



# House of Representatives

General Assembly

**File No. 499**

February Session, 2016

Substitute House Bill No. 5611

*House of Representatives, April 6, 2016*

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 substitute bill ought to pass.

***AN ACT CONCERNING THE HOLDING OF PUBLIC HEARINGS  
PRIOR TO THE DETERMINATION OF POLLING PLACES BY  
MUNICIPAL LEGISLATIVE BODIES.***

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

1 Section 1. Section 9-169 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The legislative body of any town, consolidated town and city or  
4 consolidated town and borough may divide and, from time to time,  
5 redivide such municipality into voting districts. The registrars of  
6 voters of any municipality taking such action shall provide a suitable  
7 polling place in each district but, if the registrars fail to agree as to the  
8 location of any polling place or places, the legislative body shall  
9 determine the location thereof in accordance with subsection (b) of this  
10 section. Polling places to be used in an election shall be determined at  
11 least thirty-one days before such election, and such polling places shall  
12 not be changed within said period of thirty-one days, except that, if the

13 municipal clerk and registrars of voters of a municipality unanimously  
14 find that any such polling place within such municipality has been  
15 rendered unusable within such period, they shall forthwith designate  
16 another polling place to be used in place of the one so rendered  
17 unusable and shall give adequate notice that such polling place has  
18 been so changed. The registrars of voters shall keep separate lists of the  
19 electors residing in each district, [and] shall appoint for each district a  
20 moderator in accordance with the provisions of section 9-229 and such  
21 other election officials as are required by law [,] and shall designate  
22 one of the moderators so appointed or any other elector of such town  
23 to be the head moderator for the purpose of declaring the results of  
24 elections in the whole municipality. The registrars may also designate  
25 a deputy head moderator to assist the head moderator in the  
26 performance of his duties, provided the deputy head moderator and  
27 the head moderator shall not be enrolled in the same major party, as  
28 defined in subdivision (5) of section 9-372. The selectmen, town clerk,  
29 registrars of voters and all other officers of the municipality shall  
30 perform the duties required of them by law with respect to elections in  
31 each voting district established in accordance with this section. Voting  
32 district lines shall not be drawn by a municipality so as to conflict with  
33 the lines of congressional districts, [senate] senatorial districts or  
34 assembly districts as established by law, except (1) as provided in  
35 section 9-169d, and (2) that as to municipal elections, any part of a split  
36 voting district containing less than two hundred electors may be  
37 combined with another voting district adjacent thereto from which all  
38 and the same officers are elected at such municipal election. Any  
39 change in the boundaries of voting districts made [within] less than  
40 ninety days prior to any election or primary shall not apply with  
41 respect to such election or primary. The provisions of this section shall  
42 prevail over any contrary provision of any charter or special act.

43 (b) If the legislative body of any municipality is required to  
44 determine the location of any polling place pursuant to subsection (a)  
45 of this section, the legislative body shall conduct a public hearing in  
46 such municipality on any proposed location of such polling place prior  
47 to the final determination of such location. The legislative body shall

48 cause notice of the time, place and subject of such public hearing to be  
 49 published, not more than ten days and not less than three days prior to  
 50 such public hearing, in a newspaper having a circulation in the  
 51 municipality.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-169

**Statement of Legislative Commissioners:**

In Subsec. (a), a comma was inserted before "except that" in the third sentence for proper grammar, "senate" was bracketed and "senatorial" was inserted in its place for consistency and other technical and conforming changes were made.

**GAE**      *Joint Favorable Subst.*

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:** None

**Municipal Impact:**

<b>Municipalities</b>	<b>Effect</b>	<b>FY 17 \$</b>	<b>FY 18 \$</b>
Various Municipalities	Potential Cost	See Below	See Below

**Explanation**

The bill requires, under certain circumstances, that a municipal legislative body must hold a public hearing before determining polling places. Holding a public hearing would result in minimal costs associated with advertising in newspapers and overtime for police officers to provide security.

**The Out Years**

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

**OLR Bill Analysis****sHB 5611*****AN ACT CONCERNING THE HOLDING OF PUBLIC HEARINGS PRIOR TO THE DETERMINATION OF POLLING PLACES BY MUNICIPAL LEGISLATIVE BODIES.*****SUMMARY:**

The law authorizes municipal legislative bodies to divide municipalities into voting districts and periodically redraw these lines. Registrars of voters in these municipalities must provide a suitable polling place in each district. If the registrars fail to agree on a location, the legislative body must make that determination.

This bill requires that, under these circumstances, the legislative body hold a public hearing on a proposed polling place location before making a final determination. At least three but no more than 10 days beforehand, it must notice the hearing's time and place in a newspaper with substantial circulation in the municipality. By law, polling places cannot be changed within 31 days before an election or primary unless a designated location becomes unusable during that time period.

The bill does not affect procedures for designating polling places (1) in municipalities not divided into voting districts or (2) under certain limited circumstances, such as when registrars of voters move a polling place to an adjacent district due to a lack of a suitable location (CGS §§ 9-168 & 9-168b).

The bill also makes technical changes.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 15 Nay 0 (03/18/2016)