



General Assembly

**Amendment**

February Session, 2012

LCO No. 3796

**\*SB0021803796SD0\***

Offered by:

SEN. SLOSSBERG, 14<sup>th</sup> Dist.

REP. MORIN, 28<sup>th</sup> Dist.

To: Subst. Senate Bill No. 218

File No. 109

Cal. No. 107

**"AN ACT CONCERNING POLLING PLACES FOR PRIMARIES."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

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 Section 9-438 of the general statutes is repealed and the  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

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

12 (b) The registrars of voters of a municipality may reduce the  
13 number of polling places required under subsection (a) of this section  
14 and shall designate such polling place or places not later than sixty

15 days prior to a primary held under sections 9-382 to 9-450, inclusive,  
16 the location of which may be the same or different than of those  
17 polling places required under subsection (a) of this section. Not earlier  
18 than sixty days prior to such primary, but not later than forty-five days  
19 prior to such primary, the registrars of voters shall notify the Secretary  
20 of the State and the candidates seeking nomination to an office in such  
21 primary of the change in the polling place or places. If such a  
22 candidate objects to a change in the polling place or places, the  
23 candidate shall notify the Secretary of such objection not later than  
24 four o'clock p.m. on the thirtieth day prior to the primary. Such  
25 notification from the candidate shall be in the form of a written letter,  
26 signed by the candidate, and shall be held confidential by the  
27 Secretary. The Secretary shall promptly notify such registrars of voters  
28 that the Secretary has received a letter of objection, which notification  
29 shall not identify the candidate who objected. If a municipality's  
30 registrars of voters cannot agree upon a polling place or places for a  
31 primary, or if such a candidate objects, the polling place or places shall  
32 be the same as those used for the election to be held. Not later than  
33 twenty-one days prior to a primary, the registrars of voters shall send  
34 notification of the polling place for the primary, by mail, to each elector  
35 whose polling place for the primary will be different than the elector's  
36 polling place for the election. When unaffiliated electors are authorized  
37 under section 9-431 to vote in the primary of either of two parties, both  
38 parties shall hold their primaries in the same room of each such polling  
39 place. Notwithstanding any provision of title 7 or 9, any special act,  
40 charter or ordinance, if the number of polling places are reduced  
41 pursuant to the provisions of this subsection, the number of  
42 moderators required for such primary may be reduced, if the registrars  
43 of voters so agree, provided at least one certified moderator serves  
44 each polling place.

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

47 Sec. 2. (NEW) (*Effective from passage*) Whenever a complaint is made,  
48 in writing, to the State Elections Enforcement Commission that a

49 registrar of voters of any town is guilty of misconduct, wilful and  
50 material neglect of duty or incompetence in the conduct of such  
51 registrar's office, said commission shall investigate the charges as the  
52 commission deems proper and shall, if of the opinion that the evidence  
53 obtained warrants such action, prepare a statement, in writing, of the  
54 charges against such registrar of voters, together with a citation in the  
55 name of the state, commanding such registrar of voters to appear  
56 before a judge of the Superior Court at a date named in such citation  
57 and show cause, if any, why such registrar should not be removed  
58 from office as provided in this section. Said commission shall cause a  
59 copy of such statement and citation to be served by the proper officer  
60 upon the defendant not later than ten days before the date of  
61 appearance named in such citation, and the original statement and  
62 citation, with the return of the officer on such statement and citation,  
63 shall be returned to the clerk of the superior court for the judicial  
64 district within which such town is situated. To carry out the provisions  
65 of this section, the commission shall have power to summon witnesses,  
66 require the production of necessary books, papers and other  
67 documents and administer oaths to witnesses. Upon the day named in  
68 such citation for the appearance of such registrar of voters, or upon  
69 any adjourned day fixed by the judge before whom such proceedings  
70 are pending, the commission shall appear and conduct the hearing on  
71 behalf of the state. If, after a full hearing of all the evidence offered by  
72 the commission and by and in behalf of the defendant, the judge is of  
73 the opinion that the evidence presented warrants the removal of such  
74 registrar of voters, the judge shall cause to be prepared a written order  
75 to that effect, which shall be signed by the judge and lodged with the  
76 clerk of the superior court for the judicial district in which the  
77 defendant resides. Such clerk of the superior court shall cause a  
78 certified copy of such order to be served forthwith upon such registrar  
79 of voters, and upon such service the office held by such registrar of  
80 voters shall become vacant and the vacancy shall be filled in the  
81 manner provided in section 9-192 of the general statutes. Any  
82 witnesses summoned and any officer making service under the  
83 provisions of this section shall be allowed and paid by the state the

84 same fees as are allowed by law in criminal prosecutions.

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

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

90 Sec. 4. Subsection (a) of section 9-45 of the general statutes is  
91 repealed and the following is substituted in lieu thereof (*Effective July*  
92 *1, 2012*):

93 (a) The Commissioner of Correction shall, on or before the fifteenth  
94 day of each month, transmit to the Secretary of the State a list of all  
95 persons who, during the preceding calendar month, have been  
96 convicted in the Superior Court of a felony and committed to the  
97 custody of the Commissioner of Correction for confinement in a  
98 correctional institution or facility or a community residence. Such lists  
99 shall include the names, birth dates and addresses of such persons,  
100 with the dates of their conviction and the crimes of which such persons  
101 have been convicted. The Secretary of the State shall transmit such lists  
102 to the registrars of the towns in which such convicted persons resided  
103 at the time of their conviction and to the registrars of any towns where  
104 the secretary believes such persons may be electors. The registrars of  
105 such towns shall compare the same with the list of electors upon their  
106 registry lists and, after written notice mailed [by certified mail to each  
107 of the persons named at the last-known place of address of] to each  
108 such person, in care of the Department of Correction, shall erase such  
109 names from the registry lists in their respective towns or voting  
110 districts.

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

114 (a) Each registrar of voters or, in the absence of a registrar, the

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

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

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

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

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

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

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

161 (a) Not later than twenty-one days following each regular state  
162 election, the town clerk of each town divided into voting districts shall  
163 file with the Secretary of the State a consolidated listing, in tabular  
164 format, as prescribed by the Secretary of the State, of the official  
165 returns of each such voting district for all offices voted on at such  
166 election, including the total number of votes cast for each candidate,  
167 the total number of names on the registry list, and the total number of  
168 names checked as having voted, in each such district. The town clerk  
169 of such town shall certify that he or she has examined the lists  
170 transmitted under this section to determine whether there are any  
171 discrepancies between the total number of votes cast for a candidate at  
172 such election in such town, including for any recanvass conducted  
173 pursuant to section 9-311 or 9-311a, and the sum of the votes cast for  
174 the same candidate in all voting districts in such town. In the case of  
175 any such discrepancy, the town clerk shall notify the head moderator  
176 and certify that such discrepancy has been rectified. Each listing filed  
177 under this section shall be retained by the Secretary of the State not  
178 less than ten years after the date of the election for which it was filed.

179 (b) Each town clerk shall electronically file the consolidated listing

180 required under subsection (a) of this section, provided the town has  
181 provided the town clerk with access to a computer. Nothing in this  
182 subsection shall be construed to require a town to purchase a  
183 computer.

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

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

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

191 (1) "Institution" means a veterans' health care facility, residential  
192 care home, health care facility for the handicapped, nursing home, rest  
193 home, mental health facility, alcohol or drug treatment facility, an  
194 infirmary operated by an educational institution for the care of its  
195 students, faculty and employees or an assisted living facility; and

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

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

205 (a) Notwithstanding any provision of the general statutes, [to the  
206 contrary,] if twenty or more of the patients in any institution in the  
207 state are electors, absentee ballots voted by such electors shall be voted  
208 under the supervision of the registrars of voters or their designees of  
209 the town in which the institution is located, in accordance with the

210 provisions of this section. [As used in this section, the term  
211 "institution" shall be construed as defined in section 9-159q.]

212 Sec. 10. Subsection (e) of section 9-35 of the general statutes is  
213 repealed and the following is substituted in lieu thereof (*Effective July*  
214 *1, 2012*):

215 (e) In any case in which the registrars have obtained reliable  
216 information of an elector's change of address within the municipality,  
217 they shall enter the name of such elector on the registry list at the place  
218 where the elector then resides, provided, if such reliable information is  
219 the National Change of Address System of the United States Postal  
220 Service, the registrar shall change the registry list and send the elector  
221 a notice of the change by forwardable mail and a postage prepaid  
222 preaddressed return form by which the elector may verify or correct  
223 the address information. If during the canvass the registrars determine  
224 that an elector has moved out of town and such elector has not  
225 confirmed in writing that the elector has moved out of the town, the  
226 registrars shall, not later than May first, send to the elector, by  
227 forwardable mail, a notice required by the National Voter Registration  
228 Act of 1993, P.L. 103-31, as amended from time to time, together with a  
229 postage prepaid preaddressed return card on which the elector may  
230 state the elector's current address. In the year of a presidential  
231 preference primary, the registrars shall send such notice not earlier  
232 than the date of such primary. If the registrar does not receive the  
233 return card within thirty days after it is sent, the elector's name,  
234 including the name of an elector who has not voted in two consecutive  
235 federal elections, shall be placed on the inactive registry list for four  
236 years. At the expiration of such period of time on the inactive registry  
237 list, such name shall be removed from the registry list. If such elector  
238 applies to restore the elector's name to the active registry list or votes  
239 during such period, the elector's name shall be restored to the active  
240 registry list. Such registrars shall retain a duplicate copy or record of  
241 each such notice in their office or, if they do not have a permanent  
242 office, in the office space provided under section 9-5a, and shall note  
243 on such duplicate copy or record the date on which such notice was

244 mailed. In each municipality, any elector, upon change of residence  
 245 within the municipality, may cause the elector's registration to be  
 246 transferred to the elector's new address by presenting to the registrars  
 247 [a signed request therefor, stating the elector's present address, the  
 248 date the elector moved to such address and the address at which the  
 249 elector was last registered] a new application for voter registration.  
 250 The registrars shall thereupon enter the elector's name on the list at the  
 251 elector's new residence; provided no transfer of registration shall be  
 252 made on the registry list on election day without the consent of [both  
 253 registrars] each registrar."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-438
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	9-7b(a)
Sec. 4	<i>July 1, 2012</i>	9-45(a)
Sec. 5	<i>October 1, 2012</i>	9-6
Sec. 6	<i>October 1, 2012</i>	9-169g
Sec. 7	<i>October 1, 2012</i>	9-322a
Sec. 8	<i>from passage</i>	9-159q(a)
Sec. 9	<i>from passage</i>	9-159r(a)
Sec. 10	<i>July 1, 2012</i>	9-35(e)