



House of Representatives

General Assembly

File No. 408

February Session, 2014

House Bill No. 5478

House of Representatives, April 7, 2014

The Committee on Government Administration and Elections reported through REP. JUTILA of the 37th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING ATTEMPTED ILLEGAL VOTING.

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

1 Section 1. Section 9-360 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 Any person not legally qualified who fraudulently votes or attempts
4 to fraudulently vote in any town meeting, primary, election or
5 referendum in which the person is not qualified to vote, and any
6 legally qualified person who, at such meeting, primary, election or
7 referendum, fraudulently votes or attempts to fraudulently vote more
8 than once at the same meeting, primary, election or referendum, shall
9 be fined not less than three hundred dollars or more than five hundred
10 dollars and shall be imprisoned not less than one year or more than
11 two years and shall be disfranchised. Any person who votes or
12 attempts to vote at any election, primary, referendum or town meeting
13 by assuming the name of another legally qualified person shall be
14 guilty of a class D felony and shall be disfranchised. For purposes of

15 this section, "attempt" means attempt, as described in section 53a-49,
16 and "primary" and "election" includes, but is not limited to, each
17 separate primary and election held on the same day.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-360

GAE *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 15 \$	FY 16 \$
Judicial Dept.	GF - Potential Revenue Gain	Minimal	Minimal

Municipal Impact: None

Explanation

The bill results in a potential minimal revenue gain by expanding illegal voting to include any attempt to vote more than once. In FY 13 there were no convictions for fraudulent voting.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**HB 5478*****AN ACT CONCERNING ATTEMPTED ILLEGAL VOTING.*****SUMMARY:**

By law, fraudulently voting or doing so more than once, during any town meeting, primary, election, or referendum is a crime punishable by disfranchisement, a fine of between \$300 to \$500, and imprisonment of one to two years. This bill makes anyone who attempts to fraudulently vote subject to the same penalty. Under the bill, a "primary" or "election" includes each separate primary or election held on the same day.

A person, "attempts" to fraudulently vote when he or she, acting with the mental state required for commission of the crime:

1. intentionally engages in conduct that would constitute the crime if the circumstances were as he or she believes them to be or
2. intentionally does or omits to do anything which, under the circumstances as he or she believes them to be, constitutes a substantial step towards commission of the crime.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 12 Nay 0 (03/19/2014)