



House of Representatives

General Assembly

File No. 440

February Session, 2018

House Bill No. 5420

House of Representatives, April 12, 2018

The Committee on Government Administration and Elections reported through REP. FOX of the 148th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT REQUIRING ADDITIONAL POLLING PLACES AT INSTITUTIONS OF HIGHER EDUCATION DURING STATE ELECTIONS.

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 Section 9-169 of the general statutes is repealed and the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. Polling places to be used in an election
10 shall be determined at least thirty-one days before such election, and
11 such polling places shall not be changed within said period of thirty-
12 one days except that, if the municipal clerk and registrars of voters of a

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

41 (b) In addition to the requirements set forth in subsection (a) of this
42 section, (1) the legislative body of any town, consolidated town and
43 city or consolidated town and borough within which an institution of
44 higher education is located shall divide such municipality so as to
45 provide at each state election a separate voting district containing such
46 institution, provided such institution shall have (A) reported to the
47 United States Department of Education, in the year prior to such state

48 election, a twelve-month, full-time equivalent enrollment in excess of
 49 three thousand at any campus of such institution, and (B) notified, not
 50 later than January first of the year of such state election, the registrars
 51 of voters of such municipality in which any such campus is located,
 52 and (2) the registrars of voters of any municipality described in
 53 subdivision (1) of this subsection shall provide a suitable polling place
 54 at, or not more than five hundred feet from, such institution but, if the
 55 registrars fail to agree as to the location of such polling place, the
 56 legislative body shall determine the location thereof.

57 (c) The provisions of this section shall prevail over any contrary
 58 provision of any charter or special act.

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

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: None

Municipal Impact:

Municipalities	Effect	FY 19 \$	FY 20 \$
Various Municipalities	STATE MANDATE - Cost	See Below	See Below

Explanation

The bill requires municipalities to establish a separate voting district where certain higher education institutions are located under certain circumstances.

To the extent municipalities qualify for a separate voting district, there would be costs associated with hiring and training additional election day staff, possibly purchasing additional equipment, and hiring additional police.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of separate voting districts in a municipality.

OLR Bill Analysis**HB 5420*****AN ACT REQUIRING ADDITIONAL POLLING PLACES AT INSTITUTIONS OF HIGHER EDUCATION DURING STATE ELECTIONS.*****SUMMARY**

This bill requires the legislative body of any municipality in which certain public or private nonprofit higher education institutions are located to establish a separate voting district containing the institution for state election years. (It is unclear whether or to what extent the voting district may also contain surrounding areas).

The requirement applies to institutions with more than 3,000 full-time equivalent students at any campus, based on data the institution reported to the U.S. Department of Education in the year before the state election. The bill does not require that the students reside on the campus (see BACKGROUND). Under the bill, the municipality's registrars of voters must provide a suitable polling place within 500 feet of the institution provided the institution notifies the registrar of voters by January 1 in a state election year.

If the registrars fail to agree on a location, existing law, unchanged by the bill, requires that the municipality's legislative body do so. Under the bill, all of the other existing requirements and procedures applicable to voting districts and polling places apply. Among other things, this means that the registrars must (1) designate the polling place at least 31 days before the election, (2) keep a separate registry list of electors residing in the district, and (3) appoint a district moderator and other required election officials.

EFFECTIVE DATE: Upon passage

BACKGROUND

Reporting Enrollment

Federal law generally requires higher education institutions, as a condition of receiving federal funding for certain student assistance programs, to annually report enrollment data through the Integrated Postsecondary Education Data System survey (20 U.S.C. § 1094(a)(17)). The 12-month enrollment is the unduplicated headcount of any student used to estimate full time equivalent enrollment during a July 1 through June 30 reporting period.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 9 Nay 8 (03/23/2018)