General Assembly

Committee Bill No. 647

January Session, 2013

LCO No. 4384

Referred to Committee on VETERANS' AFFAIRS

Introduced by:

(VA)

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:

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 Section 9-153e of the general statutes is repealed and the following is substituted in lieu thereof (Effective January 1, 2014):

A member of the armed forces who is an elector or an applicant for admission as an elector, or the member's spouse or dependent if living where such member is stationed, may apply before a regular election for a blank absentee ballot to vote for all offices being contested at the election. The clerk shall make such ballots available for this purpose beginning not earlier than ninety days before the election. Application shall be made upon a form prescribed by the Secretary of the State or on the federal postcard application form provided pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 100 Stat. 924, 42 USC 1973ff et seq., as amended from time to time, or any other applicable law and shall be issued only if the applicant states that due to military contingencies the regular application procedure, as set forth in section 9-140, cannot be followed. Upon receipt of the application, the municipal clerk shall issue the ballot and a cover sheet pursuant to section 3 of this act, either by mail or electronic means, as requested by
the elector, which shall be prescribed and provided by the Secretary of
the State, and a list of the offices to be voted upon indicating the
number of individuals for which each elector may vote. As soon as a
complete list of nominated candidates, including the party
designations of such candidates, and questions is available, the clerk
shall send such list to each applicant. If the list of candidates and
questions is not available when the ballot is issued, the clerk shall
include a statement indicating that such list shall be mailed as soon as
it becomes available. The ballot shall permit the elector to vote by
writing in the names of specific candidates and offices for which he is
voting. The elector may also vote on the questions in a manner
prescribed by the Secretary of the State. If such ballot is issued by
electronic means, the clerk shall include a certification prescribed by
the Secretary of the State that the elector shall be required to complete,
sign and return with the completed ballot in order for such ballot to be
counted. If the military contingency no longer exists, application for an
additional ballot for all offices may be made pursuant to the provisions
of section 9-153b.

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

Notwithstanding the provisions of section 9-140, any elector who is
living, or expects to be living or traveling before and on election day,
outside the territorial limits of the several states of the United States
and the District of Columbia and any member of the armed forces who
is an elector or an applicant for admission as an elector, or the
member's spouse or dependent if living where such member is
stationed, may apply for a blank absentee ballot to vote for all offices
being contested at an election or primary. Application shall be made
upon a form prescribed by the Secretary of the State or on the federal
postcard application form provided pursuant to the Uniformed and
Overseas Citizens Absentee Voting Act, 100 Stat. 924, 42 USC 1973ff et
seq., as amended from time to time, or any other applicable law. The
municipal clerk receiving such an application shall, as soon as a
complete list of candidates and questions to be voted upon at such
election or primary becomes available, issue the ballot and a cover
sheet pursuant to section 3 of this act, either by mail or electronic
means, as requested by the elector, which shall be the blank ballot
prescribed and provided by the Secretary of the State under section 9-
153e, as amended by this act. The clerk shall include with the ballot a
complete list of the offices to be voted upon, the number of individuals
for which each elector may vote, the candidates, and, in the case of an
election, the party designation of each candidate and questions to be
voted upon. If such ballot is issued by electronic means, the clerk shall
include a certification prescribed by the Secretary of the State that the
elector shall be required to complete, sign and return with the
completed ballot in order for such ballot to be counted. If application
for an absentee ballot is made at the time of availability of regular
absentee ballots as provided in section 9-140, the provisions of section
9-140 shall prevail. Except as otherwise provided in this section, the
procedures governing the issuance of ballots under this section shall
conform as nearly as may be to the procedures provided in section 9-
140.

Sec. 3. (NEW) (Effective from passage) (a) Notwithstanding the
provisions of chapter 145 of the general statutes, for any election or
primary held on or after January 1, 2014, an elector or an applicant for
admission as an elector who applies for an absentee ballot pursuant to
the provisions of section 9-153e of the general statutes, as amended by
this act, or 9-153f of the general statutes, as amended by this act, may
return such ballot, the certification, if required by said section 9-153e or
9-153f, and the cover sheet prescribed by the Secretary of the State
pursuant to subsection (b) of this section, by facsimile or electronic
mail and such ballot shall be counted with other absentee ballots in
accordance with the provisions of section 9-150a of the general
statutes, provided (1) the municipal clerk receives such electronically
returned ballot, certification and signed cover sheet prior to the closing
of the polls on the day of the election or primary, as applicable, and (2)
such elector does not also mail the original ballot or a hard copy of the
ballot to the municipal clerk.

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

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

Signature: .... Date: ...."

This act shall take effect as follows and shall amend the following sections:

<table>
<thead>
<tr>
<th>Section 1</th>
<th>January 1, 2014</th>
<th>9-153e</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sec. 2</td>
<td>January 1, 2014</td>
<td>9-153f</td>
</tr>
<tr>
<td>Sec. 3</td>
<td>from passage</td>
<td>New section</td>
</tr>
</tbody>
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Statement of Purpose:
To permit voters who are members of the armed forces and serving overseas 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. SLOSSBERG, 14th Dist.; SEN. MUSTO, 22nd Dist. REP. DAVIS P., 117th Dist.; REP. MORIN, 28th Dist. REP. HENNESSY, 127th Dist.; SEN. LEONE, 27th Dist. REP. ROSE, 118th Dist.; REP. ZONI, 81st Dist. REP. MORRIS, 140th Dist.

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