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## **OLR Bill Analysis**

### **sSB 437**

#### ***AN ACT CONCERNING CHANGES TO ELECTIONS LAWS.***

#### **SUMMARY:**

This bill changes election laws affecting registrars of voters, State Elections Enforcement Commission (SEEC) members, submissions of local voting district returns and maps, and supervised absentee balloting designees. Generally, it:

1. establishes a process for removing registrars of voters from office;
2. modifies the restriction on SEEC commissioners serving consecutive terms and changes the terms' start date from July 1 to April 1;
3. requires registrars of voters to mail notices (but not by certified mail) to newly convicted felons at the Department of Correction, rather than their last-known address, indicating that they will be removed from the voter registry list (§ 4);
4. requires town clerks to submit local voting district returns and maps electronically, when possible; and
5. prohibits individuals from serving as supervised absentee balloting designees at an optional session if, during the current election cycle, they solicited qualifying contributions for a candidate who is on the ballot and participating in the Citizens' Election Program (§ 8) (see BACKGROUND).

The bill also makes technical and conforming changes.

**EFFECTIVE DATE:** Upon passage, except the provision on (1) mailing notices to convicted felons is effective July 1, 2012 and (2)

electronic submission of voting district returns and maps are effective October 1, 2012.

### **REGISTRARS OF VOTERS (§§ 1, 2)**

The bill establishes a process for removing registrars of voters from office that is similar to existing law's process for removing town clerks from office (CGS § 7-22).

Under the bill, the SEEC must investigate written complaints as it deems proper against registrars of voters for misconduct, willful and material neglect of duty, or incompetence in office. It must prepare a written statement charging the registrar, if in its opinion the evidence warrants such action. The statement must include a citation commanding the registrar to appear in Superior Court on a specified date to show cause why he or she should not be removed from office. The registrar must be served with a copy of the statement and citation by a proper officer at least 10 days before the court date. Original copies go to the Superior Court clerk in the judicial district in the town where the registrar serves.

The SEEC must represent the state in court. If after a full hearing the judge orders the registrar's removal from office, the court clerk must cause the registrar to be served with a certified copy of the order. When the order is served, the office becomes vacant. By law, the deputy registrar fills the vacancy and appoints a new deputy.

To carry out these provisions, the bill authorizes the SEEC to summon witnesses, receive documentary evidence, and administer oaths.

### **SEEC COMMISSIONERS (§ 3)**

The bill lifts the current restriction on SEEC commissioners serving consecutive terms. It thus authorizes commissioners serving on July 1, 2011 to serve one additional consecutive term and those appointed after that date to serve up to two consecutive terms. The law, unchanged by the bill, allows commissioners to serve after their final term expires until a successor is appointed.

The bill also changes the start and end dates of commissioners' terms so that they run from April 1 to March 31, rather than from July 1 to June 30. To align terms with these new dates, the bill requires that the first member appointed by each appointing authority (e.g., the governor and legislative leaders) on or after July 1, 2011 serve for two years and nine months, rather than the three-year term otherwise prescribed by law, with one exception. Vacancy appointments continue to serve for the term's unexpired portion.

### **VOTING DISTRICT ELECTION RETURNS AND MAPS (§§ 6, 7)**

By law, town clerks divided between two or more legislative or Congressional districts or with more than one voting district must file with the secretary of the state (1) election returns for each voting district in a specified tabular format no later than 21 days following a regular state election and (2) local voting district maps no later than 30 days after any boundary change. (Moderators are responsible for submitting town-wide returns to the secretary by midnight on Election Day or 6:00 PM the next day.) Currently, clerks may submit voting district returns and maps in electronic or hard copy form.

The bill requires town clerks with access to a computer to file local voting district returns electronically. It similarly requires town clerks to submit voting district maps in electronic form, when possible. It establishes a \$20 fine for town clerks who fail to comply with existing law's filing deadlines and the bill's electronic filing requirements.

Finally, the bill requires the secretary of the state to include in her biannual training conferences for registrars of voters and town clerks information on how to file voting district returns electronically.

### **BACKGROUND**

#### ***Supervised Absentee Voting***

Under state absentee voting laws, registrars of voters or their designees can supervise absentee voting at nursing homes and other residential care and mental health facilities. Patients at these facilities need not submit absentee ballot applications when a supervised session is scheduled. The sessions are optional or mandatory,

depending on the number of patients who are registered voters; if at least 20 patients are registered voters in the town, the registrars must conduct a session.

Registrars or their designees together deliver the ballots and jointly supervise voters while they fill out their ballots. The voter has the right to complete his or her ballot in secret, but registrars observe the process and are available to provide assistance if asked. In that case, both parties' registrars jointly render assistance.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 15 Nay 0 (03/29/2012)