



General Assembly

January Session, 2013

Committee Bill No. 283

LCO No. 5144



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

**AN ACT CONCERNING VOTING BY MEMBERS OF THE MILITARY
SERVING OVERSEAS.**

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 Section 9-153e of the general statutes is repealed and the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 member of the armed forces who is an elector or an applicant for
4 admission as an elector, or the member's spouse or dependent if living
5 where such member is stationed, may apply before a regular election
6 for a blank absentee ballot to vote for all offices being contested at the
7 election. The clerk shall make such ballots available for this purpose
8 beginning not earlier than ninety days before the election. Application
9 shall be made upon a form prescribed by the Secretary of the State or
10 on the federal postcard application form provided pursuant to the
11 Uniformed and Overseas Citizens Absentee Voting Act, 100 Stat. 924,
12 42 USC 1973ff et seq., as amended from time to time, or any other
13 applicable law and shall be issued only if the applicant states that due
14 to military contingencies the regular application procedure, as set forth
15 in section 9-140, cannot be followed. Upon receipt of the application,

16 the municipal clerk shall issue the ballot and a cover sheet pursuant to
17 section 3 of this act, either by mail or electronic means, as requested by
18 the elector, which shall be prescribed and provided by the Secretary of
19 the State, and a list of the offices to be voted upon indicating the
20 number of individuals for which each elector may vote. As soon as a
21 complete list of nominated candidates, including the party
22 designations of such candidates, and questions is available, the clerk
23 shall send such list to each applicant. If the list of candidates and
24 questions is not available when the ballot is issued, the clerk shall
25 include a statement indicating that such list shall be mailed as soon as
26 it becomes available. The ballot shall permit the elector to vote by
27 writing in the names of specific candidates and offices for which he is
28 voting. The elector may also vote on the questions in a manner
29 prescribed by the Secretary of the State. If such ballot is issued by
30 electronic means, the clerk shall include a certification prescribed by
31 the Secretary of the State that the elector shall be required to complete,
32 sign and return with the completed ballot in order for such ballot to be
33 counted. If the military contingency no longer exists, application for an
34 additional ballot for all offices may be made pursuant to the provisions
35 of section 9-153b.

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

38 Notwithstanding the provisions of section 9-140, any elector who is
39 living, or expects to be living or traveling before and on election day,
40 outside the territorial limits of the several states of the United States
41 and the District of Columbia and any member of the armed forces who
42 is an elector or an applicant for admission as an elector, or the
43 member's spouse or dependent if living where such member is
44 stationed, may apply for a blank absentee ballot to vote for all offices
45 being contested at an election or primary. Application shall be made
46 upon a form prescribed by the Secretary of the State or on the federal
47 postcard application form provided pursuant to the Uniformed and
48 Overseas Citizens Absentee Voting Act, 100 Stat. 924, 42 USC 1973ff et

49 seq., as amended from time to time, or any other applicable law. The
50 municipal clerk receiving such an application shall, as soon as a
51 complete list of candidates and questions to be voted upon at such
52 election or primary becomes available, issue the ballot and a cover
53 sheet pursuant to section 3 of this act, either by mail or electronic
54 means, as requested by the elector, which shall be the blank ballot
55 prescribed and provided by the Secretary of the State under section 9-
56 153e, as amended by this act. The clerk shall include with the ballot a
57 complete list of the offices to be voted upon, the number of individuals
58 for which each elector may vote, the candidates, and, in the case of an
59 election, the party designation of each candidate and questions to be
60 voted upon. If such ballot is issued by electronic means, the clerk shall
61 include a certification prescribed by the Secretary of the State that the
62 elector shall be required to complete, sign and return with the
63 completed ballot in order for such ballot to be counted. If application
64 for an absentee ballot is made at the time of availability of regular
65 absentee ballots as provided in section 9-140, the provisions of section
66 9-140 shall prevail. Except as otherwise provided in this section, the
67 procedures governing the issuance of ballots under this section shall
68 conform as nearly as may be to the procedures provided in section 9-
69 140.

70 Sec. 3. (NEW) (*Effective from passage*) (a) Notwithstanding the
71 provisions of chapter 145 of the general statutes, for any election or
72 primary held on or after January 1, 2014, an elector or an applicant for
73 admission as an elector who applies for an absentee ballot pursuant to
74 the provisions of section 9-153e of the general statutes, as amended by
75 this act, or 9-153f of the general statutes, as amended by this act, may
76 return such ballot, the certification, if required by said section 9-153e or
77 9-153f, and the cover sheet prescribed by the Secretary of the State
78 pursuant to subsection (b) of this section, by facsimile or electronic
79 mail and such ballot shall be counted with other absentee ballots in
80 accordance with the provisions of section 9-150a of the general
81 statutes, provided (1) the municipal clerk receives such electronically
82 returned ballot, certification and signed cover sheet prior to the closing

83 of the polls on the day of the election or primary, as applicable, and (2)
84 such elector does not also mail the original ballot or a hard copy of the
85 ballot to the municipal clerk.

86 (b) Not later than October 1, 2013, the Secretary of the State shall
87 prescribe a cover sheet for electronic transmission of absentee ballots.
88 Such sheet shall provide instructions for returning a ballot by
89 electronic means and to include the elector's name, telephone number,
90 facsimile number or electronic mail address from which the ballot was
91 returned, as applicable. Such cover sheet shall include the following
92 statement:

93 "I understand that by faxing or emailing my voted ballot I am
94 voluntarily waiving my right to a secret ballot only to the extent that
95 the appropriate election official must receive and process my ballot.

96 Signature: Date:".

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|-------------------------------------------------------------------------------|------------------------|-------------|
| 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>from passage</i> | New section |

Statement of Purpose:

To permit voters who are members of the armed forces and serving overseas and their spouses and dependents to return ballots by electronic means.

[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: SEN. KANE, 32nd Dist.

S.B. 283