



General Assembly

**Amendment**

January Session, 2019

LCO No. 7493



Offered by:

REP. FOX, 148<sup>th</sup> Dist.

SEN. FLEXER, 29<sup>th</sup> Dist.

To: Subst. House Joint Resolution  
No. 161

File No. 436

Cal. No. 237

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

1 Strike everything after the resolving clause and substitute the  
2 following in lieu thereof:

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

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

9 Sec. 7. The general assembly may provide by law for voting in the  
10 choice of any officer to be elected or upon any question to be voted on  
11 at an election by qualified voters of the state who are unable to appear  
12 at the polling place on the day of election because of absence from the

13 city or town of which they are inhabitants or because of sickness or  
14 physical disability or because the tenets of their religion forbid secular  
15 activity. The general assembly may further provide by law for voting  
16 in person prior to the day of election in the choice of any officer to be  
17 elected or upon any question to be voted on at an election by qualified  
18 voters of the state.

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

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

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

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

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

73 RESOLVED: That the foregoing proposed amendment to the  
74 Constitution be continued to the next session of the General Assembly  
75 elected at the general election to be held on November 3, 2020, and  
76 published with the laws passed at the present session, or be presented  
77 to the electors at the general election to be held on November 3, 2020,  
78 whichever the case may be, according to article sixth of the

79 amendments to the Constitution. The designation of said proposed  
80 amendment to be used on the ballots at such election shall be "Shall the  
81 Constitution of the State be amended to permit the General Assembly  
82 to provide for early voting?"