



**New Copy
Senate**

General Assembly

File No. 114

January Session, 2021

Senate Bill No. 901

Senate, March 23, 2021

The Committee on Government Administration and Elections reported through SEN. FLEXER of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT EXTENDING TO JUNE 30, 2021, CHANGES IMPLEMENTED FOR THE 2020 STATE ELECTION AS A RESULT OF COVID-19.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-135 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Any elector eligible to vote at a primary or an election and any
4 person eligible to vote at a referendum may vote by absentee ballot if
5 such elector or person is unable to appear at such elector's or person's
6 polling place during the hours of voting for any of the following reasons:
7 (1) Such elector's or person's active service with the armed forces of the
8 United States; (2) such elector's or person's absence from the town of
9 such elector's or person's voting residence during all of the hours of
10 voting; (3) such elector's or person's illness; (4) such elector's or person's
11 physical disability; (5) the tenets of such elector's or person's religion
12 forbid secular activity on the day of the primary, election or referendum;

13 (6) the required performance of such elector's or person's duties as a
14 primary, election or referendum official, including as a town clerk or
15 registrar of voters or as staff of the clerk or registrar, at a polling place
16 other than such elector's or person's own during all of the hours of
17 voting at such primary, election or referendum; or (7) for the state
18 election in 2020, and any election, primary or referendum held on or
19 after the effective date of this section but prior to July 1, 2021, the
20 sickness of COVID-19. As used in this section, "COVID-19" means the
21 respiratory disease designated by the World Health Organization on
22 February 11, 2020, as coronavirus 2019, and any related mutation thereof
23 recognized by said organization as a communicable respiratory disease.

24 (b) No person shall misrepresent the eligibility requirements for
25 voting by absentee ballot prescribed in subsection (a) of this section, to
26 any elector or prospective absentee ballot applicant.

27 Sec. 2. Section 9-137 of the general statutes is repealed and the
28 following is substituted in lieu thereof (*Effective from passage*):

29 (a) Each absentee ballot shall be returned to the municipal clerk,
30 inserted in an inner envelope which shall be capable of being sealed and
31 which shall have printed on its face a form containing the following
32 statements:

33 "I hereby state under the penalties of false statement in absentee
34 balloting that I am eligible to vote at the primary, election or referendum
35 in the municipality in which this absentee ballot is to be cast and that I
36 expect to be unable to appear at my polling place during the hours of
37 voting at such primary, election or referendum for one or more of the
38 following reasons: (1) My active service in the armed forces; (2) my
39 absence from the town in which I am eligible to vote during all of the
40 hours of voting; (3) my illness or physical disability; (4) the tenets of my
41 religion which forbid secular activity on the day of the primary, election
42 or referendum; or (5) my duties as a primary, election or referendum
43 official.

44 Date

45 (Signature)"

46 (b) Notwithstanding the provisions of subsection (a) of this section,
47 for the state election in 2020, and any election, primary or referendum
48 held on or after the effective date of this section but prior to July 1, 2021,
49 each inner envelope in which an absentee ballot is returned to the
50 municipal clerk shall have printed on its face a form containing the
51 following statements:

52 "I hereby state under the penalties of false statement in absentee
53 balloting that I am eligible to vote at the primary, election or referendum
54 in the municipality in which this absentee ballot is to be cast and that I
55 expect to be unable to appear at my polling place during the hours of
56 voting at such primary, election or referendum for one or more of the
57 following reasons: (1) My active service in the armed forces; (2) my
58 absence from the town in which I am eligible to vote during all of the
59 hours of voting; (3) my illness or physical disability; (4) the tenets of my
60 religion which forbid secular activity on the day of the primary, election
61 or referendum; (5) my duties as a primary, election or referendum
62 official; or (6) the sickness of COVID-19.

63 Date

64 (Signature)"

65 Sec. 3. Section 9-139b of the general statutes is repealed and the
66 following is substituted in lieu thereof (*Effective from passage*):

67 (a) The Secretary of the State may make any changes in any forms
68 prescribed by this chapter which, in the opinion of the Secretary, are
69 necessary to conform to the applicable provisions of federal law.

70 (b) For the state election in 2020, and any election, primary or
71 referendum held on or after the effective date of this section but prior to
72 July 1, 2021, the Secretary of the State may make any changes in any
73 forms prescribed by this chapter or in any printed, recorded or
74 electronic material issued pursuant to this chapter which, in the opinion
75 of the Secretary, are necessary to conform to the applicable provisions

76 of law.

77 Sec. 4. Subsection (g) of section 9-140 of the general statutes is
78 repealed and the following is substituted in lieu thereof (*Effective from*
79 *passage*):

80 (g) (1) On the first day of issuance of absentee voting sets the
81 municipal clerk shall mail an absentee voting set to each applicant
82 whose application was received by the clerk prior to that day. When the
83 clerk receives an application during the time period in which absentee
84 voting sets are to be issued he shall mail an absentee voting set to the
85 applicant, within twenty-four hours, unless the applicant submits his
86 application in person at the office of the clerk and asks to be given his
87 absentee voting set immediately, in which case the clerk shall comply
88 with the request. Any absentee voting set to be mailed to an applicant
89 shall be mailed to the bona fide personal mailing address shown on the
90 application. Issuance of absentee voting sets shall also be subject to the
91 provisions of subsection (c) of this section, section 9-150c and section 9-
92 159q concerning persons designated to deliver or return ballots in cases
93 involving unforeseen illness or disability and supervised voting at
94 certain health care institutions.

95 (2) Notwithstanding the provisions of subdivision (1) of this
96 subsection, for the state election in 2020, and any election, primary or
97 referendum held on or after the effective date of this section but prior to
98 July 1, 2021, each absentee voting set required to be mailed to an
99 applicant under said subdivision (A) shall be mailed by the municipal
100 clerk within forty-eight hours after the application for such absentee
101 voting set is received by the clerk, or (B) may be mailed by a third-party
102 mailing vendor approved and selected by the Secretary of the State for
103 use by the municipal clerk for such purpose, provided any contract
104 between the Secretary of the State and any such vendor shall require
105 that such vendor mail each absentee voting set within seventy-two
106 hours after the application for such absentee voting set is received by
107 such vendor from the clerk.

108 Sec. 5. Subsection (c) of section 9-140b of the general statutes is

109 repealed and the following is substituted in lieu thereof (*Effective from*
110 *passage*):

111 (c) (1) For purposes of this section, "mailed" means (A) sent by the
112 United States Postal Service or any commercial carrier, courier or
113 messenger service recognized and approved by the Secretary of the
114 State, or (B) for the state election in 2020, and any election, primary or
115 referendum held on or after the effective date of this section but prior to
116 July 1, 2021, deposited in a secure drop box designated by the municipal
117 clerk for such purpose, in accordance with instructions prescribed by
118 the Secretary.

119 (2) In the case of absentee ballots mailed under subparagraph (B) of
120 subdivision (1) of this subsection, beginning on the twenty-ninth day
121 before the state election in 2020, and any election, primary or
122 referendum held on or after the effective date of this section but prior to
123 July 1, 2021, and on each weekday thereafter until the close of the polls
124 at such election, primary or referendum, the municipal clerk shall (A)
125 retrieve from the secure drop box described in said subparagraph each
126 such ballot deposited in such drop box, and (B) if the drop box is located
127 outside a building other than the building where the clerk's office is
128 located, arrange for the clerk or the clerk's designee to be escorted by a
129 police officer during such retrieval.

130 Sec. 6. Section 9-140c of the general statutes is repealed and the
131 following is substituted in lieu thereof (*Effective from passage*):

132 (a) The municipal clerk shall retain the envelopes containing absentee
133 ballots received by him under section 9-140b, as amended by this act,
134 and shall not open such envelopes. The municipal clerk shall endorse
135 over his signature, upon each outer envelope as he receives it, the date
136 and precise time of its receipt. The clerk shall make an affidavit attesting
137 to the accuracy of all such endorsements, and at the close of the polls
138 shall deliver such affidavit to the head moderator, who shall endorse the
139 time of its receipt and return it to the clerk after all counting is complete.
140 The clerk shall preserve the affidavit for one hundred eighty days in
141 accordance with the requirements of section 9-150b, as amended by this

142 act. The clerk shall keep a list of the names of the applicants who return
143 absentee ballots to the clerk under section 9-140b, as amended by this
144 act. The list shall be preserved as a public record as required by section
145 9-150b, as amended by this act.

146 (b) (1) (A) Except as provided in subparagraph (B) of this subdivision,
147 beginning not earlier than the seventh day before the election, primary
148 or referendum and on any weekday thereafter, all absentee ballots
149 received by the municipal clerk at or prior to eleven o'clock a.m. of such
150 day may be sorted into voting districts by the municipal clerk and
151 checked as provided in this subparagraph. On any such day, beginning
152 as soon as the ballots have been sorted, the registrars of voters, without
153 opening the outer envelopes, may check the names of the applicants
154 returning ballots on the official checklist to be used at the election,
155 primary or referendum by indicating "absentee" or "A" preceding each
156 such name and, if unaffiliated electors are authorized under section 9-
157 431 to vote in the primary of either of two parties, the designation of the
158 party in which the applicants are voting preceding each such name.
159 Unless absentee ballots are to be counted in the respective polling
160 places, pursuant to subsection (b) of section 9-147a, as amended by this
161 act, the registrars shall also place such indication on a duplicate checklist
162 to be retained by the municipal clerk until the municipal clerk delivers
163 such duplicate checklist to the registrars, in accordance with subsection
164 (e) of this section, for the use of the absentee ballot counters pursuant to
165 subsection (i) of this section.

166 (B) For the state election in 2020, and any election, primary or
167 referendum held on or after the effective date of this section but prior to
168 July 1, 2021, beginning on the fourteenth day before [the] such election,
169 primary or referendum and on any weekday thereafter, all absentee
170 ballots received by the municipal clerk at or prior to eleven o'clock a.m.
171 of such day may be sorted into voting districts by the municipal clerk
172 and checked as provided in subparagraph (A) of this subdivision.

173 (2) All absentee ballots received at or prior to eleven o'clock a.m. of
174 the last day before the election, primary or referendum which is not a

175 Sunday or legal holiday, shall be sorted into voting districts by the
176 municipal clerk and checked as provided in subparagraph (A) of
177 subdivision (1) of this subsection not later than such last day.

178 (c) If the name of the applicant returning the ballot is not on the
179 official checklist for any polling place in such municipality, the
180 registrars shall endorse on the face of such outer envelope the word
181 "rejected", followed by a statement of the reasons for rejection, and the
182 outer envelope shall not be opened or the ballot counted.

183 (d) After such checking has been completed on any such day, the
184 municipal clerk shall seal the unopened ballots in a package and retain
185 them in a safe place.

186 (e) (1) Except as provided in subdivision (2) of this subsection, ballots
187 received at or prior to eleven o'clock a.m. on the last day before the
188 election, primary or referendum shall be delivered by the municipal
189 clerk to the registrars between ten o'clock a.m. and twelve o'clock noon
190 on the day of the election or primary and at twelve o'clock noon on the
191 day of a referendum. Unless absentee ballots are to be counted in the
192 respective polling places, pursuant to subsection (b) of section 9-147a, as
193 amended by this act, the municipal clerk shall also deliver to the
194 registrars at this time the duplicate checklist provided for in subsection
195 (b) of this section, for the use of the absentee ballot counters pursuant to
196 subsection (i) of this section.

197 (2) (A) For the state election in 2020, and any election, primary or
198 referendum held on or after the effective date of this section but prior to
199 July 1, 2021:

200 (i) Ballots received, sorted and checked prior to five o'clock p.m. on
201 the (I) fourth day before [the] such election, primary or referendum may
202 be delivered by the municipal clerk to the registrars at five o'clock p.m.
203 on such fourth day, (II) third day before [the] such election, primary or
204 referendum may be so delivered at five o'clock p.m. on such third day,
205 and (III) second day before [the] such election, primary or referendum
206 may be so delivered at five o'clock p.m. on such second day;

207 (ii) Ballots received not later than eleven o'clock a.m. on the last day
208 before [the] such election, primary or referendum shall be delivered by
209 the municipal clerk to the registrars at six o'clock a.m. on the day of [the]
210 such election, primary or referendum; and

211 (iii) Each time ballots are delivered pursuant to this subparagraph,
212 the municipal clerk shall also deliver to the registrars at such time a copy
213 of the duplicate checklist provided for in subsection (b) of this section,
214 current as of the time of such delivery, for the use of the absentee ballot
215 counters pursuant to subsection (i) of this section.

216 (B) The municipal clerk may deliver the ballots at times later than
217 those provided in subdivision (1) of this subsection or subparagraph (A)
218 of this subdivision, as applicable, provided any such time is mutually
219 agreed upon by the municipal clerk and registrars and is not later than
220 eight o'clock p.m. on the day of the election, primary or referendum.

221 (f) Absentee ballots timely received by the clerk after eleven o'clock
222 a.m. of such last day before an election, primary or referendum shall be
223 sorted into voting districts by the clerk and retained by the clerk
224 separately until delivered to the registrars of voters for checking.

225 (g) Any or all of such ballots received after eleven o'clock a.m. of such
226 last day before an election, primary or referendum and before six o'clock
227 p.m. on the day of the election, primary or referendum shall, upon
228 request of the registrars, be delivered to the registrars by the municipal
229 clerk at six o'clock p.m. on the day of the election, primary or
230 referendum for checking, or at a later time mutually agreed upon by the
231 clerk and registrars, provided such time is not later than eight o'clock
232 p.m. on the day of the election, primary or referendum.

233 (h) Absentee ballots received after six o'clock p.m. on the day of the
234 election, primary or referendum and any ballots received prior to six
235 o'clock p.m. of such day which were not delivered earlier shall be
236 delivered to the registrars at the close of the polls for checking. Although
237 absentee ballots shall be checked by the registrars of voters at various
238 times throughout the election, primary or referendum day, absentee

239 ballots may be counted at one single time during such day.

240 (i) (1) Except as otherwise provided in this subsection, the absentee
241 ballot counters, upon receipt of the ballots delivered by the municipal
242 clerk to the registrars at six o'clock p.m. on the day of the election,
243 primary or referendum and at the close of the polls pursuant to
244 subsections (g) and (h) of this section, shall check the names of the
245 applicants returning ballots on the duplicate checklist in the same
246 manner as provided in subsections (b) and (c) of this section.

247 (2) (A) Except as provided in subparagraph (B) of this subdivision,
248 the names of applicants whose ballots were delivered at six o'clock p.m.
249 on the day of the election, primary or referendum shall be called in to
250 the appropriate polling places where they shall be checked by the
251 checkers on the official checklists, and they shall also be checked by the
252 absentee ballot counters on the duplicate checklist required under
253 subsection (b) of this section.

254 (B) Whenever absentee ballots are counted in any polling place
255 pursuant to subsection (b) of section 9-147a, as amended by this act, the
256 names of applicants whose ballots were delivered at six o'clock p.m. on
257 the day of the election, primary or referendum shall be checked by the
258 absentee ballot counters and checkers at such polling place on the
259 official checklist used at such polling place.

260 (3) (A) Except as provided in subparagraph (B) of this subdivision,
261 the names of applicants whose ballots were delivered at the close of the
262 polls shall be checked by the absentee ballot counters on the official
263 checklists used at the polling places and such official checklists, bearing
264 the certifications required by section 9-307, as amended by this act, shall
265 be delivered by the registrars or assistant registrars to the central
266 counting moderator for that purpose.

267 (B) Whenever absentee ballots are counted in any polling place
268 pursuant to subsection (b) of section 9-147a, as amended by this act, the
269 official checklist used at such polling place shall remain in such polling
270 place for checking by the absentee ballot counters at such polling place.

271 (4) If the name of an applicant returning a ballot has been checked on
272 the official checklist as having voted in person the absentee ballot
273 counters shall, in checking the ballots, endorse on the face of the outer
274 envelope the word "rejected" followed by a statement of the reason for
275 rejection, and the outer envelope shall not be opened or the ballot
276 counted.

277 (5) (A) Except as provided in subparagraph (B) of this subdivision,
278 when central counting is completed and the result is announced, the
279 central counting moderator shall deliver the duplicate checklist, the
280 official checklists and the returns required by section 9-150b, as
281 amended by this act, to the head moderator.

282 (B) Whenever absentee ballots are counted in any polling place
283 pursuant to subsection (b) of section 9-147a, as amended by this act, and
284 such counting is completed and the result for such polling place is
285 announced, the moderator for such polling place shall deliver the
286 official checklist used at such polling place and the return required by
287 section 9-150b, as amended by this act, to the head moderator.

288 (j) Each time absentee ballots are delivered by the clerk to the
289 registrars pursuant to this section, the clerk and registrars shall execute
290 an affidavit of delivery and receipt stating the number of ballots
291 delivered. The clerk shall preserve the affidavit for the period prescribed
292 in section 9-150b, as amended by this act.

293 (k) (1) Except as provided in subdivision (2) of this subsection, the
294 absentee ballot counters shall count, in the manner provided in section
295 9-150a, each group of absentee ballots upon receipt from the registrars.

296 (2) For the state election in 2020, and any election, primary or
297 referendum held on or after the effective date of this section but prior to
298 July 1, 2021, whenever absentee ballots are to be processed before the
299 day of [the] such election, primary or referendum, pursuant to
300 subdivision (1) of subsection (c) of section 9-147a, as amended by this
301 act, the absentee ballot counters shall process, in the manner provided
302 in section 9-150e, as amended by this act, each group of absentee ballots

303 upon receipt from the registrars.

304 (l) The municipal clerk shall retain all outer envelopes containing
305 absentee ballots received by him after the close of the polls, unopened,
306 for the period prescribed in section 9-150b, as amended by this act.

307 Sec. 7. Section 9-147a of the general statutes is repealed and the
308 following is substituted in lieu thereof (*Effective from passage*):

309 (a) Except as provided in subsection (b) or (c) of this section, at any
310 election, primary or referendum, all absentee ballots shall, within
311 existing resources, be counted in the manner provided in section 9-150a
312 at a central location designated by the registrars of voters in writing to
313 the municipal clerk at least twenty days before the election, primary or
314 referendum, which location shall be published in the warning for the
315 election, primary or referendum. Except as provided in subsection (b) of
316 this section, if unaffiliated electors are authorized under section 9-431 to
317 vote in the primary of either of two parties, all absentee ballots shall be
318 separated, counted, tallied and placed in depository envelopes by
319 voting district. Any member of the public may observe the counting of
320 absentee ballots at such central location.

321 (b) At any election, primary or referendum, all absentee ballots may
322 be counted in the manner provided in section 9-150a in the respective
323 polling places if the registrars of voters agree that such absentee ballots
324 should be so counted. If unaffiliated electors are authorized under
325 section 9-431 to vote in the primary of either of two parties, absentee
326 ballots may be counted in the respective polling places if the parties
327 agree that such absentee ballots should be so counted. Any election
328 official serving in a polling place may observe the counting of absentee
329 ballots at such polling place.

330 (c) (1) For the state election in 2020, and any election, primary or
331 referendum held on or after the effective date of this section but prior to
332 July 1, 2021, absentee ballots may be processed before the day of [the]
333 such election, primary or referendum in the manner provided in section
334 9-150e, as amended by this act. Any such processing shall take place at

335 a central location designated by the registrars of voters in writing to the
336 municipal clerk at least ten days before [the] such election, primary or
337 referendum, which location shall be published in the warning for [the]
338 such election, primary or referendum.

339 (2) If absentee ballots are to be processed pursuant to subdivision (1)
340 of this subsection, the registrars of voters and municipal clerk shall
341 jointly certify such fact in writing to the Secretary of the State at least ten
342 days before [the] such election, primary or referendum. Such written
343 certification shall (A) include the name, street address and relevant
344 contact information associated with the designated central location, and
345 (B) list the name and address of each absentee ballot counter appointed
346 pursuant to section 9-147c. The Secretary shall approve or disapprove
347 such written certification not later than two days after receipt of such
348 certification and may require the appointment of one or more additional
349 absentee ballot counters.

350 (3) In the case of absentee ballots delivered to the registrars on the
351 day of [the] such election, primary or referendum, nothing in this
352 subsection shall preclude the counting of such absentee ballots in the
353 respective polling places pursuant to subsection (b) of this section.

354 Sec. 8. Section 9-225 of the general statutes is repealed and the
355 following is substituted in lieu thereof (*Effective from passage*):

356 (a) (1) Except as provided in subdivision (2) of this subsection, the
357 town clerk or assistant town clerk of each town shall warn the electors
358 therein to meet on the Tuesday following the first Monday in November
359 in the even-numbered years, at six o'clock a.m., which warning shall be
360 given by publication in a newspaper having a general circulation in such
361 town, or towns in the case of a joint publication under subsection (b) of
362 this section, not more than fifteen nor less than five days previous to
363 holding such election. The clerk in each town shall, in the warning for
364 such election, give notice of the time and the location of the polling place
365 in the town, and in towns divided into voting districts, of the time and
366 the location of the polling place in each district, at which such election
367 will be held. The town clerk shall record each such warning.

368 (2) For the state election in 2020, and any election held pursuant to
369 section 9-211, 9-212, 9-215 or 9-218 on or after the effective date of this
370 section but prior to July 1, 2021, the warning under subsection (a) of this
371 section shall be given not more than seven nor less than four days
372 previous to holding such election.

373 (b) Notwithstanding the provisions of any charter or home rule
374 ordinance, the warning under subsection (a) of this section may be
375 published jointly by two or more towns in a newspaper, provided all
376 other requirements of this section with respect to such warning are met.

377 Sec. 9. Section 9-226 of the general statutes is repealed and the
378 following is substituted in lieu thereof (*Effective from passage*):

379 (a) The warning of each municipal election shall specify the objects
380 for which such election is to be held. [Notice] Except as provided in
381 subsection (b) of this section, notice of a town election shall be given by
382 the town clerk or assistant town clerk, by publishing a warning in a
383 newspaper published in such town or having a general circulation
384 therein, such publication to be not more than fifteen, nor less than five
385 days previous to holding the election. The town clerk in each town shall,
386 in the warning for such election, give notice of the time and the location
387 of the polling place in the town and, in towns divided into voting
388 districts, of the time and the location of the polling place in each district.
389 The town clerk shall record each such warning. [Notice] Except as
390 provided in subsection (b) of this section, notice of an election of a city
391 or borough shall be given by publishing a warning in a newspaper
392 published within the limits of such city or borough, or having a general
393 circulation therein, not more than fifteen nor less than five days
394 previous to holding the election, which warning shall include notice of
395 the time and the location of the polling place in such city or borough
396 and, in cities and boroughs divided into voting districts, of the time and
397 the location of the polling place in each district.

398 (b) For any municipal election held on or after the effective date of
399 this section but prior to July 1, 2021, the notice under subsection (a) of
400 this section shall be given not more than seven nor less than four days

401 previous to holding such election.

402 Sec. 10. Section 9-433 of the general statutes is repealed and the
403 following is substituted in lieu thereof (*Effective from passage*):

404 (a) (1) After the deadline set forth in section 9-400 for filing
405 candidacies, and upon the completion of the tabulation of petition
406 signatures, if any, if one or more candidacies for nomination by a
407 political party to a state or district office have been filed in accordance
408 with the provisions of section 9-400, the Secretary of the State shall
409 notify the clerk of each town within the state or within the district, as
410 the case may be, that a primary is to be held by such party for the
411 nomination of such party to such office. Such notice shall include a list
412 of all the proposed candidates, those endorsed by the convention as well
413 as those filing candidacies, together with their addresses and the titles
414 of the office for which they are candidates and, if applicable, a statement
415 that unaffiliated electors may vote in the primary. [The] Except as
416 provided in subdivision (2) of this subsection, the clerk of each such
417 town shall thereupon cause such notice to be published forthwith in a
418 newspaper having a general circulation in such town, or towns in the
419 case of a joint publication under subsection (b) of this section, together
420 with a statement of the date upon which the primary is to be held, the
421 hours during which the polls shall be open and the location of the polls.

422 (2) For any primary for nomination by a political party to a state or
423 district office held on or after the effective date of this section but prior
424 to July 1, 2021, the notice published by the clerk of the town under
425 subdivision (1) of this subsection shall be so published not more than
426 seven nor less than four days previous to holding such election.

427 (b) Notwithstanding the provisions of any charter or home rule
428 ordinance, the warning under subsection (a) of this section may be
429 published jointly by two or more towns in a newspaper, provided all
430 other requirements of this section with respect to such warning are met.

431 Sec. 11. Section 9-435 of the general statutes is repealed and the
432 following is substituted in lieu thereof (*Effective from passage*):

433 (a) Except as provided in sections 9-418 and 9-419, if in any
434 municipality, within the time specified in section 9-405, a candidacy for
435 nomination by a political party to any municipal office or for election as
436 a town committee member is filed with the registrar, in conformity with
437 the provisions of sections 9-405 to 9-412, inclusive, and section 9-414, by
438 or on behalf of any person other than party-endorsed candidates, the
439 registrar shall forthwith after the deadline for certification of party-
440 endorsed candidates notify the clerk of such municipality that a primary
441 is to be held by such party for the nomination of such party to such office
442 or for the election by such party of town committee members, as the case
443 may be. Such notice shall include a list of all the proposed candidates,
444 those endorsed as well as those filing candidacies, together with their
445 addresses and the titles of the offices or positions for which they are
446 candidates. In the case of a primary for justices of the peace, such notice
447 shall also contain the complete ballot designation of each slate pursuant
448 to subsection (h) of section 9-437. [The] Except as provided in subsection
449 (b) of this section, the clerk of the municipality shall thereupon cause
450 such notice to be published forthwith in a newspaper having a general
451 circulation in such municipality, together with a statement of the date
452 upon which the primary is to be held, the hours during which the polls
453 shall be open and the location of the polls. The clerk of the municipality
454 shall also file such notice with the Secretary of the State not later than
455 three business days after receipt of such notice from the registrar of
456 voters. The clerk shall forthwith publish any change in the proposed
457 candidates, listing such changes.

458 **(b) For any primary for nomination by a political party to a municipal**
459 **office, or for the election by a political party of town committee**
460 **members, held on or after the effective date of this section but prior to**
461 **July 1, 2021, the notice published by the clerk of the municipality under**
462 **subsection (a) of this section shall be so published not more than seven**
463 **nor less than four days previous to holding such election.**

464 Sec. 12. Section 9-150e of the general statutes is repealed and the
465 following is substituted in lieu thereof (*Effective from passage*):

466 Notwithstanding the provisions of section 9-150a, for the state
467 election in 2020, and any election, primary or referendum held on or
468 after the effective date of this section but prior to July 1, 2021, in any
469 municipality in which absentee ballots are processed pursuant to
470 subdivision (1) of subsection (c) of section 9-147a, as amended by this
471 act:

472 (a) (1) Not earlier than five o'clock p.m. on the fourth day before [the]
473 such election, primary or referendum, the absentee ballot counters shall
474 proceed to the central counting location at the times designated by the
475 registrars of voters;

476 (2) At the time each group of ballots is delivered pursuant to
477 subdivision (2) of subsection (e) of section 9-140c, as amended by this
478 act, the counters shall proceed as hereinafter provided;

479 (3) Except with respect to ballots marked "Rejected" pursuant to
480 section 9-140c, as amended by this act, or other applicable law, the
481 counters shall then remove the inner envelopes from the outer
482 envelopes, shall note the total number of absentee ballots received and
483 shall report such total to the moderator. The counters shall similarly
484 note and separately so report the total numbers of presidential ballots
485 and overseas ballots received pursuant to sections 9-158a to 9-158m,
486 inclusive;

487 (4) If the statement on the inner envelope has not been signed as
488 required by section 9-140a, such inner envelope shall not be opened or
489 the ballot removed therefrom, and such inner envelope shall be replaced
490 in the opened outer envelope which shall be marked "Rejected" and the
491 reason therefor endorsed thereon by the counters; and

492 (5) Not earlier than the day of [the] such election, primary or
493 referendum, and after the duties under subdivisions (1) to (4), inclusive,
494 of this subsection have been performed, absentee ballots shall be
495 counted in the manner provided in subsections (e) to (m), inclusive, of
496 section 9-150a.

497 (b) In accordance with instructions which shall be prescribed by the
498 Secretary of the State not later than ten days before [the] such election,
499 primary or referendum, each group of ballots delivered pursuant to
500 subdivision (2) of subsection (e) of section 9-140c, as amended by this
501 act, shall be kept secure (1) throughout the performance of the duties
502 under subdivisions (1) to (4), inclusive, of subsection (a) of this section,
503 and (2) after such performance until such time on the day of [the] such
504 election, primary or referendum that absentee ballots are counted in the
505 manner provided in subsections (e) to (m), inclusive, of section 9-150a.
506 The requirements of this subsection shall be in addition to all other
507 applicable requirements under this title regarding the security of
508 absentee ballots and any related materials.

509 Sec. 13. Section 9-159r of the general statutes is repealed and the
510 following is substituted in lieu thereof (*Effective from passage*):

511 (a) Notwithstanding any provision of the general statutes to the
512 contrary, if twenty or more of the patients in any institution in the state
513 are electors, absentee ballots voted by such electors shall be voted under
514 the supervision of the registrars of voters or their designees of the town
515 in which the institution is located, in accordance with the provisions of
516 this section. As used in this section, "institution" has the same meaning
517 as provided in section 9-159q.

518 (b) Application for an absentee ballot for any such patient shall be
519 made to the clerk of the town in which such patient is eligible to vote.
520 The application procedure set forth in section 9-140, as amended by this
521 act, shall apply, except that the clerk shall deliver the absentee voting
522 set for any such application to the clerk of the town in which the
523 institution is located, who shall deliver all such voting sets he receives
524 to the registrars of such town, on the date when the supervision of
525 absentee balloting is to occur. The ballots and envelopes shall be
526 prepared for delivery to the applicant as provided in sections 9-137 to 9-
527 140a, inclusive, as amended by this act. The registrars or their designees
528 shall furnish the town clerk a written receipt for such ballots. The
529 registrars of the town in which an institution is located and the

530 administrator of the institution shall mutually agree on a date and time
531 for such supervision of absentee balloting, which shall be not later than
532 the last business day before the election or primary.

533 (c) The supervision of absentee balloting under this section shall be
534 carried out in accordance with the provisions of subsections (g), (h), (i)
535 and (k) of section 9-159q.

536 (d) Notwithstanding the provisions of subsections (a) to (c), inclusive,
537 of this section, for the state election in 2020, and any election or primary
538 held on or after the effective date of this section but prior to July 1, 2021,
539 the Secretary of the State may waive any requirement under said
540 subsections, provided the Secretary (1) waives such requirement in
541 recognition of the public health and civil preparedness emergency
542 declared by the Governor on March 10, 2020, and has consulted with the
543 Commissioner of Public Health or said commissioner's designee
544 regarding such waiver, (2) has given written notice to the town clerk and
545 registrars of voters in each municipality, and (3) has submitted a report,
546 in accordance with section 11-4a, to the joint standing committee of the
547 General Assembly having cognizance of matters relating to elections
548 advising of such waiver and specifying alternative actions to be taken to
549 provide opportunities for absentee voting by electors described in this
550 section.

551 Sec. 14. Section 9-159o of the general statutes is repealed and the
552 following is substituted in lieu thereof (*Effective from passage*):

553 (a) Any elector who has returned an absentee ballot to the municipal
554 clerk and who finds such elector is able to vote in person shall proceed
555 before ten o'clock a.m. on election, primary or referendum day to the
556 municipal clerk's office and request that such elector's ballot be
557 withdrawn. The municipal clerk shall remove the ballot from the sealed
558 package and shall mark the serially-numbered outer envelope, which
559 shall remain unopened, "rejected" and note the reasons for rejection. The
560 elector shall also endorse the envelope. The rejected ballot shall then be
561 returned to the sealed package until delivered on election, primary or
562 referendum day to the registrars of voters in accordance with section 9-

563 140c, as amended by this act. The municipal clerk shall then give the
564 elector a signed statement directed to the moderator of the voting
565 district in which the elector resides stating that the elector has
566 withdrawn such elector's absentee ballot and may vote in person. Upon
567 delivery of the statement by the elector to the moderator, the moderator
568 shall cause the absentee indication next to the name of the elector to be
569 stricken from the official checklist and the elector may then have such
570 elector's name checked and vote in person. Unless absentee ballots are
571 to be counted in the respective polling places pursuant to subsection (b)
572 of section 9-147a, as amended by this act, the municipal clerk shall also
573 cause the absentee indication next to the name of the elector to be
574 stricken from the duplicate checklist to be used by the absentee ballot
575 counters.

576 (b) Notwithstanding the provisions of subsection (a) of this section,
577 for the state election in 2020, and any election, primary or referendum
578 held on or after the effective date of this section but prior to July 1, 2021,
579 any elector who has returned an absentee ballot to the municipal clerk
580 and who finds such elector is able to vote in person shall proceed before
581 five o'clock p.m. on the fourth day before [the] such election, primary or
582 referendum to the municipal clerk's office and request that such elector's
583 ballot be withdrawn.

584 Sec. 15. Subsection (g) of section 9-150b of the general statutes is
585 repealed and the following is substituted in lieu thereof (*Effective from*
586 *passage*):

587 (g) (1) No such depository envelope shall be opened except by order
588 of a court of competent jurisdiction, by the State Elections Enforcement
589 Commission pursuant to a subpoena issued under subdivision (1) of
590 subsection (a) of section 9-7b or within five business days after an
591 election, primary or referendum for the purpose of a recanvass
592 conducted pursuant to law. After such a recanvass the depository
593 envelopes and their contents shall be returned to the municipal clerk
594 and preserved for the stated period.

595 (2) Notwithstanding the provisions of subdivision (1) of this

596 subsection, for the state election in 2020, and any election held on or after
597 the effective date of this section but prior to July 1, 2021, no such
598 depository envelope shall be opened for the purpose of a recanvass
599 conducted pursuant to law except within seven business days after [the]
600 such election as provided in section 9-311, as amended by this act.

601 Sec. 16. Section 9-307 of the general statutes is repealed and the
602 following is substituted in lieu thereof (*Effective from passage*):

603 (a) Immediately after the polls are closed, the official checker or
604 checkers, appointed under the provisions of section 9-234, shall make
605 and deliver to the moderator a certificate stating the whole number of
606 names on the registry list or enrollment list including, if applicable,
607 unaffiliated electors authorized under section 9-431 to vote in the
608 primary, and the number checked as having voted in that election or
609 primary. For the purpose of computing the whole number of names on
610 the registry list, the lists of persons who have applied for presidential or
611 overseas ballots prepared in accordance with section 9-158h shall be
612 included. If a paper registry list is used, the registrars or assistant
613 registrars, as the case may be, shall write and sign with ink, on the list
614 or lists so used and checked, a certificate of the whole number of names
615 registered on the list eligible to vote in the election or primary and the
616 number checked as having voted in that election or primary, and
617 deposit it in the office of the municipal clerk not later than forty-eight
618 hours after the close of the polls. If an electronic version of the registry
619 list is used, the electronic device upon which such list is stored shall be
620 returned to the registrars of voters who shall cause the electronic
621 registry list to be printed. Such printed list shall be signed by each
622 registrar, who shall deposit such list in the office of the municipal clerk
623 not later than forty-eight hours after the close of the polls. The municipal
624 clerk shall carefully preserve the paper registry list or printed electronic
625 registry list, as applicable, on file, with the marks on it without
626 alteration, for public inspection, and shall immediately enter a certified
627 copy of such certificate on the town records. Subject to the provisions of
628 section 7-109, the municipal clerk may destroy any voting checklist four
629 years after the date upon which it was used. The moderator shall place

630 the certificate which the moderator received from the official checker or
631 checkers in the office of the municipal clerk not later than forty-eight
632 hours after the close of the polls.

633 (b) Notwithstanding the provisions of subsection (a) of this section,
634 for the state election in 2020, and any election or primary held on or after
635 the effective date of this section but prior to July 1, 2021, any certificate
636 or list required under said subsection to be deposited or placed in the
637 office of the municipal clerk shall be so deposited or placed not later
638 than ninety-six hours after the close of the polls at such election or
639 primary.

640 Sec. 17. Section 9-309 of the general statutes is repealed and the
641 following is substituted in lieu thereof (*Effective from passage*):

642 (a) Upon the close of the polls, the moderator, in the presence of the
643 other election officials, shall immediately lock the voting tabulator
644 against voting and immediately cause the vote totals for all candidates
645 and questions to be produced. The moderator shall, in the order of the
646 offices as their titles are arranged on the ballot, read and announce in
647 distinct tones the result as shown, giving the number indicated and
648 indicating the candidate to whom such total belongs, and shall read the
649 votes recorded for each office on the ballot. The moderator shall also, in
650 the same manner, announce the vote on each constitutional amendment,
651 proposition or other question voted on. The vote so announced by the
652 moderator shall be taken down by each checker and recorded on the
653 tally sheets. Each checker shall record the number of votes received for
654 each candidate on the ballot and also the number received by each
655 person for whom write-in ballots were cast. The moderator shall make
656 a preliminary list from the vote totals produced by the tabulators and
657 shall prepare such preliminary list for transmission to the Secretary of
658 the State pursuant to section 9-314, as amended by this act. After such
659 preliminary list has been transmitted to the Secretary of the State, the
660 canvass may be temporarily interrupted, during which time the
661 moderator shall (1) return the keys for all tabulators to the registrars of
662 voters, (2) seal the tabulators against voting or being tampered with, (3)

663 prepare and seal individual envelopes for all (A) write-in ballots, (B)
664 absentee ballots, (C) moderators' returns, and (D) other notes,
665 worksheets or written materials used at the election, and (4) store all
666 such tabulators and envelopes in a secure place or places directed by the
667 registrars of voters. At the end of such temporary interruption, the
668 moderator shall receive such keys from the registrars and shall take
669 possession of and break the seal on all such tabulators and envelopes for
670 the purpose of completing the canvass. The result totals shall remain in
671 full public view until the statement of canvass and all other reports have
672 been fully completed and signed by the moderator, checkers and
673 registrars, or assistant registrars, as the case may be. Any other
674 remaining result of the votes cast shall be publicly announced by the
675 moderator not later than forty-eight hours after the close of the polls.
676 Such public announcement shall consist of reading both the name of
677 each candidate, with the designating number and letter on the ballot and
678 the absentee vote as furnished to the moderator by the absentee ballot
679 counters, and also the vote cast for and against each question submitted.
680 While such announcement is being made, ample opportunity shall be
681 given to any person lawfully present to compare the results so
682 announced with the result totals provided by the tabulator and any
683 necessary corrections shall then and there be made by the moderator,
684 checkers and registrars or assistant registrars, after which the
685 compartments of the voting tabulator shall be closed and locked. In
686 canvassing, recording and announcing the result, the election officials
687 shall be guided by any instructions furnished by the Secretary of the
688 State.

689 (b) Notwithstanding the provisions of subsection (a) of this section,
690 for the state election in 2020, and any election held on or after the
691 effective date of this section but prior to July 1, 2021, after the
692 preliminary list has been transmitted to the Secretary of the State, any
693 other remaining result of the votes cast required under said subsection
694 to be publicly announced by the moderator shall be so announced not
695 later than ninety-six hours after the close of the polls at such election.

696 Sec. 18. Section 9-311 of the general statutes is repealed and the

697 following is substituted in lieu thereof (*Effective from passage*):

698 (a) (1) If, within three days after an election, it appears to the
699 moderator that there is a discrepancy in the returns of any voting
700 district, such moderator shall forthwith within said period summon, by
701 written notice delivered personally, the recanvass officials, consisting of
702 at least two checkers of different political parties and at least two
703 absentee ballot counters of different political parties who served at such
704 election, and the registrars of voters of the municipality in which the
705 election was held and such other officials as may be required to conduct
706 such recanvass. Such written notice shall require the clerk or registrars
707 of voters, as the case may be, to bring with them the depository
708 envelopes required by section 9-150a, the package of write-in ballots
709 provided for in section 9-310, the absentee ballot applications, the list of
710 absentee ballot applications, the registry list and the moderators' returns
711 and shall require such recanvass officials to meet at a specified time not
712 later than the fifth business day after such election to recanvass the
713 returns of a voting tabulator or voting tabulators or absentee ballots or
714 write-in ballots used in such district in such election. If any of such
715 recanvass officials are unavailable at the time of the recanvass, the
716 registrar of voters of the same political party as that of the recanvass
717 official unable to attend shall designate another elector having previous
718 training and experience in the conduct of elections to take his place.
719 Before such recanvass is made, such moderator shall give notice, in
720 writing, to the chairman of the town committee of each political party
721 which nominated candidates for the election, and, in the case of a state
722 election, not later than twenty-four hours after a determination is made
723 regarding the need for a recanvass to the Secretary of the State, of the
724 time and place where such recanvass is to be made; and each such
725 chairman may send representatives to be present at such recanvass.
726 Such representatives may observe, but no one other than a recanvass
727 official may take part in the recanvass. If any irregularity in the
728 recanvass procedure is noted by such a representative, he shall be
729 permitted to present evidence of such irregularity in any contest relating
730 to the election.

731 (2) Notwithstanding the provisions of subdivision (1) of this
732 subsection, for the state election in 2020, and any election held on or after
733 the effective date of this section but prior to July 1, 2021, (A) if, within
734 five days after [the] such election, it appears to the moderator that there
735 is a discrepancy in the returns of any voting district, such moderator
736 shall forthwith within said period summon, by written notice delivered
737 personally, the recanvass officials to conduct such recanvass in
738 accordance with the provisions of said subdivision, and (B) such written
739 notice shall require such recanvass officials to meet not later than the
740 seventh business day after [the] such election for such purpose.

741 (b) The moderator shall determine the place or places where the
742 recanvass shall be conducted and, if such recanvass is held before the
743 tabulators are boxed and collected in the manner required by section 9-
744 266, the moderator may either require that such recanvass of such
745 tabulators be conducted in each place where the tabulators are located,
746 or he may require that they be removed to one central place, where such
747 recanvass shall be conducted. All recanvassing procedures shall be open
748 to public observation. Such recanvass officials shall, in the presence of
749 such moderator and registrars of voters, make a record of the number
750 on the seal and the number on the protective counter, if one is provided,
751 on each voting tabulator specified by such moderator. Such registrars of
752 voters in the presence of such moderator shall turn over the keys of each
753 such tabulator to such recanvass officials, and such recanvass officials,
754 in the presence of such registrars of voters and moderator, shall
755 immediately proceed to recanvass the vote cast thereon, and shall then
756 open the package of absentee ballots and recanvass the vote cast
757 thereon. In the course of the recanvass of the absentee ballot vote the
758 recanvass officials shall check all outer envelopes for absentee ballots
759 against the inner envelopes for such ballots and against the registry list
760 to verify postmarks, addresses and registry list markings and also to
761 determine whether the number of envelopes from which absentee
762 ballots have been removed is the same as the number of persons checked
763 as having voted by absentee ballot. The write-in ballots shall also be
764 recanvassed at this time. All of the recanvass officials shall use the same
765 forms for tallies and returns as were used at the original canvass and the

766 absentee ballot counters shall also sign the tallies.

767 (c) (1) The votes shall be announced and recorded in the manner
768 prescribed in section 9-309, as amended by this act, on return forms
769 provided by the registrars of voters and appended thereto shall be a
770 statement signed by the moderator indicating the time and place of the
771 recanvass and the names, addresses, titles and party affiliations of the
772 recanvass officials. The write-in ballots shall be replaced in a properly
773 secured sealed package. Upon the completion of such recanvass, any
774 tabulator used in such recanvass shall be locked and sealed, the keys
775 thereof shall immediately be returned to such registrars of voters and
776 such tabulator shall remain so locked until the expiration of fourteen
777 days after such election or for such longer period as is ordered by a court
778 of competent jurisdiction. The absentee ballots shall be replaced in their
779 wrappers and be resealed by the moderator in the presence of the
780 recanvass officials. Upon the completion of such recanvass, such
781 moderator and at least two of the recanvass officials of different political
782 parties shall forthwith prepare and sign such return forms which shall
783 contain a written statement giving the result of such recanvass for each
784 tabulator and each package of absentee ballots whose returns were so
785 recanvassed, setting forth whether or not the original canvass was
786 correctly made and stating whether or not the discrepancy still remains
787 unaccounted for. Such return forms containing such statement shall
788 forthwith be filed by the moderator in the office of such clerk. If such
789 recanvass reveals that the original canvass of returns was not correctly
790 made, such return forms containing such statement so filed with the
791 clerk shall constitute a corrected return. In the case of a state election, a
792 recanvass return shall be made in duplicate on a form prescribed and
793 provided by the Secretary of the State, and the moderator shall file one
794 copy with the Secretary of the State and one copy with the town clerk
795 not later than ten days after the election. Such recanvass return shall be
796 substituted for the original return and shall have the same force and
797 effect as an original return.

798 (2) Notwithstanding the provisions of subdivision (1) of this
799 subsection, for the state election in 2020, and any election held on or after

800 the effective date of this section but prior to July 1, 2021, each copy of
801 the recanvass return required under said subdivision to be filed by the
802 moderator with the Secretary of the State and the town clerk shall be so
803 filed not later than twelve days after [the] such election.

804 (d) As used in this section, (1) "moderator" means, in the case of
805 municipalities not divided into voting districts, the moderator of the
806 election and, in the case of municipalities divided into voting districts,
807 the head moderator of the election, and (2) "registrars of voters", in a
808 municipality where there are different registrars of voters for different
809 voting districts, means the registrars of voters in the voting district in
810 which, at the last-preceding election, the presiding officer for the
811 purpose of declaring the result of the vote of the whole municipality was
812 moderator.

813 Sec. 19. Section 9-314 of the general statutes is repealed and the
814 following is substituted in lieu thereof (*Effective from passage*):

815 (a) As used in this subsection, "moderator" means the moderator of
816 each state election in each town not divided into voting districts and the
817 head moderator in each town divided into voting districts. The
818 moderator shall make a preliminary list of the votes given for each of
819 the following officers: Presidential electors, Governor, Lieutenant
820 Governor, Secretary of the State, Treasurer, Comptroller, Attorney
821 General, United States senator, representative in Congress, state
822 senator, judge of probate, state representative and registrars of voters
823 when said officers are to be chosen, as reported solely by the tabulator,
824 as provided in section 9-309, as amended by this act, in the moderator's
825 town and shall immediately transmit such preliminary list to the
826 Secretary of the State not later than midnight on election day. Once the
827 preliminary list has been transmitted to the Secretary of the State, the
828 moderator shall make a duplicate list of the votes given in the
829 moderator's town for each of the following officers: Presidential
830 electors, Governor, Lieutenant Governor, Secretary of the State,
831 Treasurer, Comptroller, Attorney General, United States senator,
832 representative in Congress, state senator, judge of probate, state

833 representative and registrars of voters when said officers are to be
834 chosen. Such duplicate list shall indicate the total number of names on
835 the official check list of such town and the total number of names
836 checked as having voted. The moderator shall transmit such duplicate
837 list to the Secretary of the State by electronic means as prescribed by the
838 Secretary of the State not later than forty-eight hours after the close of
839 the polls on election day. The moderator shall also seal and deliver one
840 of such duplicate lists to the Secretary of the State not later than the third
841 day after the election. Any such moderator who fails to so transmit or
842 deliver such duplicate list to the Secretary of the State by the time
843 required shall pay a late filing fee of fifty dollars. The moderator shall
844 also deliver one of such duplicate lists to the clerk of such town. The
845 Secretary of the State shall enter the returns in tabular form in books
846 kept by the Secretary for that purpose and present a printed report of
847 the same, with the name of, and the total number of votes received by,
848 each of the candidates for said offices, to the General Assembly at its
849 next session.

850 (b) As used in this subsection, "moderator" means the moderator of
851 each municipal election in each town not divided into voting districts,
852 and the head moderator in each town divided into voting districts. The
853 moderator shall make a preliminary list of the votes given for each
854 municipal office elected at such municipal election, as reported solely
855 by the tabulator, as provided in section 9-309, as amended by this act, in
856 the moderator's town and shall immediately transmit such preliminary
857 list to the Secretary of the State not later than midnight on election day.
858 Once the preliminary list has been transmitted to the Secretary of the
859 State, the moderator shall make a duplicate list of the votes given in the
860 moderator's town for each municipal office elected at such municipal
861 election. Such duplicate list shall indicate the total number of names on
862 the official check list of such town and the total number of names
863 checked as having voted and shall be on a form prescribed by the
864 Secretary of the State. The moderator shall transmit such duplicate list
865 to the Secretary of the State by electronic means as prescribed by the
866 Secretary of the State not later than forty-eight hours after the close of
867 the polls on election day. The moderator shall also seal and deliver one

868 of such duplicate lists to the Secretary of the State not later than the third
869 day after the election. Any such moderator who fails to so transmit or
870 deliver such duplicate list to the Secretary of the State by the time
871 required shall pay a late filing fee of fifty dollars. The moderator shall
872 also deliver one of such duplicate lists to the clerk of such town.

873 (c) Notwithstanding the provisions of subsections (a) and (b) of this
874 section, for the state election in 2020, and any election held on or after
875 the effective date of this section but prior to July 1, 2021, (1) the duplicate
876 list required under said subsections to be transmitted by electronic
877 means to the Secretary by such moderator shall be so transmitted not
878 later than ninety-six hours after the close of the polls on such election
879 day, and (2) the duplicate list required under said subsections to be
880 sealed and delivered to the Secretary shall be so delivered not later than
881 the fifth day after [the] such election.

882 Sec. 20. Subsection (a) of section 9-322a of the general statutes is
883 repealed and the following is substituted in lieu thereof (*Effective from*
884 *passage*):

885 (a) (1) Not later than forty-eight hours following each regular
886 election, the registrars of voters shall provide the results of the votes cast
887 at such election to the town clerk. Not later than nine o'clock a.m. on the
888 third day following each regular election, the head moderator, registrars
889 of voters and town clerk for each town divided into voting districts shall
890 meet to identify any error in the returns. Not later than one o'clock p.m.
891 on the third day following each regular election, the head moderator
892 shall correct any error identified and file an amended return with the
893 Secretary of the State, the town clerk and the registrars of voters.

894 (2) Notwithstanding the provisions of subdivision (1) of this
895 subsection, for the state election in 2020, and any election held on or after
896 the effective date of this section but prior to July 1, 2021, (A) the results
897 of the votes cast at [the] such election required under said subdivision
898 to be provided to the town clerk by the registrars of voters shall be so
899 provided not later than ninety-six hours following [the] such election,
900 (B) the meeting to identify any error in the returns required under said

901 subdivision among the head moderator, registrars of voters and town
 902 clerk for each town divided into voting districts shall occur not later
 903 than nine o'clock a.m. on the fifth day following [the] such election, and
 904 (C) any identified error required under said subdivision to be corrected,
 905 and any amended return required under said subdivision to be filed
 906 with the Secretary of the State, the town clerk and the registrars of
 907 voters, by the head moderator shall be so corrected or filed, as
 908 applicable, not later than one o'clock p.m. on the fifth day following [the]
 909 such election.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-135
Sec. 2	<i>from passage</i>	9-137
Sec. 3	<i>from passage</i>	9-139b
Sec. 4	<i>from passage</i>	9-140(g)
Sec. 5	<i>from passage</i>	9-140b(c)
Sec. 6	<i>from passage</i>	9-140c
Sec. 7	<i>from passage</i>	9-147a
Sec. 8	<i>from passage</i>	9-225
Sec. 9	<i>from passage</i>	9-226
Sec. 10	<i>from passage</i>	9-433
Sec. 11	<i>from passage</i>	9-435
Sec. 12	<i>from passage</i>	9-150e
Sec. 13	<i>from passage</i>	9-159r
Sec. 14	<i>from passage</i>	9-159o
Sec. 15	<i>from passage</i>	9-150b(g)
Sec. 16	<i>from passage</i>	9-307
Sec. 17	<i>from passage</i>	9-309
Sec. 18	<i>from passage</i>	9-311
Sec. 19	<i>from passage</i>	9-314
Sec. 20	<i>from passage</i>	9-322a(a)

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:

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Resources of the General Fund	GF - Potential Revenue Gain	Less than \$5,000	None
Secretary of the State	GF - Cost	Approximately 100,000	None

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 22 \$	FY 23 \$
Various Municipalities	STATE MANDATE ¹ - Potential Cost	Minimal	None

Explanation

Section 1 expands the reasons for which an elector may vote by absentee ballot for any election, primary, or referendum occurring before July 1, 2021 to include the sickness of COVID-19. It is anticipated there will be an increase in absentee ballot applications as a result of this provision.

Sections 2 and 3 require the absentee ballot inner envelope statement be updated to include "the sickness of COVID-19" and allow SOS to make changes to absentee voting forms and materials. No fiscal impact

¹ State mandate is defined in Sec. 2-32b(2) of the Connecticut General Statutes, "state mandate" means any state initiated constitutional, statutory or executive action that requires a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

is anticipated as a result of such modifications.

The bill also expands violations that constitute a false statement which results in a potential minimal revenue gain of less than \$5,000 in FY 21. In FY 19 there was one violation of false statement by absentee voting, which resulted in no fines collected.

Section 4 authorizes SOS to approve and select a third-party vendor for town clerks' use in mailing absentee voting sets for elections prior to July 1, 2021. It is anticipated that the use of such a vendor will cost approximately \$100,000.

Section 5 permits absentee ballots to be deposited into a secure drop box for elections prior to July 1, 2021. As drop boxes were ordered for absentee ballots for the 2020 primary election, no additional costs are anticipated as a result of this provision.²

Additionally, this section requires municipal clerks to retrieve absentee ballots deposited to such drop boxes beginning twenty-nine days before the election and each weekday thereafter until the polls close. If said drop box is located outside of a building other than where the clerk's office is located, the clerk, or their designee, must be escorted by a police officer. Minimal costs may be incurred if town staff and local police departments cannot handle this provision with current staffing levels.

Section 6 allows town clerks to deliver sorted and checked absentee ballots to registrars of voters before election day to begin certain pre-counting procedures. No fiscal impact is anticipated as a result of this provision.

Sections 7 - 12 authorizes municipalities to conduct certain absentee ballot pre-counting procedures. No fiscal impact is anticipated as a result of these provisions.

² SOS ordered 200 drop boxes at a total cost of approximately \$365,000, including shipping. Costs were supported by federal CARES Act funding.

Sections 15 - 20 extends numerous deadlines and timeframes associated with processing absentee ballots and canvassing and reports the returns. No fiscal impact is anticipated as a result of these provisions.

The Out Years

The fiscal impacts identified above regarding absentee voting changes only apply to elections and referenda prior to July 1, 2021, thus impacts will only be incurred in FY 21.

OLR Bill Analysis**SB 901*****AN ACT EXTENDING TO JUNE 30, 2021, CHANGES IMPLEMENTED FOR THE 2020 STATE ELECTION AS A RESULT OF COVID-19.*****SUMMARY**

This bill extends to June 30, 2021, certain changes affecting absentee voting eligibility and procedures implemented for the 2020 state election as a result of COVID-19. Generally, for a state or municipal election, primary, or referendum occurring before July 1, 2021, the bill does the following:

1. expands the reasons for which electors may vote by absentee ballot to include the COVID-19 sickness (§ 1);
2. gives the secretary of the state broad authority to change absentee voting forms and materials to conform to the expanded eligibility (§ 3);
3. authorizes town clerks to mail absentee voting sets using a third-party vendor that the secretary of the state approves and selects (§ 4);
4. requires town clerks to designate secure drop boxes and allows voters to deposit absentee ballots in them (§ 5);
5. allows town clerks to deliver sorted and checked absentee ballots to registrars of voters before election day to begin certain pre-counting procedures (§ 6);
6. authorizes municipalities to conduct certain absentee ballot pre-counting procedures, provided they comply with specified procedural requirements, such as notifying the secretary, and do not open the inner-envelope or count the ballot before the day of

the election, primary, or referendum (§§ 7-12);

7. authorizes the secretary of the state, subject to certain conditions, to waive requirements under the mandatory supervised absentee voting law (§ 13);
8. moves up the deadline by which an elector who has returned a completed absentee ballot but later finds he or she is able to vote in person must go to the town clerk's office to request that the ballot be withdrawn (§ 14);
9. extends the timeframe for opening absentee ballot depository envelopes if there is a recanvass (§ 15); and
10. extends, generally by 48 hours, numerous deadlines and timeframes associated with processing absentee ballots and canvassing and reporting the returns (§§ 16-20).

The bill also makes technical and conforming changes.

EFFECTIVE DATE: Upon passage

§§ 1-3 — EXPANDED ABSENTEE VOTING AUTHORIZATION AND UPDATED FORMS

For a state or municipal election, primary, or referendum occurring before July 1, 2021 (hereafter, "covered election, primary, or referendum"), the bill expands the reasons for which electors may vote by absentee ballot to include the COVID-19 sickness (see BACKGROUND). Under the bill, "COVID-19" means the respiratory disease designated as "coronavirus 2019" by the World Health Organization (WHO) on February 11, 2020, and any related mutation of it that the WHO recognizes as a communicable respiratory disease.

The bill requires that absentee ballots be updated for a covered election, primary, or referendum by inserting on the inner envelope's statement, "the sickness of COVID-19" as a reason for which electors may vote absentee. As with other types of absentee voters, those who vote by absentee ballot due to the COVID-19 sickness must sign the

ballot under penalties of false statement in absentee balloting. By law, false statement in absentee balloting is a class D felony, punishable by up to five years in prison, up to a \$5,000 fine, or both (CGS § 9-359a).

The bill also gives the secretary of the state broad authority to make changes to absentee voting forms and materials for a covered election, primary, or referendum when, in her opinion, changes are necessary to conform to law. The authorization applies to prescribed absentee voting forms and printed, recorded, or electronic materials.

§ 4 — DELIVERY OF ABSENTEE BALLOTS TO VOTERS

The bill, with certain exceptions, authorizes town clerks to mail absentee voting sets for a covered election, primary, or referendum using a third-party vendor that the secretary of the state approves and selects. It also requires (1) town clerks to mail the absentee voting sets within 48 hours, rather than within 24 hours, after receiving an application and (2) that any contract between the secretary and a third-party vendor require the vendor to mail each set within 72 hours after receiving the application from the clerk.

The bill's provisions on mailing absentee ballot sets do not apply when a referendum is held with fewer than three weeks' notice since, by law, town clerks may provide absentee ballots for these referenda only to people who apply in person (CGS § 9-369c(a)).

§ 5 — RETURN OF ABSENTEE BALLOTS BY VOTERS

By law, voters may return completed absentee ballots via mail (e.g., the U.S. Postal Service) or in-person at the town clerk's office. Under the bill, for a covered state or municipal election, primary, or referendum, they may also deposit them in secure drop boxes designated by their town clerk for that purpose. Town clerks must designate the drop boxes following instructions that the secretary of the state prescribes.

Beginning 29 days before a covered election, primary, or referendum, and each weekday thereafter until the polls close, town clerks must retrieve absentee ballots from the secure drop boxes. (Presumably, for primaries and referenda, the requirement applies only after town clerks

begin issuing absentee ballot sets (see BACKGROUND).) A police officer must escort the town clerk in retrieving absentee ballots from any drop box located outside of a building other than the clerk's office building.

§ 6 — DELIVERY OF RETURNED ABSENTEE BALLOTS TO REGISTRARS

As discussed below, for a covered election, primary, or referendum, the bill moves up the timeframe for absentee ballot sorting and checking procedures so that registrars of voters may begin certain pre-counting procedures.

By law, town clerks must sort any absentee ballots received by the day before an election, primary, or referendum into voting districts, and they may begin doing so seven days prior. For a covered election, primary, or referendum, the bill authorizes clerks to begin sorting ballots 14 days prior.

For ballots received by 11:00 a.m. on the day before an election, primary, or referendum, the law requires registrars of voters to check the names of applicants returning absentee ballots on the official registry list with "A" or "Absentee." This sorting and checking must be completed by the day before, and the clerk must deliver the sorted and checked ballots to the registrars on the day of the election, primary, or referendum. For a covered election, primary, or referendum, the bill requires the town clerk to deliver these ballots at 6:00 a.m. unless a later time is mutually agreed upon.

The bill allows town clerks to deliver sorted and checked ballots to the registrars before the day of a covered election, primary, or referendum to begin certain pre-counting procedures (see below). Specifically, it allows any ballots received, sorted, and checked by 5:00 p.m. on the fourth day before the election, primary, or referendum to be delivered to the registrars at that time. It similarly allows ballots received, sorted, and checked by 5:00 p.m. on the third and second days before the election, primary, or referendum to be delivered to the registrars at those times.

In each case, the bill allows the clerk to deliver the ballots at a later time that he or she mutually agrees upon with the registrars. The bill also requires the (1) clerk to include with the ballots an up-to-date copy of the duplicate checklist and (2) clerk and registrars to execute an affidavit of delivery and receipt stating the number of ballots delivered. Existing law applies these requirements to ballots delivered on the day of an election, primary, or referendum.

§ 7 — REQUIREMENTS FOR OPTING IN TO PRE-COUNTING

Under the bill, any municipality opting to conduct pre-counting procedures for a covered election, primary, or referendum, must do so at a central location. The registrars of voters must designate the location in writing to their respective town clerks at least 10 days before the election, primary, or referendum, and the location must be published in the warning for the election, primary, or referendum (see below).

If a municipality opts to use the pre-counting procedures, the bill requires the registrars of voters and town clerk to jointly certify this decision to the secretary of the state, in writing, at least 10 days before the election, primary, or referendum. The certification must include the (1) name, street address, and relevant contact information for the designated central location and (2) name and address of each absentee ballot counter.

The secretary must approve or disapprove the certification within two days after receiving it. The bill also allows her to require the municipality to appoint one or more additional absentee ballot counters.

By law, municipalities must count absentee ballots at a central location unless the registrars of voters agree to count them in each polling place. The bill specifies that any ballots delivered to the registrars on the day of a covered election, primary, or referendum (i.e., those not delivered for pre-counting procedures) may still be counted in the polling places.

§§ 8-11 — NOTIFYING THE PUBLIC OF COVERED ELECTIONS AND PRIMARIES

By law, the town clerk must notify the municipality's electors of a state or municipal election or primary by publishing the warning in a newspaper. The bill generally delays the period during which municipalities must publish these warnings, as shown below in Table 1.

Table 1: Notice Requirements

Bill §	Requirement	Deadline or Timeframe Under Current Law	Deadline or Timeframe Under the Bill
§ 8	Town clerk or assistant town clerk must notify electors of a <u>vacancy election</u> for member of Congress, probate judge, or state legislator by publishing the warning in a general circulation newspaper	From five to 15 days before the election	From four to seven days before the election
§ 9	Town clerk or assistant town clerk must notify electors of a <u>municipal election</u> by publishing the warning in a general circulation newspaper	From five to 15 days before the election	From four to seven days before the election
§ 10	Town clerk must notify electors of a <u>primary for state or district office</u> by publishing the warning in a general circulation newspaper	<ul style="list-style-type: none"> • 14 days after the close of the convention for major party candidates who receive at least 15% of a roll call vote at the convention • 63 days before the election for major party candidates who petition onto the primary ballot 	From four to seven days before the primary
§ 11	Town clerk must notify electors of a <u>primary for municipal office, or for election as town committee member</u> , by publishing the warning in a general circulation	<ul style="list-style-type: none"> • 34 days before the primary for municipal offices voted on at a 	From four to seven days before the election or primary

	<p>newspaper</p>	<p>municipal election, or for election as town committee member</p> <ul style="list-style-type: none"> • 63 days before the primary for municipal offices voted on at a state election 	
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§ 12 — AUTHORIZED PRE-COUNTING PROCEDURES

By law, absentee ballot sets consist of an outer envelope, which contains information about the elector (e.g., name and address), and an inner envelope, which contains the elector's marked ballot and a statement signed by the elector under penalty of false statement in absentee balloting. (By law, false statement in absentee balloting is a class D felony.)

The law sets out numerous absentee ballot counting steps, which are generally completed by absentee ballot counters or moderators. It requires that each of these steps be completed beginning on election day.

For municipalities that opt to use pre-counting procedures, the bill authorizes them to complete the following steps, beginning at 5:00 p.m. on the fourth day before the covered election, primary, or referendum:

1. remove the inner envelopes from the outer envelopes;
2. report to the moderator separately the total number of absentee ballots received; and
3. reject ballots for which the inner envelope statement is improperly executed.

Under the bill, once the above steps are completed, the absentee ballots must be counted beginning on the election, primary, or

referendum day in accordance with existing law.

Securing the Absentee Ballots Until Election Day

The bill requires that absentee ballots be secured throughout any pre-counting process. Specifically, the ballots must be secured according to (1) instructions from the secretary of the state and (2) existing statutory requirements on securing absentee ballots and related materials. Under the bill, the secretary must issue these instructions at least 10 days before the covered election, primary, or referendum.

§ 13 — MANDATORY SUPERVISED ABSENTEE VOTING

The bill authorizes the secretary of the state to waive any requirements under the mandatory supervised absentee voting law for a covered election or primary (see BACKGROUND). To waive a requirement, she must do so in recognition of the governor's March 10, 2020, declaration of public health and civil preparedness emergencies. Before any waiver, the secretary must do the following:

1. consult with the public health commissioner, or the commissioner's designee;
2. give written notice to the town clerk and registrars of voters in each affected municipality; and
3. submit a report to the Government Administration and Elections Committee, advising of the waiver and specifying alternative actions that will be taken to provide any affected electors with absentee voting opportunities.

§ 14 — DEADLINE FOR WITHDRAWING A SUBMITTED ABSENTEE BALLOT

By law, electors who submit an absentee ballot must go to the town clerk's office and request to withdraw it if they later find they can vote in person. For a covered election, primary, or referendum, the bill moves up this deadline from 10:00 a.m. on the election, primary, or referendum day to 5:00 p.m. on the fourth day before it, which is the same time that municipalities may begin pre-counting procedures.

§§ 15-20 — EXTENSION OF CERTAIN DEADLINES & TIMEFRAMES

The bill extends, generally by 48 hours, numerous deadlines and timeframes associated with processing absentee ballots and canvassing and reporting returns for a covered election, primary, or referendum (see CGS §§ 9-369c(f) and 9-381a). The changes also generally apply to a referendum held in conjunction with a covered election.

The table below lists, in chronological order, the deadlines and timeframes under current law and the bill.

Table 2: Changes to the 2021 Election Calendar

Bill §	Requirement	Deadline or Timeframe Under Current Law	Deadline or Timeframe Under the Bill
§ 17	After submitting the preliminary list of returns, moderator completes the canvass, which includes announcing (1) each candidate’s name and absentee vote count and (2) the results for any ballot questions	48 hours after the polls close	96 hours after the polls close
§ 19	Moderator submits to the secretary of the state the duplicate list of returns (1) by electronic means and (2) in sealed, hard copy	<ul style="list-style-type: none"> • 48 hours after the polls close for the electronic submission • Three days after the election, primary, or referendum for the sealed, hard copy 	<ul style="list-style-type: none"> • 96 hours after the polls close for the electronic submission • Five days after the election, primary, or referendum for the sealed, hard copy
§ 16	Moderator deposits certificate (from the official checkers) with town clerk indicating the total number of names on the official checklist and the number checked as having voted	48 hours after the polls close	96 hours after the polls close
§ 16	Registrars deposit signed registry list with town clerk	48 hours after the polls close	96 hours after the polls close
§ 20	Registrars provide town clerk	48 hours after the	96 hours after the

	with results of votes cast	polls close	polls close
§ 20	For municipalities divided into voting districts, the (1) head moderators, town clerk, and registrars meet to identify any errors in the election or primary night returns and (2) moderators correct any errors and file an amended return with the secretary of the state, town clerk, and registrars	<ul style="list-style-type: none"> • 9:00 a.m. on the third day after the election, primary, or referendum for the meeting • 1:00 p.m. on the third day after the election, primary, or referendum for any amended return 	<ul style="list-style-type: none"> • 9:00 a.m. on the fifth day after the election, primary, or referendum for the meeting • 1:00 p.m. on the fifth day after the election, primary, or referendum for any amended return
§ 18	If there appears to be a discrepancy in any voting district's returns, the head moderator calls for a recanvass	Three days after the election or primary	Five days after the election or primary
§ 18	When a recanvass is required due to a discrepancy, tie vote, close vote, including a close vote referendum, the recanvass officials meet to recanvass the returns (CGS §§ 9-311a, -311b, & -370a)	Five business days after the election, primary, or referendum	Seven business days after the election, primary, or referendum
§ 15	In the event of a recanvass, absentee ballot depository envelopes may be unsealed by court order or State Elections Enforcement Commission subpoena	Five business days after the election, primary, or referendum	Seven business days after the election primary, or referendum
§ 18	If a discrepancy, close vote, or tie vote recanvass results in a correction to the original returns, the moderator files one copy of the corrected recanvass return with the secretary of the state and another with the town clerk	10 days after the election, primary, or referendum	12 days after the election, primary, or referendum

BACKGROUND

Permitted Reasons for Voting by Absentee Ballot

The state constitution authorizes the General Assembly to pass a law allowing eligible voters to cast their votes by absentee ballot if they are unable to appear at a polling place on election day because of (1) absence from their city or town, (2) sickness or physical disability, or (3) the tenets of their religion prohibit secular activity (Art. VI, § 7). The General Assembly exercised this authority and passed laws codified at CGS § 9-135.

CGS § 9-135 permits eligible voters to vote by absentee ballot if:

1. they are absent from the municipality in which they reside during all hours of voting;
2. they are ill or have a physical disability;
3. the tenets of their religion forbid secular activity on the day of the primary, election, or referendum;
4. they are in active service in the U.S. Armed Forces; or
5. their duties as a primary, election, or referendum official outside of their voting district will keep them away during all hours of voting.

Issuing Absentee Ballot Sets

By law, town clerks begin issuing absentee voting sets 31 days before an election and 21 days before a primary, or if that day falls on a weekend or holiday, the next preceding business day. Generally, clerks begin issuing the sets 19 days before a referendum or when an elector applies for an absentee ballot, whichever is later. However, when a referendum is held with fewer than three weeks' notice, clerks must make the sets available no later than four business days after the question is finalized (CGS §§ 9-140(f) and 9-369c(a) & (e)).

Mandatory Supervised Absentee Voting

Under the mandatory supervised absentee voting law, registrars of voters or their designees must supervise absentee voting at "institutions" (e.g., nursing homes and other residential care and mental

health facilities) in which at least 20 patients are registered voters (including patients who are registered in a municipality other than the one where the institution is located). During these voting sessions, registrars or their designees deliver absentee ballots to the institution and jointly supervise voters while they fill out the ballots. Voters have the right to complete their ballots in secret, but registrars observe the process and are available to assist upon request.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 13 Nay 6 (03/05/2021)