



General Assembly

Amendment

January Session, 2013

LCO No. 5845

SB0064705845SR0

Offered by:

SEN. KANE, 32nd Dist.
SEN. MCKINNEY, 28th Dist.
SEN. FASANO, 34th Dist.
SEN. MCLACHLAN, 24th Dist.
SEN. WITKOS, 8th Dist.
SEN. WELCH, 31st Dist.
SEN. CHAPIN, 30th Dist.

SEN. BOUCHER, 26th Dist.
SEN. LINARES, 33rd Dist.
SEN. FRANTZ, 36th Dist.
SEN. GUGLIELMO, 35th Dist.
SEN. MARKLEY, 16th Dist.
SEN. KISSEL, 7th Dist.
SEN. KELLY, 21st Dist.

To: Subst. Senate Bill No. 647

File No. 434

Cal. No. 307

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

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

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 Section 9-153e of the general statutes is repealed and the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

5 A member of the armed forces who is an elector or an applicant for
6 admission as an elector, or the member's spouse or dependent if living
7 where such member is stationed, may apply before a regular election
8 for a blank absentee ballot to vote for all offices being contested at the
9 election. The clerk shall make such ballots available for this purpose
10 beginning not earlier than ninety days before the election. Application

11 shall be made upon a form prescribed by the Secretary of the State or
12 on the federal postcard application form provided pursuant to the
13 Uniformed and Overseas Citizens Absentee Voting Act, 100 Stat. 924,
14 42 USC 1973ff et seq., as amended from time to time, or any other
15 applicable law and shall be issued only if the applicant states that due
16 to military contingencies the regular application procedure, as set forth
17 in section 9-140, cannot be followed. Upon receipt of the application,
18 the municipal clerk shall issue the ballot and a cover sheet pursuant to
19 section 3 of this act, either by mail or electronic means, as requested by
20 the elector, which shall be prescribed and provided by the Secretary of
21 the State, and a list of the offices to be voted upon indicating the
22 number of individuals for which each elector may vote. As soon as a
23 complete list of nominated candidates, including the party
24 designations of such candidates, and questions is available, the clerk
25 shall send such list to each applicant. If the list of candidates and
26 questions is not available when the ballot is issued, the clerk shall
27 include a statement indicating that such list shall be mailed as soon as
28 it becomes available. The ballot shall permit the elector to vote by
29 writing in the names of specific candidates and offices for which he is
30 voting. The elector may also vote on the questions in a manner
31 prescribed by the Secretary of the State. If such ballot is issued by
32 electronic means, the clerk shall include a certification prescribed by
33 the Secretary of the State that the elector shall be required to complete,
34 sign and return with the completed ballot in order for such ballot to be
35 counted. If the military contingency no longer exists, application for an
36 additional ballot for all offices may be made pursuant to the provisions
37 of section 9-153b.

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

40 Notwithstanding the provisions of section 9-140, any elector who is
41 living, or expects to be living or traveling before and on election day,
42 outside the territorial limits of the several states of the United States
43 and the District of Columbia and any member of the armed forces who
44 is an elector or an applicant for admission as an elector, or the

45 member's spouse or dependent if living where such member is
46 stationed, may apply for a blank absentee ballot to vote for all offices
47 being contested at an election or primary. Application shall be made
48 upon a form prescribed by the Secretary of the State or on the federal
49 postcard application form provided pursuant to the Uniformed and
50 Overseas Citizens Absentee Voting Act, 100 Stat. 924, 42 USC 1973ff et
51 seq., as amended from time to time, or any other applicable law. The
52 municipal clerk receiving such an application shall, as soon as a
53 complete list of candidates and questions to be voted upon at such
54 election or primary becomes available, issue the ballot and a cover
55 sheet pursuant to section 3 of this act, either by mail or electronic
56 means, as requested by the elector, which shall be the blank ballot
57 prescribed and provided by the Secretary of the State under section 9-
58 153e, as amended by this act. The clerk shall include with the ballot a
59 complete list of the offices to be voted upon, the number of individuals
60 for which each elector may vote, the candidates, and, in the case of an
61 election, the party designation of each candidate and questions to be
62 voted upon. If such ballot is issued by electronic means, the clerk shall
63 include a certification prescribed by the Secretary of the State that the
64 elector shall be required to complete, sign and return with the
65 completed ballot in order for such ballot to be counted. If application
66 for an absentee ballot is made at the time of availability of regular
67 absentee ballots as provided in section 9-140, the provisions of section
68 9-140 shall prevail. Except as otherwise provided in this section, the
69 procedures governing the issuance of ballots under this section shall
70 conform as nearly as may be to the procedures provided in section 9-
71 140.

72 Sec. 3. (NEW) (*Effective from passage*) (a) Notwithstanding the
73 provisions of chapter 145 of the general statutes, for any election or
74 primary held on or after January 1, 2014, an elector or an applicant for
75 admission as an elector who applies for an absentee ballot pursuant to
76 the provisions of section 9-153e of the general statutes, as amended by
77 this act, or 9-153f of the general statutes, as amended by this act, may
78 return such ballot, the certification, if required by said section 9-153e or

79 9-153f, and the cover sheet prescribed by the Secretary of the State
 80 pursuant to subsection (b) of this section, by facsimile or electronic
 81 mail and such ballot shall be counted with other absentee ballots in
 82 accordance with the provisions of section 9-150a of the general
 83 statutes, provided (1) the municipal clerk receives such electronically
 84 returned ballot, certification and signed cover sheet prior to the closing
 85 of the polls on the day of the election or primary, as applicable, and (2)
 86 such elector does not also mail the original ballot or a hard copy of the
 87 ballot to the municipal clerk.

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

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

98 Signature: Date:" "

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