
OLR Bill Analysis

sSB 283

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

SUMMARY:

For elections and primaries occurring on or after January 1, 2014, this bill authorizes military and overseas voters to return their voted absentee ballots by fax or e-mail (see BACKGROUND). Existing law authorizes these voters to also electronically (1) receive and return absentee ballot applications and (2) receive the ballots.

By October 1, 2013, the bill requires the secretary of the state to prescribe a coversheet with instructions, which voters must sign and return with their completed ballots by the close of polls. By signing the coversheet, voters acknowledge that they are voluntarily waiving their right to a secret ballot.

By law and under the bill, the following individuals may receive a military and overseas absentee ballot if they are eligible to vote, or will be eligible to vote, by the applicable election or primary (1) active duty members of the armed forces, (2) their spouses or dependent family members living where they are stationed, and (3) other U.S. citizens living or traveling outside the country.

EFFECTIVE DATE: Upon passage, except that certain technical changes are effective January 1, 2014.

COVERSHEET

By October 1, 2013, the secretary of the state must prescribe a coversheet that (1) provides instructions for returning the ballot by electronic means and (2) includes the elector's name, telephone number, and fax number or email address from which the ballot is returned. The instructions must contain 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:”.

ACCEPTING AND COUNTING THE ABSENTEE BALLOTS

The bill requires election officials to count the electronically-returned ballots with other absentee ballots according to existing law’s absentee voting procedures. Under the bill, such a ballot may be counted only if:

1. the town clerk receives it by the close of polls,
2. it is accompanied by the secretary of the state-prescribed coversheet, and
3. the voter does not also mail the original ballot or a hard copy to the clerk.

Voters who received their ballot electronically must also include the secretary of the state-prescribed certification form, which existing law requires them to return with their ballot.

BACKGROUND

Military and Overseas Ballots

Town clerks issue one of two types of absentee ballots for military and overseas voters. The first is a blank ballot that members of the armed forces and their family members living with them may use, due to military contingencies, to vote in a regular election. Town clerks make them available beginning 90 days before the election (before the candidates are known) and send the list of candidates as soon as it is available.

The second is a blank ballot that any elector living or traveling abroad or members of the armed forces and their family members living with them may use to vote in a primary or regular election.

Town clerks send this together with the list of candidates and questions to be voted on as soon as they are available.

Related Bill

HB 6111, reported favorably by the Government Administration and Elections Committee, has several provisions affecting absentee voting by military and overseas voters.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 14 Nay 0 (04/05/2013)