, inclusive, shall be the same as those used for the election to be held. When unaffiliated electors are authorized under section 9-431 to vote in the primary of either of two parties, both parties shall hold their primaries in the same room of each such polling place.

(b) The registrars of voters of a municipality may reduce the number of polling places required under subsection (a) of this section and shall designate such polling place or places not later than sixty days prior to a primary held under sections 9-382 to 9-450, inclusive, the location of which may be the same or different than of those polling places required under subsection (a) of this section. Not earlier than sixty days prior to such primary, but not later than forty-five days

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prior to such primary, the registrars of voters shall notify the Secretary of the State and the candidates seeking nomination to an office in such primary of the change in the polling place or places. If such a candidate objects to a change in the polling place or places, the candidate shall notify the Secretary of such objection not later than four o'clock p.m. on the thirtieth day prior to the primary. Such notification from the candidate shall be in the form of a written letter, signed by the candidate, and shall be held confidential by the Secretary. The Secretary shall promptly notify such registrars of voters and any candidate seeking nomination to an office in such primary that the Secretary has received a letter of objection, which notification shall not identify the candidate who objected. If such a candidate so objects, or if a municipality's registrars of voters cannot agree upon a polling place or places for a primary, the polling place or places shall be the same as those used for the election to be held. Not later than twenty-one days prior to a primary, the registrars of voters shall send notification of the polling place for the primary, by mail, to each elector whose polling place for the primary will be different than the elector's polling place for the election, except that no registrar of voters shall be required to so notify an elector for any subsequent primary, provided the primary polling place for such elector remains the same as that which was provided for in the initial notification. If any polling place that would otherwise be open pursuant to subsection (a) of this section is closed pursuant to this subsection, the registrars of voters shall ensure that a sign is posted at such polling place providing electors with information to redirect the electors to the open polling place or places for the primary. When unaffiliated electors are authorized under section 9-431 to vote in the primary of either of two parties, both parties shall hold their primaries in the same room of each such polling place. Notwithstanding any provision of title 7 or this title, any special act, charter or ordinance, if the number of polling places are reduced pursuant to the provisions of this subsection, the number of moderators required for such primary may be reduced, if the registrars

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of voters so agree, provided at least one certified moderator serves each polling place.

(c) On the day of the primary, the polls shall remain open for voting from six o'clock a.m. until eight o'clock p.m.

Sec. 2. (NEW) (*Effective from passage*) Whenever a complaint is made, in writing, to the State Elections Enforcement Commission that a registrar of voters of any town is guilty of misconduct, wilful and material neglect of duty or incompetence in the conduct of such registrar's office, said commission shall investigate the charges as the commission deems proper and shall, if of the opinion that the evidence obtained warrants such action, prepare a statement, in writing, of the charges against such registrar of voters, together with a citation in the name of the state, commanding such registrar of voters to appear before a judge of the Superior Court at a date named in such citation and show cause, if any, why such registrar should not be removed from office as provided in this section. Said commission shall cause a copy of such statement and citation to be served by the proper officer upon the defendant not later than ten days before the date of appearance named in such citation, and the original statement and citation, with the return of the officer on such statement and citation, shall be returned to the clerk of the superior court for the judicial district within which such town is situated. To carry out the provisions of this section, the commission shall have power to summon witnesses, require the production of necessary books, papers and other documents and administer oaths to witnesses. Upon the day named in such citation for the appearance of such registrar of voters, or upon any adjourned day fixed by the judge before whom such proceedings are pending, the commission shall appear and conduct the hearing on behalf of the state. If, after a full hearing of all the evidence offered by the commission and by and in behalf of the defendant, the judge is of the opinion that the evidence presented warrants the removal of such

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registrar of voters, the judge shall cause to be prepared a written order to that effect, which shall be signed by the judge and lodged with the clerk of the superior court for the judicial district in which the defendant resides. Such clerk of the superior court shall cause a certified copy of such order to be served forthwith upon such registrar of voters, and upon such service the office held by such registrar of voters shall become vacant and the vacancy shall be filled in the manner provided in section 9-192 of the general statutes. Any witnesses summoned and any officer making service under the provisions of this section shall be allowed and paid by the state the same fees as are allowed by law in criminal prosecutions.

Sec. 3. Subsection (a) of section 9-7b of the 2012 supplement to the general statutes is amended by adding subdivision (19) as follows (*Effective from passage*):

(NEW) (19) To carry out an investigation of a registrar of voters in accordance with the provisions of section 2 of this act.

Sec. 4. Subsection (a) of section 9-45 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

(a) The Commissioner of Correction shall, on or before the fifteenth day of each month, transmit to the Secretary of the State a list of all persons who, during the preceding calendar month, have been convicted in the Superior Court of a felony and committed to the custody of the Commissioner of Correction for confinement in a correctional institution or facility or a community residence. Such lists shall include the names, birth dates and addresses of such persons, with the dates of their conviction and the crimes of which such persons have been convicted. The Secretary of the State shall transmit such lists to the registrars of the towns in which such convicted persons resided at the time of their conviction and to the registrars of any towns where

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the secretary believes such persons may be electors. The registrars of such towns shall compare the same with the list of electors upon their registry lists and, after written notice mailed [by certified mail to each of the persons named at the last-known place of address of] to each such person, in care of the Department of Correction, shall erase such names from the registry lists in their respective towns or voting districts.

Sec. 5. Section 9-6 of the 2012 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2012*):

(a) Each registrar of voters or, in the absence of a registrar, the deputy registrar of voters, and each municipal clerk or, in the absence of a municipal clerk, one of the assistant municipal clerks shall be compensated by the municipality which the registrar or clerk represents, as provided [for] in this section, for attending two conferences a year for town clerks and registrars of voters which may be called by the Secretary of the State for the purpose of discussing the election laws [,] or procedures or matters related [thereto] to such laws or procedures, including, but not limited to, compliance with the provisions of section 9-322a, as amended by this act.

(b) Each such official shall be compensated by the municipality at the rate of thirty-five dollars per day for attending each such conference, plus mileage to and from such conference at a rate per mile determined by the municipality, but not less than twenty cents per mile, computed from the office of such official or, if [he] such official has no office, from [his] such official's home to the place where such conference is being held.

Sec. 6. Section 9-169g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2012*):

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(a) The town clerk of any municipality (1) which is divided between two or more assembly districts, two or more senatorial districts or two or more congressional districts, or (2) which is not divided between any such districts but is divided into two or more voting districts for General Assembly or congressional elections, shall submit to the Secretary of the State a street map of the municipality which indicates the boundary lines of the voting districts established by the municipality in accordance with sections 9-169, 9-169a and 9-169d. The town clerk shall submit such map to the [secretary in a printed or electronic format prescribed by the secretary] Secretary (A) not later than thirty days after any such division first takes effect, and (B) not later than thirty days after any change in any such division takes effect. Each town clerk shall submit such map in electronic format, when possible, but may submit such map in printed format when electronic submission is not possible.

(b) The Secretary of the State shall make such maps available to the General Assembly, for use by the General Assembly in carrying out its responsibilities under (1) Article XXVI of the Amendments to the Constitution of Connecticut, or any subsequent corresponding state constitutional provision, with regard to the redistricting of assembly, senatorial and congressional districts, and (2) Public Law 94-171, concerning the establishment of a plan identifying the geographic areas for which specific tabulations of population are desired in the decennial census of the United States.

(c) Any town clerk who fails to comply with the provisions of subsection (a) of this section shall be fined twenty dollars.

Sec. 7. Section 9-322a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2012*):

(a) Not later than twenty-one days following each regular state election, the town clerk of each town divided into voting districts shall

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file with the Secretary of the State a consolidated listing, in tabular format, as prescribed by the Secretary of the State, of the official returns of each such voting district for all offices voted on at such election, including the total number of votes cast for each candidate, the total number of names on the registry list, and the total number of names checked as having voted, in each such district. The town clerk of such town shall certify that he or she has examined the lists transmitted under this section to determine whether there are any discrepancies between the total number of votes cast for a candidate at such election in such town, including for any recanvass conducted pursuant to section 9-311 or 9-311a, and the sum of the votes cast for the same candidate in all voting districts in such town. In the case of any such discrepancy, the town clerk shall notify the head moderator and certify that such discrepancy has been rectified. Each listing filed under this section shall be retained by the Secretary of the State not less than ten years after the date of the election for which it was filed.

(b) Each town clerk shall electronically file the consolidated listing required under subsection (a) of this section, provided the town has provided the town clerk with access to a computer. Nothing in this subsection shall be construed to require a town to purchase a computer.

(c) Any town clerk who fails to comply with the provisions of this section shall be fined twenty dollars.

Sec. 8. Subsection (a) of section 9-159q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) As used in this section and section 9-159r, as amended by this act:

(1) "Institution" means a veterans' health care facility, residential

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care home, health care facility for the handicapped, nursing home, rest home, mental health facility, alcohol or drug treatment facility, an infirmary operated by an educational institution for the care of its students, faculty and employees or an assisted living facility; and

(2) "Designee" means an elector of the same town and political party as the appointing registrar of voters which elector (A) is not an employee of the institution at which supervised voting is conducted, and (B) did not solicit qualifying contributions under chapter 157 for any candidate on the ballot during the election cycle in which any such candidate is seeking nomination or election to office.

Sec. 9. Subsection (a) of section 9-159r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Notwithstanding any provision of the general statutes, [to the contrary,] if twenty or more of the patients in any institution in the state are electors, absentee ballots voted by such electors shall be voted under the supervision of the registrars of voters or their designees of the town in which the institution is located, in accordance with the provisions of this section. [As used in this section, the term "institution" shall be construed as defined in section 9-159q.]

Sec. 10. Subsection (e) of section 9-35 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

(e) In any case in which the registrars have obtained reliable information of an elector's change of address within the municipality, they shall enter the name of such elector on the registry list at the place where the elector then resides, provided, if such reliable information is the National Change of Address System of the United States Postal Service, the registrar shall change the registry list and send the elector

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a notice of the change by forwardable mail and a postage prepaid preaddressed return form by which the elector may verify or correct the address information. If during the canvass the registrars determine that an elector has moved out of town and such elector has not confirmed in writing that the elector has moved out of the town, the registrars shall, not later than May first, send to the elector, by forwardable mail, a notice required by the National Voter Registration Act of 1993, P.L. 103-31, as amended from time to time, together with a postage prepaid preaddressed return card on which the elector may state the elector's current address. In the year of a presidential preference primary, the registrars shall send such notice not earlier than the date of such primary. If the registrar does not receive the return card within thirty days after it is sent, the elector's name, including the name of an elector who has not voted in two consecutive federal elections, shall be placed on the inactive registry list for four years. At the expiration of such period of time on the inactive registry list, such name shall be removed from the registry list. If such elector applies to restore the elector's name to the active registry list or votes during such period, the elector's name shall be restored to the active registry list. Such registrars shall retain a duplicate copy or record of each such notice in their office or, if they do not have a permanent office, in the office space provided under section 9-5a, and shall note on such duplicate copy or record the date on which such notice was mailed. In each municipality, any elector, upon change of residence within the municipality, may cause the elector's registration to be transferred to the elector's new address by presenting to the registrars [a signed request therefor, stating the elector's present address, the date the elector moved to such address and the address at which the elector was last registered] a new application for voter registration. The registrars shall thereupon enter the elector's name on the list at the elector's new residence; provided no transfer of registration shall be made on the registry list on election day without the consent of [both registrars] each registrar.

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