



General Assembly

**House Joint
Resolution No. 161**

January Session, 2019

LCO No. 5041



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

**RESOLUTION PROPOSING AN AMENDMENT TO THE STATE
CONSTITUTION TO ALLOW FOR EARLY VOTING AND NO-EXCUSE
ABSENTEE VOTING.**

Resolved by this Assembly:

1 Section 1. That the following be proposed as an amendment to the
2 Constitution of the State, which, when approved and adopted in the
3 manner provided by the Constitution, shall, to all intents and
4 purposes, become a part thereof:

5 Section 7 of article sixth of the Constitution is amended to read as
6 follows:

7 Sec. 7. a. The general assembly may provide by law for voting in the
8 choice of any officer to be elected or upon any question to be voted on
9 at an election by qualified voters of the state who [are unable to appear
10 at the polling place on the day of election because of absence from the
11 city or town of which they are inhabitants or because of sickness or
12 physical disability or because the tenets of their religion forbid secular
13 activity] do not appear at the polling place on the day of election.

14 b. The general assembly may provide by law for voting in person in
15 the choice of any officer to be elected or upon any question to be voted
16 on at an election by qualified voters of the state for a minimum of three
17 days prior to such day of election.

18 Section 9 of article third of the Constitution is amended to read as
19 follows:

20 Sec. 9. At all elections for members of the general assembly the
21 presiding officers in the several towns shall [receive the votes of the
22 electors, and] count and declare [them] the votes of the electors in open
23 meeting. The presiding officers shall make and certify duplicate lists of
24 the persons voted for, and of the number of votes for each. One list
25 shall be delivered [within three days] to the town clerk, and [within
26 ten days after such meeting,] the other shall be delivered [under seal]
27 to the secretary of the state.

28 Section 4 of article fourth of the Constitution is amended to read as
29 follows:

30 Sec. 4. [At the meetings of the electors in the respective towns held
31 quadrennially as herein provided for the election of state officers, the
32 presiding officers shall receive the votes and shall count and declare
33 the same in the presence of the electors] The votes at the election of
34 state officers shall be counted and declared in open meeting by the
35 presiding officers in the several towns. The presiding officers shall
36 make and certify duplicate lists of the persons voted for, and of the
37 number of votes for each. One list shall be delivered [within three
38 days] to the town clerk, and [within ten days after such meeting,] the
39 other shall be delivered [under seal] to the secretary of the state. The
40 votes so delivered shall be counted, canvassed and declared by the
41 treasurer, secretary, and comptroller, within the month of November.
42 The vote for treasurer shall be counted, canvassed and declared by the
43 secretary and comptroller only; the vote for secretary shall be counted,
44 canvassed and declared by the treasurer and comptroller only; and the
45 vote for comptroller shall be counted, canvassed and declared by the
46 treasurer and secretary only. A fair list of the persons and number of

47 votes given for each, together with the returns of the presiding officers,
48 shall be, by the treasurer, secretary and comptroller, made and laid
49 before the general assembly, then next to be held, on the first day of
50 the session thereof. In the election of governor, lieutenant-governor,
51 secretary, treasurer, comptroller and attorney general, the person
52 found upon the count by the treasurer, secretary and comptroller in
53 the manner herein provided, to be made and announced before
54 December fifteenth of the year of the election, to have received the
55 greatest number of votes for each of such offices, respectively, shall be
56 elected thereto; provided, if the election of any of them shall be
57 contested as provided by statute, and if such a contest shall proceed to
58 final judgment, the person found by the court to have received the
59 greatest number of votes shall be elected. If two or more persons shall
60 be found upon the count of the treasurer, secretary and comptroller to
61 have received an equal and the greatest number of votes for any of
62 said offices, and the election is not contested, the general assembly on
63 the second day of its session shall hold a joint convention of both
64 houses, at which, without debate, a ballot shall be taken to choose such
65 officer from those persons who received such a vote; and the balloting
66 shall continue on that or subsequent days until one of such persons is
67 chosen by a majority vote of those present and voting. The general
68 assembly shall have power to enact laws regulating and prescribing
69 the order and manner of voting for such officers. The general assembly
70 shall by law prescribe the manner in which all questions concerning
71 the election of a governor or lieutenant-governor shall be determined.

72 RESOLVED: That the foregoing proposed amendment to the
73 Constitution be continued to the next session of the General Assembly
74 elected at the general election to be held on November 3, 2020, and
75 published with the laws passed at the present session, or be presented
76 to the electors at the general election to be held on November 3, 2020,
77 whichever the case may be, according to article sixth of the
78 amendments to the Constitution. The designation of said proposed
79 amendment to be used on the ballots at such election shall be "Shall the
80 Constitution of the State be amended to allow the General Assembly to
81 (1) permit any elector to vote by absentee ballot, and (2) provide for at

82 least three days of in-person voting prior to the day of an election?"