OLR Bill Analysis
HB 7213

AN ACT CONCERNING ELECTORAL PRIVILEGES OF CERTAIN PAROLEES AND CHALLENGERS IN THE POLLING PLACE.

SUMMARY

This bill eliminates current law’s requirement that all fines related to a felony conviction be paid as a condition for restoring a convicted felon’s electoral privileges upon release from confinement.

The bill restores the voting rights of convicted felons on parole, except those convicted of an election-related felony. Under current law, convicted felons may not become electors until discharged from confinement and parole, and for those convicted of election-related felonies, until any probation ends.

The bill also eliminates municipal registrars of voters’ authority to appoint “challengers” as authorized poll workers who, under certain circumstances, may challenge the right of someone attempting to vote during a primary or election.

It also makes technical and conforming changes.

RESTORING ELECTORAL PRIVILEGES

Current law requires the Department of Corrections commissioner to (1) upon a convicted felon’s release, give the person a document certifying his or her release from confinement and discharge from parole, if applicable, and (2) on a monthly basis, transmit to the Secretary of the State a list of all felony convicts released from confinement and discharged from parole. The bill instead requires the commissioner to (1) provide the certification document upon a person’s release from confinement and (2) include all felony convicts released from confinement on the list, regardless of whether or not they are on parole.
Current law requires a convicted felon’s electoral privileges to be automatically restored upon release from confinement if, at the time of the conviction, the person was an elector residing in the same municipality where he or she resides upon release from confinement and discharge from parole. If he or she was not an elector at the time of conviction, or was an elector, but was living in a different municipality, then by law the person must register to vote in order for electoral privileges to be granted or restored. Under the bill, these requirements additionally apply to parolees, except those convicted of an election-related felony.

The bill also permits convicted felons on parole to circulate nominating petitions if they are otherwise qualified to do so. By law, a circulator of a nominating petition page must be a U.S. citizen, at least age 18, and a Connecticut resident.

**Polling Place Challengers**

Current law authorizes each municipality’s registrar of voters to appoint up to two challengers per polling place who may challenge the right of anyone attempting to vote if he or she knows, suspects, or reasonably believes that there is some doubt as to the voter's identity, residence, or disenfranchisement status. The moderator decides any challenge (CGS § 9-232). The bill eliminates registrar-appointed challengers as authorized poll workers during a primary or election. Existing law, unchanged by the bill, authorizes any elector to act as a challenger.

**EFFECTIVE DATE:** July 1, 2019

**BACKGROUND**

**Parole**

Parole is a period of conditional supervised release following incarceration. The Board of Pardons and Paroles has independent decision-making authority to (1) grant or deny parole, (2) set conditions of parole, and (3) rescind or revoke parole (CGS § 54-124a).

Inmates sentenced to more than two years in prison can be
considered for parole. Inmates convicted of non-violent crimes are generally eligible for parole after serving 50% of their sentence. Inmates who committed violent crimes are eligible after serving 85% of their sentence. Those convicted of certain crimes, like murder, are not eligible for parole (CGS § 54-125a).

In some circumstances, inmates nearing the end of their sentence or scheduled parole release date can be released before that date. The board can also release certain inmates on medical or compassionate parole (due to physical or mental debilitation). The board can release someone on parole if there is a reasonable probability that the inmate will live and remain at liberty without violating the law and the release is not incompatible with the welfare of society.

The parole release panel conducting the parole hearing sets the terms and conditions for the inmate's parole. Department of Correction personnel supervise inmates on parole (CGS § 54-125a). The law requires an incremental sanctions system for parole violators and allows the parolee to be returned to custody.

**Related Bill**

SB 25, favorably reported by the Government Administration and Elections Committee, also restores the voting rights of convicted felons on parole and permits such individuals to circulate nominating petitions.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable

Yea 10  Nay 4  (03/29/2019)