

# OFFICE OF FISCAL ANALYSIS

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sSB-5

AN ACT CONCERNING INCREASED OPPORTUNITIES FOR ABSENTEE VOTING, SAFE AND SECURE IN-PERSON VOTING, VOTER REGISTRATION AND CERTAIN OTHER CHANGES REGARDING ELECTION ADMINISTRATION.

As Amended by Senate "A" (LCO 9130)

Senate Calendar No.: 338

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## ***OFA Fiscal Note***

### ***State Impact:***

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Various State Agencies	Various - Potential Cost	See Below	See Below
Secretary of the State	GF - Cost	Significant	Significant

Note: GF=General Fund; Various=Various

### ***Municipal Impact:***

Municipalities	Effect	FY 22 \$	FY 23 \$
Various Municipalities	Potential Cost	See Below	See Below

### ***Explanation***

**Sections 1 - 5** require the Department of Motor Vehicles (DMV), voter registration agencies, and public higher education institutions to use a Secretary of the State-approved electronic system to automatically transmit voter registration applications for qualified applicants to registrars of voters unless the applicants decline to apply for admission. The cost<sup>1</sup> for this electronic system will depend on the

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<sup>1</sup> On April 16, 2021, The Office of the Secretary of the State was allocated \$4 million on bond funds from the IT Capital Investment program for various election technology upgrades.

technology selected and the RFP process.

**Section 6** requires the Secretary of the State to develop and implement one or more systems through which she may allow individuals to submit an electronic signature to sign elections-related forms and applications, other than those for campaign finance purposes. The cost<sup>2</sup> for this electronic signature system will depend on the technology selected and the RFP process.

**Section 9** requires employers to give an employee two hours of unpaid time off from his or her regularly scheduled work on the day of a regular state election to vote, if the employee requests it in advance. There may be a state or municipal cost (including local and regional boards of education) with providing unpaid time off for certain positions (for example; state troopers, correction officers, or municipal police officers). The state and municipalities may incur overtime costs to cover these types of positions. The extent of the state and municipal costs depends on the number of employees requesting unpaid time off to vote.

**Sections 14 - 16** make various changes affecting elections, including the forfeiture and restoration of electoral privileges for certain individuals convicted of a felony, voter registration, and polling place challengers. Under current law, an individual imprisoned for a felony regains the right to vote and accompanying electoral privileges after paying all fines and completing any required prison and parole time. The bill will result in an indeterminate revenue loss from reduced collection of criminal fines and penalties.

**Section 20** allows individuals to apply to the Secretary of the State for an absentee ballot using an online system she must establish and maintain for that purpose. To use the system, an applicant's signature must be obtained from a state or federal agency's database, another state's voter registration database, or the e-signature system

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<sup>2</sup> On April 16, 2021, The Office of the Secretary of the State was allocated \$4 million on bond funds from the IT Capital Investment program for various election technology upgrades

established in Section 6 and imported into the online system. The Secretary of the State will incur significant costs to create this absentee ballot application online system.<sup>3</sup>

**Section 21** allows voters, for a state or municipal election, primary, or referendum, to return completed absentee ballots in secure drop boxes designated by their town clerk for that purpose. Beginning 29 days before a primary, election, or referendum, and each weekday thereafter until the polls close, the bill requires town clerks to retrieve absentee ballots from the secure drop boxes. Certain municipalities may incur minimal costs if town staff cannot handle this requirement with current staffing levels.

**Section 506** requires the Secretary of the State to study the technological and staffing capabilities of various state agencies in providing an electronic system that distributes mail voter registration applications. There is no cost to conduct this study.

**Sections 507 - 513** require each municipality after January 1, 2022, to hold its biennial municipal election on the Tuesday after the first Monday in November of odd-numbered years unless its legislative body votes by a three-fourths majority to hold the election on the first Monday in May of odd-numbered years. Under the bill, a municipality that opts for a May election date using this procedure may subsequently move its election date to November through a majority vote of its legislative body. These provisions have no fiscal impact as it shifts election costs from May to November in odd-numbered years.

The bill makes numerous other changes that have no fiscal impact on the state or municipalities.

**Senate "A"** eliminates a requirement that applied during the 2020 state election under which a police officer had to escort the town clerk in retrieving absentee ballots from any drop box located outside of a

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<sup>3</sup> On April 16, 2021, The Office of the Secretary of the State was allocated \$4 million on bond funds from the IT Capital Investment program for various election technology upgrades

building other than the clerk's office building. This will reduce the minimal municipal costs noted in the underlying bill associated with absentee ballot retrieval.

**Senate "A"** strikes the provisions allowing people to apply for an absentee ballot through a telephonic system. This eliminates a cost to the Secretary of State of approximately \$500,000 - \$1 million.

**Senate "A"** eliminates the requirement that employers give an employee two hours of paid time off on the day of a regular state election to vote. Instead, the Senate "A" requires employers to give an employee two hours of unpaid time off from his or her regularly-scheduled work on the day of a regular state election to vote, if the employee requests it in advance. This change significantly reduces the potential cost to the state and municipalities (including local and regional boards of education).

**Senate "A"** strikes the provision making Election Day as state holiday. This eliminates the Secretary of the State's (SOTS) cost of \$35,000 and eliminates municipal costs associated with election staff and police overtime costs.

**Senate "A"** strikes the provision requiring towns to print ballots in certain minority group's language for primaries, elections and referenda. This eliminates the SOTS cost of \$30,000.

**Senate "A"** requires the Secretary of the State to conduct a study of the technological and staffing capabilities of various state agencies to provide an electronic system for voter registration applications. There is no cost to conduct this study.

**Senate "A"** makes changes associated with the month municipal elections are held that do not have a fiscal impact.

**Senate "A"** makes numerous other changes that have no fiscal impact on the state or municipalities.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

*The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does 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.*