



Senate

General Assembly

File No. 492

January Session, 2013

Senate Bill No. 1058

Senate, April 15, 2013

The Committee on Government Administration and Elections reported through SEN. MUSTO of the 22nd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE RETENTION OF UNUSED ABSENTEE BALLOTS.

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

1 Section 1. Subsections (f) to (h), inclusive, of section 9-150b of the
2 general statutes are repealed and the following is substituted in lieu
3 thereof (*Effective January 1, 2014*):

4 (f) The municipal clerk shall preserve for sixty days after the
5 election, primary or referendum the depository envelopes containing
6 opened envelopes and rejected ballots required by subsection (f) of
7 section 9-150a, and shall so preserve for one hundred eighty days the
8 depository envelopes containing counted ballots and related materials
9 required by subsection (m) of section 9-150a. The municipal clerk shall
10 preserve for ten days after the election, primary or referendum all
11 unused absentee ballots.

12 (g) No such depository envelope shall be opened except by order of

13 a court of competent jurisdiction, by the State Elections Enforcement
 14 Commission pursuant to a subpoena issued under subdivision (1) of
 15 subsection (a) of section 9-7b or within five days of an election,
 16 primary or referendum for the purpose of a recanvass conducted
 17 pursuant to law. After such a recanvass the depository envelopes and
 18 their contents shall be returned to the municipal clerk and preserved
 19 for the stated period.

20 (h) For sixty days after the election, primary or referendum the
 21 following shall be preserved by the municipal clerk as a public record
 22 open to public inspection: (1) All executed absentee ballot application
 23 forms and direction by registrar forms, as required by subdivision (i)
 24 of section 9-140; (2) the list and index of applicants for presidential or
 25 overseas ballots as required by section 9-158h; (3) the numerical list of
 26 absentee voting sets issued as required by subsection (e) of section 9-
 27 140; (4) the list of the names of persons whose absentee ballots are
 28 received by the clerk, as required by subsection (a) of section 9-140c;
 29 and (5) [all unused absentee ballots; and (6)] all envelopes containing
 30 ballots received by the clerk after the close of the polls, which shall
 31 remain unopened.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2014	9-150b(f) to (h)

GAE *Joint Favorable*

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:*** None***Municipal Impact:*** None***Explanation***

The bill, which allows town clerks to dispose of unused absentee ballots 10 days after an election, primary, or referendum, has no fiscal impact. There is no fiscal impact as town clerks are currently allowed to dispose of such unused absentee ballots 60 days after an election.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**SB 1058*****AN ACT CONCERNING THE RETENTION OF UNUSED ABSENTEE BALLOTS.*****SUMMARY:**

This bill decreases, from 60 to 10 days, the length of time town clerks must preserve unused absentee ballots after an election, primary, or referendum. The law, unchanged by the bill, requires clerks to preserve rejected and counted absentee ballots for 60 and 180 days, respectively, after an election, primary, or referendum.

EFFECTIVE DATE: January 1, 2014

BACKGROUND***Related Bill***

HB 6630 requires town clerks to deliver absentee ballots to registrars of voters for checking at specified times throughout the day of a primary, election, or referendum.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 14 Nay 0 (03/27/2013)