



General Assembly

January Session, 2013

Committee Bill No. 6111

LCO No. 5382



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

**AN ACT CONCERNING THE UNIFORM MILITARY AND OVERSEAS
VOTERS ACT.**

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

1 Section 1. Section 9-153e of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2014*):

3 (a) A member of the armed forces who is an elector or an applicant
4 for admission as an elector, or the member's spouse or dependent if
5 living where such member is stationed, may apply before a regular
6 election for a blank absentee ballot to vote for all offices being
7 contested at the election. The clerk shall make such ballots available for
8 this purpose beginning not earlier than ninety days before the election.
9 Application shall be made upon a form prescribed by the Secretary of
10 the State or on the federal postcard application form provided
11 pursuant to the Uniformed and Overseas Citizens Absentee Voting
12 Act, 100 Stat. 924, 42 USC 1973ff et seq., as amended from time to time,
13 or any other applicable law and shall be issued only if the applicant
14 states that due to military contingencies the regular application
15 procedure, as set forth in section 9-140, cannot be followed. Upon

16 receipt of the application, the municipal clerk shall issue the ballot
17 either by mail or electronic means, as requested by the elector, which
18 shall be prescribed and provided by the Secretary of the State, and a
19 list of the offices to be voted upon indicating the number of
20 individuals for which each elector may vote. As soon as a complete list
21 of nominated candidates, including the party designations of such
22 candidates, and questions is available, the clerk shall send such list to
23 each applicant. If the list of candidates and questions is not available
24 when the ballot is issued, the clerk shall include a statement indicating
25 that such list shall be mailed as soon as it becomes available. The ballot
26 shall permit the elector to vote by writing in the names of specific
27 candidates and offices for which he is voting. The elector may also vote
28 on the questions in a manner prescribed by the Secretary of the State. If
29 such ballot is issued by electronic means, the clerk shall include a
30 certification prescribed by the Secretary of the State that the elector
31 shall be required to complete, sign and return with the completed
32 ballot in order for such ballot to be counted. If the military contingency
33 no longer exists, application for an additional ballot for all offices may
34 be made pursuant to the provisions of section 9-153b.

35 (b) Notwithstanding the provisions of subsection (a) of this section,
36 beginning not earlier than ninety days before a regular election, any
37 member of the armed forces, being deployed from this state, or in the
38 process of being deployed from this state, may receive a blank
39 absentee ballot from the Secretary of the State. A blank absentee ballot
40 may be delivered to the member of the armed forces directly or given
41 to any member of the armed forces appointed to receive and distribute
42 such blank absentee ballot by their commanding officer in consultation
43 and coordination with the Secretary of the State. The member of the
44 armed forces responsible for the coordination of such deployment shall
45 provide notice to the Secretary, not later than one business day before
46 deployment or the process of deployment is scheduled to begin, of the
47 request for issuance of such blank absentee ballots. Such notice shall
48 include the number of blank absentee ballots necessary, the name and
49 town of residence of each member of the armed forces included in such

50 request, and the name of the member of the armed forces appointed to
51 receive such blank absentee ballots for distribution. In the event that
52 the notice of request for issuance of such blank absentee ballots is
53 received by the Secretary less than one business day before the
54 deployment or process of deployment is scheduled to begin, the
55 Secretary may provide such blank absentee ballots if the Secretary
56 deems there is adequate time. Whenever such blank absentee ballots
57 are delivered, the Secretary or member of the armed forces responsible
58 for such delivery shall also make available (1) (A) applications for
59 absentee ballot prescribed by section 9-140, or (B) applications
60 prescribed by any federal department or agency as provided in section
61 9-153a or pursuant to subsection (a) of this section, and (2) applications
62 for admission as an elector pursuant to section 9-23h or 9-26. No blank
63 absentee ballot delivered under this subsection shall be counted unless
64 an application made upon a form prescribed by the Secretary of the
65 State or on the federal postcard application form provided pursuant to
66 the Uniformed and Overseas Citizens Absentee Voting Act, 100 Stat.
67 924, 42 USC 1973ff et seq., as amended from time to time, or request for
68 a blank absentee ballot or both as described by subdivision (1) or (2) of
69 this subsection, has been returned to the municipal clerk in the
70 applicant's town of residence in accordance with this section. No ballot
71 delivered under this subsection shall be counted unless the name of
72 the member of the armed forces is on the registry list of the
73 municipality to which the member's ballot is returned or an
74 application for admission as an elector or said federal postcard
75 application is returned prior to the close of the polls on the day of the
76 election. The Secretary or member of the armed forces delivering such
77 blank absentee ballots shall not be required to determine the voter
78 registration or eligibility status of any member of the armed forces
79 who receives such blank absentee ballot. No member of the armed
80 forces who receives a blank absentee ballot under this subsection shall
81 receive a list of offices provided in subsection (a) of this section from
82 the Secretary.

83 (c) The Secretary of the State may adopt regulations, in accordance

84 with the provisions of chapter 54, to carry out the provisions of
85 subsection (b) of this section.

86 Sec. 2. Section 9-153f of the general statutes is repealed and the
87 following is substituted in lieu thereof (*Effective January 1, 2014*):

88 Notwithstanding the provisions of section 9-140, any elector who is
89 living, or expects to be living or traveling before and on election day,
90 outside the territorial limits of the several states of the United States
91 and the District of Columbia and any member of the armed forces who
92 is an elector or an applicant for admission as an elector, or the
93 member's spouse or dependent if living where such member is
94 stationed, may apply for a blank absentee ballot to vote for all offices
95 being contested at an election or primary. Application shall be made
96 upon a form prescribed by the Secretary of the State or on the federal
97 postcard application form provided pursuant to the Uniformed and
98 Overseas Citizens Absentee Voting Act, 100 Stat. 924, 42 USC 1973ff et
99 seq., as amended from time to time, or any other applicable law. The
100 municipal clerk receiving such an application shall, as soon as a
101 complete list of candidates and questions to be voted upon at such
102 election or primary becomes available, but not later than forty-five
103 days prior to such election or primary, issue the ballot either by mail
104 or electronic means, as requested by the elector, which shall be the
105 blank ballot prescribed and provided by the Secretary of the State
106 under section 9-153e. The clerk shall include with the ballot a complete
107 list of the offices to be voted upon, the number of individuals for
108 which each elector may vote, the candidates, and, in the case of an
109 election, the party designation of each candidate and questions to be
110 voted upon. If such ballot is issued by electronic means, the clerk shall
111 include a certification prescribed by the Secretary of the State that the
112 elector shall be required to complete, sign and return with the
113 completed ballot in order for such ballot to be counted. If application
114 for an absentee ballot is made at the time of availability of regular
115 absentee ballots as provided in section 9-140, the provisions of section
116 9-140 shall prevail. Except as otherwise provided in this section, the

117 procedures governing the issuance of ballots under this section shall
118 conform as nearly as may be to the procedures provided in section 9-
119 140.

120 Sec. 3. (NEW) (*Effective January 1, 2014*) The Secretary of the State, in
121 consultation with local election officials, shall implement an electronic
122 free-access system by which (1) an elector or an applicant for
123 admission as an elector, as described in section 9-153e or 9-153f of the
124 general statutes, as amended by this act, may determine whether (A)
125 the elector's or applicant's application for a blank absentee ballot made
126 upon a form prescribed by the Secretary of the State or on the federal
127 postcard application form provided pursuant to the Uniformed and
128 Overseas Citizens Absentee Voting Act, 100 Stat. 924, 42 USC 1973ff et
129 seq., as amended from time to time, or any other applicable law has
130 been received, and (B) whether such elector's or applicant's absentee
131 ballot has been received, and (2) a citizen of the United States who is
132 eligible to vote for presidential and vice-presidential electors or other
133 federal office pursuant to section 9-158b of the general statutes, may
134 determine whether such elector's ballot has been received.

135 Sec. 4. (NEW) (*Effective January 1, 2014*) (a) Each municipal clerk
136 shall request an electronic mail address from each applicant for
137 admission as an elector described in section 9-153e or 9-153f of the
138 general statutes, as amended by this act, as part of such applicant's
139 voter registration application. Any elector described in said section 9-
140 153e or 9-153f, may update his or her voter registration information by
141 supplying the municipal clerk of the municipality in which such
142 elector is registered with his or her electronic mail address. No
143 municipal official may make such electronic mail address available to
144 any person other than the municipal clerk or the registrars of voters of
145 the municipality, or their designees. The municipal clerk or the
146 registrars of voters, or their designees, may use such electronic mail
147 address only for communication with the elector pursuant to title 9 of
148 the general statutes, including, but not limited to, the transmission of a
149 ballot pursuant to section 9-153e or 9-153f of the general statutes, as

150 amended by this act, and other election materials, if the voter has
151 requested electronic transmission of such ballot or materials and
152 verification of the elector's mailing address and location. A municipal
153 clerk shall include with each request of an applicant for an electronic
154 mail address or to any elector who updates his or her registration by
155 supplying his or her electronic mail address pursuant to this
156 subsection, a statement that any use or disclosure of an electronic
157 address, except as provided in this subsection, shall be prohibited. An
158 electronic mail address supplied to a municipal clerk pursuant to the
159 provisions of this subsection, shall be exempt from disclosure for
160 purposes of the Freedom of Information Act, as defined in section 1-
161 200 of the general statutes.

162 (b) Any such elector or an applicant for admission as an elector
163 whose application for a blank absentee ballot is made upon a form
164 prescribed by the Secretary of the State or on the federal postcard
165 application form provided pursuant to the Uniformed and Overseas
166 Citizens Absentee Voting Act, 100 Stat. 924, 42 USC 1973ff et seq., as
167 amended from time to time, or any other applicable law, who requests
168 that his or her ballot be issued by electronic means, may request and be
169 granted permanent absentee ballot status for the purposes of section 9-
170 153e or 9-153f of the general statutes, as amended by this act. A
171 municipal clerk shall automatically send a blank ballot pursuant to
172 said section 9-153e or 9-153f, to any elector with such permanent
173 absentee ballot status for each election or primary, as applicable. A
174 municipal clerk shall automatically send a blank ballot for the general
175 election to any citizen of the United States who is eligible to vote for
176 presidential and vice-presidential electors or other federal office
177 pursuant to section 9-158b of the general statutes, who requested a
178 ballot for a primary preceding such general election.

179 Sec. 5. (NEW) (*Effective January 1, 2014*) (a) Not later than one
180 hundred days before a regular election, as defined in section 9-1 of the
181 general statutes, and as soon as practicable before a special election, as
182 defined in said section 9-1, a municipal election official whose duty is

183 to print and distribute ballots and balloting material shall prepare an
184 election notice for such municipality. The election notice shall contain a
185 list of all of the questions and federal, state and local offices that, as of
186 the date of such notice, the official expects to be on the ballot on the
187 date of the election.

188 (b) An elector or an applicant for admission as an elector, as
189 described in section 9-153e or 9-153f of the general statutes, as
190 amended by this act, or a citizen of the United States who is eligible to
191 vote for presidential and vice-presidential electors or other federal
192 office pursuant to section 9-158b of the general statutes, may request a
193 copy of such election notice. Upon such request, the municipal official
194 who prepared the election notice pursuant to subsection (a) of this
195 section, shall send the notice to the elector, applicant or citizen by
196 facsimile, electronic mail or regular mail, as such person requests.

197 (c) As soon as all candidates and questions are known, and not later
198 than the date ballots are required to be transmitted to voters under
199 section 9-153e or 9-153f of the general statutes, as amended by this act,
200 the municipal official who prepared the election notice pursuant to
201 subsection (a) of this section, shall update such notice with the
202 complete list of candidates and questions to be voted upon at such
203 election or primary and make the updated notice publicly available. If
204 the municipality maintains an Internet web site, then such municipal
205 official shall make such notice prepared pursuant to subsection (a) of
206 this section and any updated notice available on such Internet web site.

207 Sec. 6. (NEW) (*Effective January 1, 2014*) The provisions of sections 3
208 to 5, inclusive, of this act, modify, limit and supersede the Electronic
209 Signatures in Global and National Commerce Act, 15 USC Section 7001
210 et seq., but do not modify, limit, or supersede Section 101(c) of said act,
211 15 USC Section 7001(c), or authorize electronic delivery of any of the
212 notices described in Section 103(b) of said act, 15 USC Section 7003(b).

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2014</i>	9-153e
Sec. 2	<i>January 1, 2014</i>	9-153f
Sec. 3	<i>January 1, 2014</i>	New section
Sec. 4	<i>January 1, 2014</i>	New section
Sec. 5	<i>January 1, 2014</i>	New section
Sec. 6	<i>January 1, 2014</i>	New section

Statement of Purpose:

To adopt provisions of the Uniform Military and Overseas Voters Act.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. GODFREY, 110th Dist.

H.B. 6111