
OLR Bill Analysis

sHB 6325 (as amended by House "A")

AN ACT CONCERNING THE SECRETARY OF THE STATE, ABSENTEE BALLOTS AND ELECTION AUDITS.

SUMMARY

This bill makes unrelated changes affecting election administration and voting. Principally, it does the following:

1. establishes a task force to study the feasibility of implementing procedures under which absentee ballot applicants return absentee ballots using one envelope instead of two;
2. establishes a working group to examine risk-limiting audits and oversee a related pilot program, within available appropriations, in five to 10 municipalities for the 2021 municipal elections;
3. increases the time period that minor party rules must be on file with the secretary of the state before the party's candidates may appear on the ballot;
4. sunsets, on June 30, 2024, a requirement that employers give two hours of unpaid time off to vote to employees who request it;
5. generally allows for the disclosure of a voter's month of birth, not only year of birth, from information maintained under state election law;
6. requires that a voter's signed statement requesting nondisclosure of his or her name and address from the voter registry list be signed under penalty of false statement; and
7. establishes circumstances under which town committee members who are chosen in a direct primary in certain

municipalities are deemed elected without a primary.

Separately, the bill adds the Higher Education and Employment Advancement Committee's ranking members to the Council on Sexual Misconduct Climate Assessments.

*House Amendment "A" adds the provisions affecting the Council on Sexual Misconduct Climate Assessments, time off to vote, disclosure of voter registration information, and town committee primaries.

EFFECTIVE DATE: Upon passage, except that the change to the Council on Sexual Misconduct Climate Assessments is effective July 1, 2021.

§ 1 — TASK FORCE ON ABSENTEE BALLOT ENVELOPES

The bill establishes a 12-member task force to study the feasibility of implementing procedures under which absentee ballot applicants return absentee ballots using one envelope instead of two. The study must examine and identify each section of the general statutes that requires amending to implement these procedures.

Membership

Under the bill, the task force consists of the following members:

1. the secretary of the state or her designee;
2. one member each appointed by the Senate president pro tempore, House speaker, and Senate and House minority leaders;
3. one member each appointed by the Government Administration and Elections (GAE) Committee chairpersons and ranking members;
4. two members, enrolled in different political parties, appointed by the president of the Registrars of Voters Association of Connecticut; and

5. one member appointed by the president of the Connecticut Town Clerks Association.

Initial appointments must be made no later than 30 days after the bill's passage. Legislative appointments may be legislators, and appointing authorities fill vacancies. The House speaker and Senate president pro tempore must select the task force chairpersons from among its members.

Meeting, Staff, and Reporting

The bill requires the chairpersons to hold the task force's first meeting no later than 60 days after the bill's passage. The GAE Committee's administrative staff must serve as the task force's administrative staff.

By January 1, 2022, the task force must report its findings and recommendations to the GAE Committee. It terminates on that date or when it submits the report, whichever is later.

§ 2 — WORKING GROUP ON RISK-LIMITING AUDITS

The bill establishes a 12-member working group on risk-limiting audits. The group's purpose is to (1) consider risk-limiting audits for determining election results' accuracy and (2) oversee a pilot program, within available appropriations, in five to 10 municipalities on one or more risk-limiting audit methods for the 2021 municipal elections.

As part of its work, the working group must at least examine the following:

1. the feasibility of implementing risk-limiting audits;
2. different methods used in these audits and the practical considerations for implementing each method within Connecticut's existing statutory framework; and
3. procedures, potential equipment, and changes to the statutory framework necessary to implement one or more of these methods.

Membership

Under the bill, the working group consists of the following members:

1. the secretary of the state, or her designee;
2. one member each appointed by the Senate president pro tempore, House speaker, and Senate and House minority leaders;
3. two members, enrolled in different political parties, appointed by the GAE Committee chairpersons and ranking members;
4. two members appointed by the secretary of the state, one with election law expertise and admitted to practice law in Connecticut, and the other a statistician;
5. two members, enrolled in different political parties, appointed by the president of the Registrars of Voters Association of Connecticut; and
6. the director of UConn's Center for Voting Technology Research, or the director's designee.

Initial appointments must be made no later than 30 days after the bill's passage. Legislative appointments may be legislators, and appointing authorities fill vacancies. The secretary of the state, or her designee, serves as the chairperson.

Meeting, Staff, and Reporting

The bill requires the secretary of the state, or her designee, to hold the task force's first meeting no later than 60 days after the bill's passage. The GAE Committee's administrative staff must serve as the task force's administrative staff.

By January 31, 2022, the working group must report its findings and recommendations to the GAE Committee and to the secretary of the state. It terminates on that date or when it submits the report, whichever is later.

§ 3 — MINOR PARTY RULES

By law, minor parties must nominate candidates and certify the list of candidates no later than 62 days before the election (e.g., September 20, 2020) (CGS § 9-452). Under current law, a copy of the party rules must be on file with the secretary of the state for at least 60 days before the nomination in order for a nominated candidate's name to appear on the official ballot. The bill extends this time period to at least 180 days before the nomination. "Party rules" includes any amendments to them.

§ 501 — COUNCIL ON SEXUAL MISCONDUCT CLIMATE ASSESSMENTS

The bill adds the Higher Education and Employment Advancement Committee's ranking members to the Council on Sexual Misconduct Climate Assessments, thus increasing the council's size to 22 members. The council is established within the Legislative Department by sHB 6374 (File 748, passed by both chambers) and must, among other things, develop a list of data points for higher education institutions to collect using sexual misconduct climate assessments and recommend guidelines for implementing the assessments.

§ 502 — TIME OFF TO VOTE

The bill sunsets, on June 30, 2024, the time off to vote requirement established by sSB 5 (File 570, as amended by Senate "A," passed by the Senate). Under the requirement, employers must give two hours of unpaid time off from an employee's regularly scheduled work on the day of a regular state election to vote if the employee requests it in advance. In the case of a special election for a U.S. senator, U.S. representative, state senator, or state representative, the requirement applies only to employees who are already electors.

In both cases, the time off must occur during regular voting hours (i.e., from 6:00 a.m. to 8:00 p.m.), and the employee must make the request at least two working days before the election.

§ 503 — VOTER REGISTRATION INFORMATION

The bill changes certain voter registration information provisions in

sSB 5 (File 570, as amended by Senate “A,” passed by the Senate). Specifically, sSB 5 limits disclosure of a voter’s date of birth maintained under state election law to year of birth. This bill additionally requires disclosure of a voter’s month of birth. As under sSB 5, if the information is requested and used for a governmental purpose, as determined by the secretary of the state, the complete birth date must be provided.

In addition, sSB 5 makes a voter’s name and address confidential and prohibits their disclosure from the voter registry list if the voter submits a signed statement to the secretary of the state indicating that nondisclosure is necessary for the safety of the voter or his or her family. This bill requires that the statement be signed under penalty of false statement. By law, giving a false statement is a class A misdemeanor, punishable by up to one year in prison, up to a \$2,000 fine, or both (CGS § 53a-157b).

§ 504 — TOWN COMMITTEE PRIMARIES

The bill establishes circumstances under which town committee members who are chosen in a direct primary in certain municipalities are deemed elected to the committee without a primary (see BACKGROUND).

Under the bill, in municipalities with a population of 100,000 or more as estimated by the most recent version of the State Register and Manual, no direct primary is held if, by 4:00 p.m. on the 49th day before the primary (i.e., 15 days before the deadline for filing candidacy petitions), the number of people who have requested petition forms and filed a statement consenting to be a candidate (1) does not exceed the number of town committee members being elected but (2) is at least 25% of that number.

The bill instead exempts these candidates from the law’s primary petition deadline and signature requirements and deems them elected to the town committee without a direct primary. (Generally, the law requires that these petitions be (1) filed with the registrar of voters by 4:00 p.m. on the 34th day before the primary; (2) signed by at least 5%

of the enrolled party members in the town, or a lesser number if provided in the party rules; and (3) certified by the registrar of voters (CGS §§ 9-405 to -406 and -412.)

BACKGROUND

Related Bills

sSB 5 (File 570, as amended by Senate "A"), which the Senate passed, contains provisions (1) requiring employers to give an employee who requests it two hours of unpaid time off to vote, (2) limiting disclosure of a voter's date of birth to year of birth, and (3) prohibiting the disclosure of a voter's name and address from the voter registry if the voter submits a signed statement to the secretary of the state.

sHB 6374 (File 748), which both chambers passed, establishes the Council on Sexual Misconduct Climate Assessments.

HB 6650 (File 581), reported favorably by the GAE Committee, contains similar provisions concerning town committee primaries.

Town Committees

Under existing law, major political parties must select a town committee in each town. They must choose party-endorsed candidates at a caucus unless the party rules provide for a direct primary (CGS §§ 9-390(c) and -392).

By law, a party's endorsed candidates for town committee are deemed elected to the committee unless candidates numbering at least 25% of the seats to be filled on the committee successfully petition for a primary (CGS §§ 9-415(d) & -417). If the party rules provide for a direct primary, then the party does not make any endorsements. Rather, all committee members are elected in the primary (CGS § 9-390(g)). Town committee primaries are held on the first Tuesday in March in even-numbered years (CGS § 9-425).

By law, a "major party" is one whose (1) candidate for governor received, under the party's designation, at least 20% of the votes cast for governor in the preceding gubernatorial election or (2) enrolled

membership comprises at least 20% of the total number of enrolled members of all political parties in the state (as of the most recent gubernatorial election) (CGS § 9-372(5)).

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 18 Nay 1 (03/31/2021)