



General Assembly

**Substitute Bill No. 441**

February Session, 2014



**AN ACT CONCERNING ELECTRONIC OR MANUAL CHECK-IN OF VOTERS, THE PROCESS OF VOTING AND ELECTRONIC FILING OF OFFICIAL CHECKLISTS.**

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

1 Section 1. Section 9-234 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Each registrar of voters shall be present during the taking of the  
4 vote at any regular or special state or municipal election in the  
5 registrar's of voters town or district. The assistants in their respective  
6 districts shall, when requested by either registrar of voters, be present  
7 at the taking of any such vote and discharge the duties of registrars of  
8 voters. Each registrar of voters shall appoint some suitable person to  
9 check the list manually on paper or electronically in each district,  
10 unless the registrars of voters have established two shifts for election  
11 officials under the provisions of section 9-258a, in which case each such  
12 registrar of voters shall appoint one such person for each district for  
13 each shift. Each such person, who is so appointed official checker, shall  
14 manually on paper or electronically check the name of each elector  
15 [thereon] on the list when the elector offers the elector's vote, and no  
16 voting tabulator tender shall permit any vote to be cast upon the  
17 voting tabulator until the name has been so checked.

18 (b) If an official checker is checking the name of an elector

19 electronically, the checker shall use an electronic device approved by  
20 the Secretary of the State, in accordance with the provisions of section  
21 4 of this act.

22 (c) If an official checker is using such an electronic device to check  
23 the names of voters and such device becomes inoperable, the official  
24 checker shall check such names using a printed copy of such list  
25 provided pursuant to section 9-39.

26 Sec. 2. Section 9-261 of the general statutes is repealed and the  
27 following is substituted in lieu thereof (*Effective from passage*):

28 (a) In each primary, election or referendum, when an elector has  
29 entered the polling place, the elector shall announce the elector's street  
30 address, if any, and the elector's name to the official checker or  
31 checkers in a tone sufficiently loud and clear as to enable all the  
32 election officials present to hear the same. Each elector who registered  
33 to vote by mail for the first time on or after January 1, 2003, and has a  
34 "mark" next to the elector's name on the official registry list, as  
35 required by section 9-23r, shall present to the official checker or  
36 checkers, before the elector votes, either a current and valid photo  
37 identification that shows the elector's name and address or a copy of a  
38 current utility bill, bank statement, government check, paycheck or  
39 other government document that shows the name and address of the  
40 elector. Each other elector shall (1) present to the official checker or  
41 checkers the elector's Social Security card or any other preprinted form  
42 of identification which shows the elector's name and either the elector's  
43 address, signature or photograph, or (2) on a form prescribed by the  
44 Secretary of the State, write the elector's residential address and date of  
45 birth, print the elector's name and sign a statement under penalty of  
46 false statement that the elector is the elector whose name appears on  
47 the official checklist. Such form shall clearly state the penalty of false  
48 statement. A separate [such] form shall be used for each elector. If the  
49 elector presents a preprinted form of identification under subdivision  
50 (1) of this subsection, the official checker or checkers shall check the  
51 name of such elector on the official checklist, manually on paper or

52 electronically. If the elector completes the form under subdivision (2)  
53 of this subsection, the registrar of voters or the assistant registrar of  
54 voters, as the case may be, shall examine the information on such form  
55 and either instruct the official checker or checkers to check the name of  
56 such elector on the official checklist, manually on paper or  
57 electronically, or notify the elector that the form is incomplete or  
58 inaccurate.

59 (b) In the event that an elector is present at the polling place but is  
60 unable to gain access to the polling place due to a temporary  
61 incapacity, the elector may request that the ballot be brought to him or  
62 her. The registrars of voters or the assistant registrars of voters, as the  
63 case may be, shall take such ballot, along with a privacy sleeve to such  
64 elector. The elector shall show identification, in accordance with the  
65 provisions of this section. The elector shall forthwith mark the ballot in  
66 the presence of the election officials in such manner that the election  
67 officials shall not know how the ballot is marked. The elector shall  
68 place the ballot in the privacy sleeve. The election officials shall mark  
69 the elector's name on the official voter list, manually on paper or  
70 electronically, as having voted in person and deliver such ballot and  
71 privacy sleeve to the voting tabulator where such ballot shall be placed  
72 into the tabulator, by the election official, for counting. The moderator  
73 shall record such activity in the moderator's diary.

74 (c) In each polling place in which two or more parties are holding  
75 primaries in which unaffiliated electors are authorized to vote,  
76 pursuant to section 9-431, an unaffiliated elector shall also announce to  
77 the separate table of the official checker or checkers for unaffiliated  
78 electors the party in whose primary the elector chooses to vote and the  
79 official checker or checkers shall note such party when checking such  
80 elector's name on the checklist of unaffiliated electors, manually on  
81 paper or electronically, provided such choice shall not alter the  
82 elector's unaffiliated status.

83 (d) In each polling place in which two or more parties are holding  
84 primaries in which unaffiliated electors are authorized to vote or in

85 which one party is holding a primary in which unaffiliated electors are  
86 authorized to vote for some but not all offices to be contested at the  
87 primary, the official checker or checkers shall give to each elector  
88 checked manually on paper or electronically, a receipt provided by the  
89 [registrar] registrars of voters, in a form prescribed by the Secretary of  
90 the State, specifying either (1) the party with which [he] the elector is  
91 enrolled, if any, or (2) in the case of an unaffiliated elector, the party in  
92 whose primary [he] the elector has so chosen to vote, and whether [he]  
93 the elector is authorized to vote for only a partial ballot.

94 (e) If not challenged by anyone lawfully present in the polling place,  
95 the elector shall be permitted to pass to the separated area to receive  
96 the ballot. The elector shall give any receipt the elector has received to  
97 a ballot clerk who shall give the elector a ballot to vote only in the  
98 primary of the party specified by the receipt. The elector shall be  
99 permitted into the voting booth area, and shall then register his or her  
100 vote in secret. Having voted, the elector shall immediately exit the  
101 voting booth area and deposit the ballot in the voting tabulator and  
102 leave the room. No elector shall remain within the voting booth longer  
103 than the time necessary to complete the ballot, and, if the elector  
104 refuses to leave such booth after completing the ballot, the elector shall  
105 at once be removed by the election officials upon order of the  
106 moderator. Not more than one elector at a time shall be permitted to be  
107 within the enclosed space which the elector occupies while the elector  
108 completes his or her ballot, provided an elector may be accompanied  
109 within such enclosed space by one or more children who are fifteen  
110 years of age or younger and supervised by the elector, if the elector is  
111 the parent or legal guardian of such children. [At least two additional  
112 electors, whose next turn it is to vote shall be permitted in the polling  
113 area for the purpose of receiving a ballot.] If any elector, after entering  
114 the voting booth area, asks for further instruction concerning the  
115 manner of voting, the election officials shall give such instructions or  
116 directions to the elector; but no election official instructing or assisting  
117 an elector, except as provided in section 9-264, shall look at the ballot  
118 in such a way as to see the elector's markings or in any manner seek to

119 influence any such elector in the casting of the elector's vote.

120 Sec. 3. Section 9-307 of the general statutes is repealed and the  
121 following is substituted in lieu thereof (*Effective from passage*):

122 Immediately after the polls are closed, the official checker or  
123 checkers, appointed under the provisions of section 9-234, as amended  
124 by this act, shall make and deliver to the moderator a certificate [, in  
125 duplicate,] stating the whole number of names on the registry list or  
126 enrollment list including, if applicable, unaffiliated electors authorized  
127 under section 9-431 to vote in the primary, and the number checked as  
128 having voted in that election or primary. For the purpose of computing  
129 the whole number of names on the registry list, the lists of persons  
130 who have applied for presidential or overseas ballots prepared in  
131 accordance with section 9-158h shall be included. [Thereupon] If a  
132 paper registry list is used, the registrars or assistant registrars, as the  
133 case may be, acting at the respective polls, shall write and sign with  
134 ink, on the list or lists so used and checked, a certificate of the whole  
135 number of names registered [thereon] on the list eligible to vote in the  
136 election or primary and the number checked as having voted in that  
137 election or primary, and deposit it in the office of the municipal clerk  
138 of their town on or before the following day. If an electronic version of  
139 the registry list is used, the electronic device upon which such list is  
140 stored shall be returned to the registrars of voters who shall cause the  
141 electronic registry list to be printed. Such printed list shall be signed by  
142 each registrar, who shall deposit such list in the office of the municipal  
143 clerk on the following day. The municipal clerk shall carefully preserve  
144 the [same] paper registry list or printed electronic registry list, as  
145 applicable, on file, with the marks on it without alteration, for public  
146 inspection, and shall immediately enter a certified copy of such  
147 certificate on the town records. Subject to the provisions of section 7-  
148 109, the municipal clerk may destroy any voting [check list] checklist  
149 four years after the date upon which it was used. The moderator shall  
150 place [one of the duplicate certificates] the certificate which the  
151 moderator received from the official checker or checkers [with the

152 voted ballots from the polling place and the moderator's return  
153 provided for in sections 9-259 and 9-310 and shall then lock the  
154 tabulator as provided in section 9-310, and the moderator shall deposit  
155 the other of such duplicate certificates] in the office of the municipal  
156 clerk on or before the following day.

157 Sec. 4. (NEW) (*Effective from passage*) The Secretary of the State shall  
158 review, in consultation and coordination with The University of  
159 Connecticut, electronic devices that could assist official checkers in  
160 checking the names of electors pursuant to section 9-234 of the general  
161 statutes, as amended by this act, or any regulation adopted pursuant to  
162 chapter 147 of the general statutes. Not later than September 1, 2015,  
163 the Secretary shall include on a list any such device that the Secretary  
164 approves and shall make such list available to municipalities in a  
165 manner determined by the Secretary. The Secretary may add or  
166 remove a device from such list, as the Secretary determines such  
167 addition or removal is necessary.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-234
Sec. 2	<i>from passage</i>	9-261
Sec. 3	<i>from passage</i>	9-307
Sec. 4	<i>from passage</i>	New section

**GAE**      *Joint Favorable Subst.*