



# House of Representatives

## File No. 603

General Assembly

February Session, 2012

**(Reprint of File No. 303)**

Substitute House Bill No. 5024  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
May 2, 2012

### **AN ACT CONCERNING VOTING RIGHTS.**

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

1 Section 1. (NEW) (*Effective July 1, 2013*) (a) As used in this section,  
2 "election day" means the day on which a regular election, as defined in  
3 section 9-1 of the general statutes, is held.

4 (b) Notwithstanding the provisions of chapter 143 of the general  
5 statutes, a person who (1) is (A) not an elector, or (B) an elector  
6 registered in a municipality who wishes to change his or her  
7 registration to another municipality pursuant to the provisions of  
8 subdivision (2) of subsection (e) of this section, and (2) meets the  
9 eligibility requirements under subsection (a) of section 9-12 of the  
10 general statutes, may apply for admission as an elector on election day  
11 pursuant to the provisions of this section.

12 (c) (1) The registrars of voters shall designate a location for the  
13 completion and processing of election day registration applications on  
14 election day, provided the registrars of voters have access to the state-  
15 wide centralized voter registration system from such location.

16 (2) The registrars of voters may appoint one or more election  
17 officials to serve at such location and may delegate to such election  
18 officials any of the responsibilities assigned to the registrars of voters.  
19 The registrars of voters shall supervise such election officials and train  
20 such election officials to be election day registration election officials.

21 (d) Any person applying to register on election day under the  
22 provisions of this section shall make application in accordance with the  
23 provisions of section 9-20 of the general statutes, provided (1) on  
24 election day, the applicant shall appear in person at the location  
25 designated by the registrars of voters for election day registration, (2)  
26 an applicant who is a student enrolled at an institution of higher  
27 education may submit a current photo identification card issued by  
28 said institution in lieu of the identification required by section 9-20 of  
29 the general statutes, and (3) the applicant shall declare under oath that  
30 the applicant has not previously voted in the election. If the  
31 information that the applicant is required to provide under said  
32 section 9-20 and this section does not include proof of the applicant's  
33 residential address, the applicant shall also submit identification that  
34 shows the applicant's bona fide residence address, including, but not  
35 limited to, a learner's permit issued under section 14-36 of the general  
36 statutes or a utility bill that has the applicant's name and current  
37 address and that has a due date that is not later than thirty days after  
38 the election or, in the case of a student enrolled at an institution of  
39 higher education, a registration or fee statement from such institution  
40 that has the applicant's name and current address.

41 (e) If the registrars of voters determine that an applicant satisfies the  
42 application requirements set forth in subsection (d) of this section, the  
43 registrars of voters shall check the state-wide centralized voter  
44 registration system before admitting such applicant as an elector.

45 (1) If the registrars of voters determine that the applicant is not  
46 already an elector, the registrars of voters shall admit the applicant as  
47 an elector and the privileges of an elector shall attach immediately.

48 (2) If the registrars of voters determine that such applicant is an  
49 elector in another municipality and such applicant states that he or she  
50 wants to change the municipality in which the applicant is an elector,  
51 notwithstanding the provisions of section 9-21 of the general statutes,  
52 the registrars of voters of the municipality in which such elector now  
53 seeks to register shall immediately notify the registrars of voters in  
54 such other municipality that such elector is changing the municipality  
55 in which the applicant is an elector. The registrars of voters in such  
56 other municipality shall notify the election officials in such  
57 municipality to remove such elector from the official voter list of such  
58 municipality. Such election officials shall cross through the elector's  
59 name on such official voter list and mark "off" next to such elector's  
60 name on such official voter list.

61 (A) If it is reported that such applicant already voted in such other  
62 municipality, the registrars of voters of such other municipality shall  
63 immediately notify the registrars of voters of the municipality in which  
64 such elector now seeks to register. In such event, such elector shall not  
65 receive an election day registration ballot from the registrars of voters  
66 of the municipality in which such elector now seeks to register. For any  
67 such elector, the election day registration process shall cease in the  
68 municipality in which such elector now seeks to register and such  
69 matter shall be reviewed by the registrars of voters in the municipality  
70 in which such elector now seeks to register. After completion of such  
71 review, if a resolution of the matter can not be made, such matter shall  
72 be reported to the State Elections Enforcement Commission which  
73 shall conduct an investigation of the matter.

74 (B) If there is no such report that such applicant already voted in the  
75 other municipality, the registrars of voters of the municipality in which  
76 the applicant seeks to register shall admit the applicant as an elector  
77 and the privileges of an elector shall attach immediately.

78 (f) If the applicant is admitted as an elector, the registrars of voters  
79 shall provide the elector with an election day registration ballot and  
80 election day registration envelope and shall make a record of such

81 issuance. The elector shall complete an affirmation imprinted upon the  
82 back of the envelope for an election day registration ballot and shall  
83 declare under oath that the applicant has not previously voted in the  
84 election. The affirmation shall be in the form substantially as follows  
85 and signed by the voter:

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

88 1. I am the person admitted here as an elector in the town indicated.

89 2. I am eligible to vote in the election indicated for today in the town  
90 indicated.

91 3. The information on my voter registration card is correct and  
92 complete.

93 4. I reside at the address that I have given to the registrars of voters.

94 5. If previously registered at another location, I have provided such  
95 address to the registrars of voters and hereby request cancellation of  
96 such prior registration.

97 6. I have not voted in person or by absentee ballot and I will not  
98 vote otherwise than by this ballot at this election.

99 7. I completed an application for an election day registration ballot  
100 and received an election day registration ballot.

101 .... (Signature of voter)

102 (g) The elector shall forthwith mark the election day registration  
103 ballot in the presence of the registrars of voters in such a manner that  
104 the registrars of voters shall not know how the election day  
105 registration ballot is marked. The elector shall place the election day  
106 registration ballot in the election day registration ballot envelope  
107 provided, and deposit such envelope in a secured election day  
108 registration ballot depository receptacle. At the time designated by the

109 registrars of voters and noticed to election officials, the registrars of  
110 voters shall transport such receptacle containing the election day  
111 registration ballots to the area, either district or central, where absentee  
112 ballots are counted and such election day registration ballots shall be  
113 counted by the election officials present at such location. A section of  
114 the head moderator's return shall show the number of election day  
115 registration ballots received from electors. The registrars of voters shall  
116 seal a copy of the vote tally for election day registration ballots in a  
117 depository envelope with the election day registration ballots and store  
118 such election day registration depository envelope with the other  
119 election results materials. The election day registration depository  
120 envelope shall be preserved by the registrars of voters for the period of  
121 time required to preserve counted ballots for elections.

122 (h) The provisions of the general statutes and regulations  
123 concerning procedures relating to the custody, control and counting of  
124 absentee ballots shall apply as nearly as possible, to the custody,  
125 control and counting of election day registration ballots under this  
126 section.

127 (i) After the acceptance of an election day registration, the registrars  
128 of voters shall forthwith send a registration confirmation notice to the  
129 residential address of each applicant who is admitted as an elector on  
130 election day under this section. Such confirmation shall be sent by first  
131 class mail with instructions on the envelope that it be returned if not  
132 deliverable at the address shown on the envelope. If a confirmation  
133 notice is returned undelivered, the registrars shall forthwith take the  
134 necessary action in accordance with section 9-35 or 9-43 of the general  
135 statutes, as applicable, notwithstanding the May first deadline in  
136 section 9-35 of the general statutes.

137 Sec. 2. (NEW) (*Effective July 1, 2013*) No person shall solicit in behalf  
138 of or in opposition to the candidacy of another or himself or herself or  
139 in behalf of or in opposition to any question being submitted at the  
140 election, or loiter or peddle or offer any advertising matter, ballot or  
141 circular to another person within a radius of seventy-five feet of any

142 outside entrance in use as an entry to the registrars' of voters  
143 designated location for election day registration balloting or in any  
144 corridor, passageway or other approach leading from any such outside  
145 entrance to such registrars' of voters designated location or in any  
146 room opening upon any such corridor, passageway or approach.

147 Sec. 3. Section 9-158a of the general statutes is repealed and the  
148 following is substituted in lieu thereof (*Effective July 1, 2013*):

149 As used in sections 9-139c, 9-140b, 9-158a to 9-158m, inclusive, as  
150 amended by this act, and 9-307:

151 (1) "Federal election" means any general or special election or any  
152 primary held solely or in part for the purpose of selecting, nominating  
153 or electing any candidate for the office of President, Vice President,  
154 presidential elector, member of the United States Senate or member of  
155 the United States House of Representatives;

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

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

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

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

166 (6) "State" includes any of the several states, the District of  
167 Columbia, the Commonwealth of Puerto Rico, Guam and the Virgin  
168 Islands; and

169 (7) "United States" includes the several states, the District of  
170 Columbia, the Commonwealth of Puerto Rico, Guam and the Virgin

171 Islands, but does not include American Samoa, The Canal Zone, the  
172 trust territory of the Pacific Islands or any other territory or possession  
173 of the United States.

174 Sec. 4. Subsection (a) of section 9-158b of the general statutes is  
175 repealed and the following is substituted in lieu thereof (*Effective July*  
176 *1, 2013*):

177 (a) Each citizen of the United States who is at least eighteen years of  
178 age, is a [resident or] former resident and who has not forfeited [his]  
179 such citizen's electoral privileges because of a disfranchising crime,  
180 may vote for presidential and vice-presidential electors, but for no  
181 other offices, in the town in this state in which [he resides, or] such  
182 citizen formerly resided in the manner provided in sections 9-158c to 9-  
183 158m, inclusive, as amended by this act.

184 Sec. 5. Subsections (a) and (b) of section 9-158c of the general  
185 statutes are repealed and the following is substituted in lieu thereof  
186 (*Effective July 1, 2013*):

187 (a) (1) Not earlier than forty-five days before the election and not  
188 later than the close of the polls on election day, each [resident, or]  
189 former resident who desires to vote in a presidential election under  
190 sections 9-158a to 9-158m, inclusive, as amended by this act, may apply  
191 for a "presidential ballot" to the municipal clerk of the town in which  
192 [he] such former resident is qualified to vote on the form prescribed in  
193 section 9-158d, as amended by this act. Application for a "presidential  
194 ballot" may be made in person or absentee, in the manner provided for  
195 applying for an absentee ballot under section 9-140, except as provided  
196 in said sections 9-158a to 9-158m, inclusive.

197 (2) A municipal clerk shall have the authority to designate a location  
198 in a municipal facility for the distribution, completion and processing  
199 of presidential ballot applications and the distribution, casting and  
200 return of presidential ballots under sections 9-158a to 9-158m,  
201 inclusive, as amended by this act, on election day. Such municipal  
202 clerk may appoint one or more presidential ballot assistants to serve at

203 such location, may delegate to such assistants any of the  
204 responsibilities assigned to municipal clerks under said sections, and  
205 shall train and supervise such presidential ballot assistants.

206 (b) Each overseas elector who desires to vote in a federal election  
207 under subsection (b) of section 9-158b may apply for an overseas ballot  
208 not earlier than (1) the forty-fifth day preceding a federal election  
209 which is a general election or a general election held in conjunction  
210 with a special election, and (2) the thirtieth day preceding a federal  
211 election which is a primary or a federal election which is a special  
212 election not held in conjunction with a general election. Application  
213 shall be made to the town clerk of the municipality in which [he] the  
214 elector is so qualified to vote on a form prescribed in subsection (b) of  
215 section 9-158d.

216 Sec. 6. Subsection (a) of section 9-158d of the general statutes is  
217 repealed and the following is substituted in lieu thereof (*Effective July*  
218 *1, 2013*):

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

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

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

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

226 2. I have not forfeited my electoral privileges because of conviction  
227 of a disfranchising crime.

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

231 [4. RESIDENT. I am a bona fide resident of the above town, to

232 which I am making this application, and I reside at .... Street. I moved  
233 to said town on the .... day of ..., 20... Before becoming a resident of  
234 said town, I resided at .... Street, in the Town of .... County of ..., State  
235 of ....]

236 [5.] 4. FORMER RESIDENT. I am a former resident of the above  
237 town, to which I am making this application, and resided at .... Street  
238 therein. I moved from such town to my present town and state of  
239 residence on the .... day of ..., 20., being within thirty days before the  
240 date of the next presidential election, and for that reason I cannot  
241 register to vote in said presidential election in my present town and  
242 state of residence. I am now a bona fide resident of the Town of ..., in  
243 the state of ..., now residing at .... Street therein.

244 [6.] 5. I hereby apply for a "presidential ballot" for the election to be  
245 held on ..., 20... I have not voted and will not vote otherwise than by  
246 this ballot at that election. I am not eligible to vote for electors of  
247 President and Vice-President [in any other town in Connecticut or] in  
248 any other state.

249 [7.] 6. The said ballot is to be given to me personally mailed to me at  
250  
..... (bona fide mailing address)

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

252  
..... (Signature of applicant)

253 Sec. 7. Subsection (a) of section 9-158e of the general statutes is  
254 repealed and the following is substituted in lieu thereof (*Effective July*  
255 *1, 2013*):

256 (a) A person applying for a presidential ballot in person shall  
257 present: (1) A current and valid photo identification, or (2) a copy of a  
258 current utility bill, bank statement, government check, paycheck or  
259 other government document that shows the name and address of the  
260 voter. The application for a presidential ballot by mail shall be

261 accompanied by: (A) A copy of a current and valid photo  
262 identification, or (B) a copy of a current utility bill, bank statement,  
263 government check, paycheck or government document that shows the  
264 name and address of the voter. Upon receipt of an application for a  
265 presidential ballot under sections 9-158a to 9-158m, inclusive, as  
266 amended by this act, the clerk, if satisfied that the application is proper  
267 and that the applicant is qualified to vote under said sections, shall  
268 forthwith give or mail to the applicant, as the case may be, a ballot for  
269 presidential and vice-presidential electors for use at the election and  
270 instructions and envelopes for its return. [At such time the clerks shall  
271 also mail a duplicate of the application to the appropriate official of (i)  
272 the state or the town in this state in which the applicant last resided in  
273 the case of an applicant who is a resident, or (ii) the state or the town in  
274 this state in which the applicant now resides in the case of an applicant  
275 who is a former resident.]

276 Sec. 8. Section 9-158l of the general statutes is repealed and the  
277 following is substituted in lieu thereof (*Effective July 1, 2013*):

278 Any person wilfully making a false statement on any statement  
279 required by sections 9-158a to 9-158m, inclusive, as amended by this  
280 act, to be made in the form of an affidavit or a statement under  
281 penalties of false statement in absentee balloting, shall be subject to the  
282 penalties imposed by law for such statements. If any public official  
283 wilfully refuses or neglects to perform any of the duties prescribed by  
284 sections [9-140b, 9-140c and] 9-158a to 9-158m, inclusive, as amended  
285 by this act, or violates any of the provisions of said sections, [he] such  
286 official shall be subject to the penalties imposed by law.

287 Sec. 9. (NEW) (*Effective July 1, 2013*) Not later than February 1, 2014,  
288 the Secretary of the State shall report, in accordance with section 11-4a  
289 of the general statutes, to the joint standing committee of the General  
290 Assembly having cognizance of matters relating to elections on the  
291 administration of election day registration. Such report shall address  
292 any issues or concerns regarding the administration of election day  
293 registration during the November 2013 election, including, but not

294 limited to, ballot security and privacy. The Secretary of the State, in  
295 consultation with the State Elections Enforcement Commission, shall  
296 conduct interviews with registrars of voters, poll workers and  
297 candidates from municipalities with small, medium and large  
298 populations in order to determine the efficacy of election day  
299 registration during the November 2013 election and include any  
300 concomitant observations and results in such report, including, but not  
301 limited to, ways in which ballot security and privacy on election day  
302 can be enhanced.

303 Sec. 10. (NEW) (*Effective January 1, 2014*) (a) The Secretary of the  
304 State shall establish and maintain a system for online voter  
305 registration. Such system shall also permit a registered elector to apply  
306 for changes to such elector's registration. An applicant may register to  
307 vote through this system, provided the applicant's (1) registration  
308 information is verifiable in the manner described in subsection (b) of  
309 this section, and (2) signature is in a database described in said  
310 subsection (b) and such signature may be imported into such system  
311 for online voter registration.

312 (b) A state agency, upon the request of the Secretary of the State,  
313 shall provide any information to the Secretary that the Secretary deems  
314 necessary to maintain the system for online voter registration. The  
315 Secretary may cross reference the information input into the system by  
316 applicants with data or information contained in any state agency's  
317 database or a database administered by the federal government, or any  
318 voter registration database of another state, in order to verify the  
319 information submitted by applicants. The Secretary shall not use the  
320 information obtained from any such database except to verify  
321 information submitted by the applicant, provided the applicant's  
322 signature, if part of data contained in the state agency's database, shall  
323 be included as part of the applicant's information contained in the  
324 system for online voter registration.

325 (c) The submission of an online application shall contain all of the  
326 information that is required for an application under section 9-23h of

327 the general statutes, except that a signature shall be obtained from  
328 another state agency's database pursuant to subsection (b) of this  
329 section.

330 (d) In order for an applicant's registration or change in registration  
331 to be approved, the applicant shall mark the box associated with the  
332 following statement included as part of the online application:

333 "By clicking on the box below, I swear or affirm all of the following  
334 under penalty of perjury:

335 (1) I am the person whose name and identifying information is  
336 provided on this form, and I desire to register to vote in the State of  
337 Connecticut.

338 (2) All of the information I have provided on this form is true and  
339 correct as of the date I am submitting this form.

340 (3) I authorize the Department of Motor Vehicles or other  
341 Connecticut state agency to transmit to the Connecticut Secretary of  
342 the State or my town's registrars of voters my signature that is on file  
343 with such agency and understand that such signature will be used by  
344 the Secretary of the State or my town's registrars of voters on this  
345 online application for admission as an elector as if I had signed this  
346 form personally."

347 (e) Upon approval of such application, the registrars of voters shall  
348 send a notice of approval pursuant to section 9-19b of the general  
349 statutes to the applicant.

350 (f) If an applicant registers to vote pursuant to the provisions of this  
351 section after the fourteenth day before an election or after the fifth day  
352 before a primary, the privileges of an elector shall not attach until the  
353 day after such election or primary, as the case may be. In such event,  
354 the registrars of voters may contact such applicant, either by telephone  
355 or mail, in order to inform such applicant of the effect of such late  
356 received application and any applicable deadline for applying for

357 admission in person.

358 Sec. 11. (NEW) (*Effective July 1, 2013*) (a) The Secretary of the State  
359 may enter into an agreement to share information or data with any  
360 other state in order to maintain the state-wide centralized voter  
361 registration system established pursuant to section 9-50b of the general  
362 statutes. If an agency of this state, another state or the federal  
363 government provides the Secretary with information or data to be used  
364 to maintain such system, the Secretary shall not use such information  
365 or data for any purpose except to maintain such system and shall  
366 ensure that such information or data is held confidential if such  
367 information or data, while in the possession of such other agency or  
368 state or federal government, as applicable, was required to be held  
369 confidential, except as provided for in subsection (b) of this section.

370 (b) The Secretary of the State may provide such information or data  
371 to a nonpartisan third-party vendor for the purpose of maintaining the  
372 state-wide centralized voter registration system established pursuant  
373 to section 9-50b of the general statutes, provided such vendor's  
374 activities are performed under the supervision of the Secretary and  
375 such vendor has entered into an agreement to protect the  
376 confidentiality of such information or data.

377 Sec. 12. Subdivision (2) of subsection (a) of section 9-7b of the 2012  
378 supplement to the general statutes is repealed and the following is  
379 substituted in lieu thereof (*Effective January 1, 2014*):

380 (2) To levy a civil penalty not to exceed (A) two thousand dollars  
381 per offense against any person the commission finds to be in violation  
382 of any provision of chapter 145, part V of chapter 146, part I of chapter  
383 147, chapter 148, section 7-9, section 9-12, subsection (a) of section 9-17,  
384 section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h,  
385 9-23j to 9-23o, inclusive, as amended by this act, 9-23r, 9-26, 9-31a, 9-32,  
386 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-50a, 9-56, 9-59, 9-168d, 9-170, 9-  
387 171, 9-172, 9-232i to 9-232o, inclusive, 9-404a to 9-404c, inclusive, 9-409,  
388 9-410, 9-412, 9-436, 9-436a, 9-453e to 9-453h, inclusive, 9-453k, [or] 9-

389 453o, section 1 of this act, section 2 of this act or section 10 of this act,  
390 (B) two thousand dollars per offense against any town clerk, registrar  
391 of voters, an appointee or designee of a town clerk or registrar of  
392 voters, or any other election or primary official whom the commission  
393 finds to have failed to discharge a duty imposed by any provision of  
394 chapter 146 or 147, (C) two thousand dollars per offense against any  
395 person the commission finds to have (i) improperly voted in any  
396 election, primary or referendum, and (ii) not been legally qualified to  
397 vote in such election, primary or referendum, or (D) two thousand  
398 dollars per offense or twice the amount of any improper payment or  
399 contribution, whichever is greater, against any person the commission  
400 finds to be in violation of any provision of chapter 155 or 157. The  
401 commission may levy a civil penalty against any person under  
402 subparagraph (A), (B), (C) or (D) of this subdivision only after giving  
403 the person an opportunity to be heard at a hearing conducted in  
404 accordance with sections 4-176e to 4-184, inclusive. In the case of  
405 failure to pay any such penalty levied pursuant to this subsection  
406 within thirty days of written notice sent by certified or registered mail  
407 to such person, the superior court for the judicial district of Hartford,  
408 on application of the commission, may issue an order requiring such  
409 person to pay the penalty imposed and such court costs, state  
410 marshal's fees and attorney's fees incurred by the commission as the  
411 court may determine. Any civil penalties paid, collected or recovered  
412 under subparagraph (D) of this subdivision for a violation of any  
413 provision of chapter 155 applying to the office of the Treasurer shall be  
414 deposited on a pro rata basis in any trust funds, as defined in section 3-  
415 13c, affected by such violation;

416 Sec. 13. Section 9-23k of the general statutes is repealed and the  
417 following is substituted in lieu thereof (*Effective January 1, 2014*):

418 The Secretary of the State shall be the chief state election official  
419 responsible for coordination of state responsibilities under the  
420 National Voter Registration Act of 1993, P.L. 103-31, as amended from  
421 time to time, except that the State Elections Enforcement Commission  
422 shall be responsible for the investigation of any complaint alleging a

423 violation of sections 9-7b, as amended by this act, and 9-12, subsection  
 424 (a) of section 9-17, sections 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21,  
 425 9-23a, 9-23g, 9-23h, 9-23j to 9-23o, inclusive, as amended by this act, 9-  
 426 26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-50a, 9-56, [and] 9-  
 427 59, section 1 of this act, section 2 of this act and section 10 of this act  
 428 and shall have the authority to enforce the provisions of said sections  
 429 by use of its powers as prescribed in section 9-7b, as amended by this  
 430 act.

431 Sec. 14. Section 9-158k of the general statutes is repealed. (*Effective*  
 432 *July 1, 2013*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	New section
Sec. 2	<i>July 1, 2013</i>	New section
Sec. 3	<i>July 1, 2013</i>	9-158a
Sec. 4	<i>July 1, 2013</i>	9-158b(a)
Sec. 5	<i>July 1, 2013</i>	9-158c(a) and (b)
Sec. 6	<i>July 1, 2013</i>	9-158d(a)
Sec. 7	<i>July 1, 2013</i>	9-158e(a)
Sec. 8	<i>July 1, 2013</i>	9-158l
Sec. 9	<i>July 1, 2013</i>	New section
Sec. 10	<i>January 1, 2014</i>	New section
Sec. 11	<i>July 1, 2013</i>	New section
Sec. 12	<i>January 1, 2014</i>	9-7b(a)(2)
Sec. 13	<i>January 1, 2014</i>	9-23k
Sec. 14	<i>July 1, 2013</i>	Repealer section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 13 \$	FY 14 \$
Secretary of the State	Various - Cost	See Below	See Below

**Municipal Impact:**

Municipalities	Effect	FY 13 \$	FY 14 \$
All Municipalities	STATE MANDATE - Cost	None	See Below

**Explanation**

The bill will result in a cost to the Secretary of the State (SOTS) of approximately \$250,000 associated with establishing an online voter registration system. It is expected that this cost will be covered with General Obligation (GO) bond funds authorized in FY 11, and with federal funds the agency receives pursuant to the Help America Vote Act.

This cost to the SOTS is minimally offset by savings associated with printing and mailing fewer presidential ballots due to the implementation of Election Day registration. This savings is estimated to be less than \$1,000 per presidential election cycle.

The bill also allows the SOTS to enter into agreements to provide and share information regarding the existing centralized voter registration database. This has no fiscal impact.

The bill will result in a cost to municipalities associated with hiring additional Election Day workers. This cost is expected to vary by the

type of election, and by the population of the municipality.

To estimate the cost of hiring additional Election Day workers, completed 2008 presidential ballots were analyzed.<sup>1</sup> Under current law, individuals who are not registered to vote on Election Day may vote for the President by filling out a presidential ballot. In Hartford, 1,350 presidential ballots were completed in 2008. Assuming that a municipality would require one additional worker for every 85 to 150 people who may register to vote on Election Day, it is estimated that a large city such as Hartford would need 9 to 16 additional Election Day workers during a presidential election. A medium-sized city such as Manchester may require 5 to 8 additional workers to handle 715 additional voters. A smaller town, like Colchester, may require 1 or 2 additional workers for 150 additional voters. Election Day workers are typically paid \$11 to \$15 per hour and work approximately a 16-hour shift on Election Day. This results in the following range of costs associated with hiring additional workers during a presidential election:

Town	Approximate Cost of Added Workers During a Presidential Election
Large City (e.g. Hartford)	\$1,584 - \$3,840
Medium City (e.g. Manchester)	\$880 - \$1,920
Small Town (e.g. Colchester)	\$176 - \$480

Some towns may incur additional costs associated with training workers, printing additional ballots, and printing and mailing registration confirmation notices. These costs vary based on the number of workers who need training, the size of the municipality, and the type of election, but are estimated to be less than \$2,500 in a large city during a presidential election.

It is anticipated that municipal costs would be lower during state and municipal elections, as fewer workers would be needed to handle

fewer Election Day registrants. For example, it is estimated that Hartford may need 5 to 8 additional workers during a state election year to handle approximately 700 additional voters, and that during a municipal election year, they would need 2 to 4 additional workers to handle approximately 300 additional voters.

The provisions of the bill regarding Election Day registration are effective July 1, 2013. Therefore, municipalities would first be impacted in FY 14, during the November 2013 municipal elections.

House "A" allows the Secretary of the State to enter into agreements to provide and share information regarding the existing centralized voter registration database. It also makes a minor change to the Election Day registration process. These changes do not have a fiscal impact.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

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<sup>1</sup> 2008 Head Moderators' returns were used for the analysis.

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**OLR Bill Analysis****sHB 5024 (as amended by House "A")\******AN ACT CONCERNING VOTING RIGHTS.*****SUMMARY:**

This bill changes election laws affecting voter registration, voting, and the statewide centralized voter registration system (CVRS). Principally, it:

1. allows eligible people to register to vote and cast a ballot on Election Day (i.e., the day of a regular state or municipal election);
2. establishes Election Day registration (EDR) procedures and eliminates the use of presidential ballots by current state residents since they may instead vote under the bill's EDR provisions;
3. requires the secretary of the state to report to the Government Administration and Elections (GAE) Committee on EDR administration;
4. requires the secretary of the state to establish and maintain an online system for (a) new voter registration applications and (b) changes to existing registrations; and
5. authorizes the secretary to enter into an agreement with other states to share information or data that will help maintain Connecticut's CVRS.

The State Elections Enforcement Commission (SEEC) is responsible for enforcing the bill's EDR and online voter registration system

provisions. Toward that end, the bill requires the SEEC to investigate complaints alleging a violation of these provisions, and authorizes it to levy a civil penalty of up to \$2,000 against violators. In addition, anyone who fraudulently votes or registers under these provisions is guilty of perjury.

The bill also makes technical and conforming changes.

\*House Amendment "A" (1) eliminates a provision allowing applicants to vote when registrars cannot immediately contact the registrars in the municipality where the applicant is currently registered to verify that he or she did not already vote there and (2) adds the provision authorizing the secretary to enter into agreements to obtain information for maintaining the CVRS.

EFFECTIVE DATE: July 1, 2013, except the online voter registration system and SEEC enforcement provisions are effective January 1, 2014.

## **EDR**

### ***Location and Officials***

The bill requires registrars of voters to designate a location for completing and processing EDR applications. The location must be one where registrars can access the statewide CVRS.

The bill prohibits the same activities in or near the EDR location as the law prohibits in or near a polling place. This means no one can be within 75 feet of the entrance to the EDR location or in any hallway or other approach to it to solicit support for, or opposition to, a candidate or ballot question; loiter; peddle; or offer advertising material or circulars.

The bill authorizes registrars of voters to appoint one or more election officials to serve at these locations and delegate to these official(s) any of their responsibilities. The registrars must train and supervise the officials.

### ***Eligibility***

The bill permits anyone to register and vote in person on Election Day if he or she meets the eligibility requirements for voting in this state and is (1) not already an elector or (2) registered in one municipality but wants to change his or her registration because he or she currently resides in another municipality.

By law, a person is eligible to register and vote if he or she is (1) a U.S. citizen, (2) age 18 or older, and (3) a bona fide resident of the municipality in which he or she applies for admission. Mentally incompetent people cannot be admitted as electors and people convicted of a felony and committed to the custody of the commissioner of correction forfeit their electoral rights while incarcerated.

### ***Application Procedures and Identification Requirements***

Under the bill, applicants must appear in person at the designated EDR location and declare under oath that they have not previously voted in the election. They must complete the voter registration form and provide the same information the law requires from anyone seeking to be an elector in this state. This means they must provide their birth certificate, driver's license, or Social Security card. If this identification (ID) does not include proof of residential address, the bill requires an EDR applicant to also submit another form of ID showing his or her address. The additional ID may include a driver's learner's permit, utility bill due no later than 30 days after the election, or current college registration or fee statement.

The bill allows college students to present their student photo ID in lieu of the identification required by law.

### ***Checking Eligibility***

Registrars of voters must check the CVRS before admitting an applicant as an elector. If they determine an applicant is qualified to register, they must admit him or her and electoral privileges attach immediately.

If the registrars determine that the applicant is registered in another municipality but he or she wants to change his or her registration location, they must immediately notify the registrars in the municipality where the applicant is currently registered and request that they remove the elector's name from their official registry list. The election officials in that municipality must cross through the elector's name on the list and write "off" next to it. Presumably, the applicant cannot vote if the registrars are unable to contact the registrars in the municipality where the applicant is currently registered. If the registrars learn that the applicant has already voted in the other municipality, they must deny him or her a ballot, cease the registration process, and review the matter. If the matter cannot be resolved on review, the registrars must report it to the SEEC for investigation.

### ***Voting Procedures***

Registrars of voters must give an EDR ballot and envelope to an applicant whom they admit as an elector and record the issuance. The elector must (1) declare under oath that he or she has not previously voted in the election and (2) sign the following affirmation, which must be printed on the back of the security envelope:

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

1. I am the person admitted here as an elector in the town indicated.
2. I am eligible to vote in the election indicated for today in the town indicated.
3. The information on my voter registration card is correct and complete.
4. I reside at the address that I have given to the registrars of voters.
5. If previously registered at another location, I have provided such

address to the registrars of voters and hereby request cancellation of such prior registration.

6. I have not voted in person or by absentee ballot and I will not vote otherwise than by this ballot at this election.
7. I completed an application for an Election Day registration ballot and received an Election Day registration ballot.

The newly admitted elector must secretly mark the ballot in the presence of the registrars, place it in the EDR envelope, and deposit the envelope in a secured EDR ballot depository receptacle.

### ***Counting Procedures***

Under the bill, the law's procedures relating to the custody, control, and counting of absentee ballots must apply as nearly as possible to the custody, control, and counting of EDR ballots. Among other things, this means that at the time designated by registrars and noticed to election officials, registrars must transport the receptacle for ballot counting to the same area (district or central location) where absentee ballots are counted. It also means:

1. the election officials present at the location count the ballots;
2. a section of the head moderator's return must show the number of EDR ballots cast;
3. the registrars must seal a copy of the EDR vote tally in the depository envelope with the ballots and store the envelope with the other election results materials; and
4. the registrars must preserve the envelope for 180 days after the election, the same period of time the law requires other counted ballots to be preserved.

### ***Confirmation Procedures***

Registrars of voters must immediately send a registration confirmation notice by first-class mail to the residential address of each

EDR applicant they admit. The envelope must have instructions for returning a confirmation notice that is not deliverable to the address shown. If the confirmation is returned as undelivered, the registrars must take other actions required by law to verify the address. However, they must take these actions immediately and cannot wait until the May 1<sup>st</sup> deadline that otherwise applies to verifying names on the registry. If the address cannot be verified, registrars must place the elector's name on the inactive list and remove it after four years, unless during this period the elector applies for restoration to the active list or votes.

### ***Report***

The secretary of the state must report to the GAE Committee by February 1, 2014 on any issues or concerns that arise during the November 2013 municipal election with respect to EDR administration, including ballot security and privacy. In consultation with the SEEC, the secretary must interview registrars of voters, poll workers, and candidates from municipalities with small, medium, and large populations to determine the efficacy of EDR. The report must include observations, results, and ways to enhance ballot security and privacy.

### ***Presidential Ballots***

Current law allows unregistered Connecticut residents and former state residents who move to another state after its registration deadline to apply for a presidential ballot to vote for candidates for president and vice-president, but no other offices. The bill eliminates the provision allowing Connecticut residents to vote by presidential ballot, leaving the procedures in place for former state residents only. Under the bill, unregistered state residents would instead follow EDR procedures.

The application and voting procedures (which include the requirement to show current ID) remain the same as under existing law. The bill also eliminates the requirement for clerks to mail duplicate copies of presidential ballot applications to the appropriate

state or local official in the municipality where the applicant resides or formerly resided.

### **ONLINE VOTER REGISTRATION**

The bill requires the secretary of the state to establish and maintain an online voter registration system. In addition to new registrations, the system must permit a registered voter to apply to makes changes online to his or her registration information. The bill does not set a deadline by which the secretary must establish the system.

#### ***Eligibility***

An applicant may register to vote through the online voter registration system if his or her (1) registration information is verifiable and (2) signature is in a federal or state database and may be imported into the system. (The secretary must include the applicant's signature as part of the application.) The applicant must also meet this state's eligibility requirements for registration.

#### ***Required Information***

The bill requires the online application to contain the same information that the law requires for mail-in voter registration applications, except that the signature must be imported from another state agency's database. This means the application must contain the applicant's:

1. name;
2. bona fide residence, including street number, street address, apartment number if applicable, town, and zip code;
3. telephone number;
4. date of birth;
5. party affiliation, if any; and
6. Connecticut motor vehicle operator's license number or, if none, the last four digits of the applicant's Social Security number.

It must also indicate whether the applicant:

1. is registered as an elector in any other Connecticut town or in any other state, and if so, the applicant's last previous voting residence;
2. is a U.S. citizen; and
3. will be age 18 on or before Election Day.

***Verification and Approval***

The bill requires state agencies to provide information to the secretary of the state, upon her request, that she deems necessary to maintain the online voter registration system. It authorizes the secretary to use any state or federal government database, or another state's voter registration database, to cross reference and verify applicants' information, but prohibits her from using the information for any other purpose.

For an online voter registration or change in registration to be approved, an applicant must click the box next to the following statement:

“By clicking on the box below, I swear or affirm all of the following under penalty of perjury:

1. I am the person whose name and identifying information is provided on this form, and I desire to register to vote in the State of Connecticut.
2. All of the information I have provided on this form is true and correct as of the date I am submitting this form.
3. I authorize the Department of Motor Vehicles or other Connecticut state agency to transmit to the Connecticut Secretary of the State or my town's registrars of voters my signature that is on file with such agency and understand that such signature will be used by the Secretary of the State or my town's registrars of

voters on this online application for admission as an elector as if I had signed this form personally.”

Upon approval of an application, the registrars of voters must send an acceptance notice according to procedures the law establishes for other voter registration approvals. This means the registrars must send the notice by first-class mail and the envelope must have instructions for returning it if it is not deliverable to the address shown.

### ***When Electoral Privileges Attach***

The bill aligns the deadlines for online registration applications with the deadlines that the law sets for mail-in registration applications. This means that for electoral privileges to attach by an upcoming primary or election, applicants must register by the 5<sup>th</sup> or 14<sup>th</sup> day preceding it, respectively. Otherwise, privileges attach the day after the primary or election, as appropriate. Under these circumstances, the bill authorizes registrars to contact applicants, by telephone or mail, to inform them of their options and the deadlines for registering in person.

### **CVRS MAINTENANCE**

The bill authorizes the secretary of the state to enter into an agreement with any other state to share information or data that will help maintain the CVRS. Information or data the secretary receives from a federal or state agency may only be used for CVRS maintenance.

If the state or federal agency providing the information or data required it to be kept confidential, the secretary must ensure it remains confidential, with one exception. The secretary may provide the information she receives to a nonpartisan, third-party vendor for purposes of maintaining the CVRS as long as she (1) supervises the vendor’s activities and (2) has entered into an agreement with the vendor to protect the confidentiality of the information or data.

### **COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 11    Nay 4    (03/21/2012)

Appropriations Committee

Joint Favorable

Yea 35    Nay 17    (04/23/2012)