



General Assembly

Amendment

January Session, 2021

LCO No. 9130



Offered by:
SEN. FLEXER, 29th Dist.
REP. FOX, 148th Dist.

To: Subst. Senate Bill No. 5

File No. 570

Cal. No. 338

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

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- 1 Strike lines 89 to 96, inclusive, in their entirety
 - 2 In line 167, after "section 9-46a," insert "as amended by this act,"
 - 3 Strike lines 202 to 209, inclusive, in their entirety
 - 4 Strike section 8 in its entirety and renumber the remaining sections
 - 5 and internal references accordingly
 - 6 In line 315, strike "paid" and insert in lieu thereof "unpaid"
 - 7 Strike sections 11 to 13, inclusive, in their entirety and renumber the
 - 8 remaining sections and internal references accordingly

9 Strike section 17 in its entirety and renumber the remaining sections
10 and internal references accordingly

11 Strike lines 1000 to 1022, inclusive, in their entirety

12 In line 1023, strike "(2) (A)" and insert in lieu thereof "(1)"

13 In line 1026, after "section 9-19k" insert ", or the system described in
14 section 6 of this act,"

15 In line 1027, after "online" insert "application"

16 In line 1028, strike "(B)" and insert in lieu thereof "(2)"

17 In line 1029, strike "subparagraph (A) of this"

18 In line 1030, after "subdivision" insert "(1) of this subsection"

19 In line 1031, after "section 9-19k" insert ", or the system described in
20 section 6 of this act,"

21 In line 1032, strike "(i)" and insert in lieu thereof "(A)", and strike "(ii)"
22 and insert in lieu thereof "(B)"

23 In line 1034, strike "(iii)" and insert in lieu thereof "(C)"

24 In line 1048, strike "telephonic or"

25 In line 1049, strike "or (2)"

26 Strike section 21 in its entirety and substitute the following in lieu
27 thereof:

28 "Sec. 21. Subsections (a) to (c), inclusive, of section 9-140b of the
29 general statutes are repealed and the following is substituted in lieu
30 thereof (*Effective from passage*):

31 (a) An absentee ballot shall be cast at a primary, election or
32 referendum only if: (1) It is mailed by (A) the ballot applicant, (B) a
33 designee of a person who applies for an absentee ballot because of

34 illness or physical disability, or (C) a member of the immediate family
35 of an applicant who is a student, so that it is received by the clerk of the
36 municipality in which the applicant is qualified to vote not later than the
37 close of the polls; (2) it is returned by the applicant in person to the clerk
38 by the day before a regular election, special election or primary or prior
39 to the opening of the polls on the day of a referendum; (3) it is returned
40 by a designee of an ill or physically disabled ballot applicant, in person,
41 to said clerk not later than the close of the polls on the day of the election,
42 primary or referendum; (4) it is returned by a member of the immediate
43 family of the absentee voter, in person, to said clerk not later than the
44 close of the polls on the day of the election, primary or referendum; (5)
45 in the case of a presidential or overseas ballot, it is mailed or otherwise
46 returned pursuant to the provisions of section 9-158g; or (6) it is returned
47 with the proper identification as required by the Help America Vote Act,
48 P.L. 107-252, as amended from time to time, if applicable, inserted in the
49 outer envelope so such identification can be viewed without opening
50 the inner envelope. A person returning an absentee ballot to the
51 municipal clerk pursuant to subdivision (3) or (4) of this subsection shall
52 present identification and, on the outer envelope of the absentee ballot,
53 sign his name in the presence of the municipal clerk, and indicate his
54 address, his relationship to the voter or his position, and the date and
55 time of such return. As used in this section, "immediate family" means
56 a dependent relative who resides in the individual's household or any
57 spouse, child, [or] parent or sibling of the individual.

58 (b) As used in this section and section 9-150c, "designee" means (1) a
59 person who is caring for the applicant because of the applicant's illness
60 or physical disability, including but not limited to, a licensed physician
61 or a registered or practical nurse, (2) a member of the applicant's family,
62 who is designated by an absentee ballot applicant and who consents to
63 such designation, or (3) [if no such person consents or is available, then]
64 a police officer, registrar of voters, deputy registrar of voters or assistant
65 registrar of voters in the municipality in which the applicant resides.

66 (c) (1) For purposes of this section, "mailed" means (A) sent by the
67 United States Postal Service or any commercial carrier, courier or

68 messenger service recognized and approved by the Secretary of the
69 State, or (B) for the state election in 2020, and any election, primary or
70 referendum held on or after the effective date of this section but prior to
71 November 3, 2021, and, after November 3, 2021, each election, primary
72 or referendum, deposited in a secure drop box designated by the
73 municipal clerk for such purpose, in accordance with instructions
74 prescribed by the Secretary.

75 (2) In the case of absentee ballots mailed under subparagraph (B) of
76 subdivision (1) of this subsection, beginning on the twenty-ninth day
77 before the state election in 2020, and any election, primary or
78 referendum held on or after the effective date of this section but prior to
79 November 3, 2021, and, after November 3, 2021, each election, primary
80 or referendum and on each weekday thereafter until the close of the
81 polls at such election, primary or referendum, the municipal clerk shall
82 [(A)] retrieve from the secure drop box described in said subparagraph
83 each such ballot deposited in such drop box. [, and (B) if the drop box is
84 located outside a building other than the building where the clerk's
85 office is located, arrange for the clerk or the clerk's designee to be
86 escorted by a police officer during such retrieval.]"

87 Strike section 22 in its entirety and renumber the remaining sections
88 and internal references accordingly

89 In line 1297, strike the opening and closing brackets around "(1)"

90 In line 1298, strike the opening bracket before "or", bracket "thirty"
91 and after the closing bracket insert "sixty"

92 In line 1300, strike the closing bracket after "form,"

93 Strike sections 24 to 26, inclusive, in their entirety and renumber the
94 remaining sections and internal references accordingly

95 Strike sections 28 to 36, inclusive, in their entirety and renumber the
96 remaining sections and internal references accordingly

97 Strike sections 42 to 50, inclusive, in their entirety and renumber the

98 remaining sections and internal references accordingly

99 After the last section, add the following and renumber sections and
100 internal references accordingly:

101 "Sec. 501. Section 9-264 of the general statutes is repealed and the
102 following is substituted in lieu thereof (*Effective from passage*):

103 An elector who requires assistance to vote, by reason of blindness,
104 disability or inability to write or to read the ballot, may be given
105 assistance by a person of the elector's choice, other than (1) the elector's
106 employer, (2) an agent of such employer, (3) an officer or agent of the
107 elector's union, or (4) a candidate for any office on the ballot, unless the
108 elector is a member of the immediate family of such candidate. The
109 person assisting the elector may accompany the elector into the voting
110 booth at the polling place or the location designated for election day
111 registration. Such person shall register such elector's vote upon the
112 ballot as such elector directs. Any person accompanying an elector into
113 the voting booth at the polling place or the location designated for
114 election day registration who deceives any elector in registering the
115 elector's vote under this section or seeks to influence any elector while
116 in the act of voting, or who registers any vote for any elector or on any
117 question other than as requested by such elector, or who gives
118 information to any person as to what person or persons such elector
119 voted for, or how such elector voted on any question, shall be guilty of
120 a class D felony. As used in this section, "immediate family" means
121 "immediate family" as defined in section 9-140b.

122 Sec. 502. Subsection (a) of section 9-232 of the general statutes is
123 repealed and the following is substituted in lieu thereof (*Effective from*
124 *passage*):

125 (a) [Each registrar may appoint one or more challengers in his town
126 or district, one of whom may be present at the offering of any vote; and
127 any such challenger or any] Any elector may challenge the right of any
128 person offering to vote, on the ground of want of identity with the
129 person on whose name the vote is offered, or disfranchisement or lack

130 of bona fide residence, and the moderator shall decide upon the right of
131 the person so challenged to vote.

132 Sec. 503. Section 9-235d of the general statutes is repealed and the
133 following is substituted in lieu thereof (*Effective from passage*):

134 (a) Notwithstanding any provision of sections 9-233, 9-235 and 9-258,
135 as amended by this act, [to the contrary,] a United States citizen who is
136 sixteen or seventeen years of age and a bona fide resident of a town may
137 be [(1)] appointed as [a challenger or] (1) an unofficial checker in an
138 election, or (2) [appointed as] a checker, translator, ballot clerk or voting
139 tabulator tender in an election after (A) attending poll worker training,
140 and (B) receiving the written permission of a parent, guardian or the
141 principal of the school that the citizen attends if the citizen is a secondary
142 school student and the citizen is to be appointed to work on a day when
143 such school is in session.

144 (b) Notwithstanding any provision of section 9-436, as amended by
145 this act, or 9-436a, [to the contrary,] a United States citizen who is sixteen
146 or seventeen years of age and a bona fide resident of a town or political
147 subdivision holding a primary may be [(1)] appointed as [a challenger
148 or] (1) a candidate checker in the primary, or (2) [appointed as] a
149 checker, translator, ballot clerk or voting tabulator tender in a primary
150 after (A) attending poll worker training, and (B) receiving the written
151 permission of a parent, guardian or the principal of the school that the
152 citizen attends if the citizen is a secondary school student and the citizen
153 is to be appointed to work on a day when such school is in session.

154 Sec. 504. Subsections (a) and (b) of section 9-258 of the general statutes
155 are repealed and the following is substituted in lieu thereof (*Effective*
156 *from passage*):

157 (a) For municipalities with more than one voting district, the election
158 officials of each polling place shall be electors of the state and shall
159 consist of (1) one moderator, (2) at least one but not more than two
160 official checkers, (3) two assistant registrars of voters of opposite
161 political parties, each of whom shall be residents of the town, (4) [not

162 more than two challengers if the registrars of voters have appointed
163 challengers pursuant to section 9-232, (5)] at least one but not more than
164 two ballot clerks, and [(6)] (5) at least one but not more than two voting
165 tabulator tenders for each voting tabulator in use at the polling place. A
166 known candidate for any office shall not serve as an election official on
167 election day or serve at the polls in any capacity, except that (A) a
168 municipal clerk or a registrar of voters, who is a candidate for the same
169 office, may perform his or her official duties, and (B) a deputy registrar
170 of voters, who is a candidate for the office of registrar of voters, may
171 perform his or her official duties. If, in the opinion of the registrar of
172 voters, the public convenience of the electors in any voting district so
173 requires, provision shall be made for an additional line or lines of
174 electors at the polling place and, if more than one line of electors is
175 established, at least one but not more than two additional official
176 checkers and at least one but not more than two ballot clerks for each
177 line of electors shall be appointed and, if more than one tabulator is used
178 in a polling place, at least one but not more than two additional voting
179 tabulator tenders shall be appointed for each additional machine so
180 used. Head moderators, central counting moderators and absentee
181 ballot counters appointed pursuant to law shall also be deemed election
182 officials.

183 (b) For municipalities with one voting district, the election officials of
184 such polling place shall be electors of the state and shall consist of (1)
185 one moderator, (2) at least one but not more than two official checkers,
186 (3) [not more than two challengers if the registrars of voters have
187 appointed challengers pursuant to section 9-232, (4)] at least one but not
188 more than two voting tabulator tenders for each voting tabulator in use
189 at the polling place, and [(5)] (4) at least one but not more than two ballot
190 clerks. Additionally, such election officials may consist of two registrars
191 of voters of opposite political parties, or two assistant registrars of voters
192 of opposite political parties, as the case may be, subject to the
193 requirements of sections 9-259 and 9-439, provided if the registrars of
194 voters are present in the polling place, they shall appoint at least one
195 designee to be present in their office. A known candidate for any office

196 shall not serve as an election official on election day or serve at the polls
197 in any capacity, except that (A) a municipal clerk or a registrar of voters,
198 who is a candidate for the same office, may perform his or her official
199 duties, and (B) a deputy registrar of voters, who is a candidate for the
200 office of registrar of voters, may perform his or her official duties. If, in
201 the opinion of the registrar of voters, the public convenience of the
202 electors in any voting district so requires, provision shall be made for an
203 additional line or lines of electors at the polling place and, if more than
204 one line of electors is established, at least one but not more than two
205 additional official checkers for each line of electors shall be appointed
206 and, if more than one tabulator is used in a polling place, at least one
207 but not more than two additional voting tabulator tenders shall be
208 appointed for each additional tabulator so used. Head moderators,
209 central counting moderators and absentee ballot counters appointed
210 pursuant to law shall be deemed to be election officials.

211 Sec. 505. Subsection (c) of section 9-436 of the general statutes is
212 repealed and the following is substituted in lieu thereof (*Effective from*
213 *passage*):

214 (c) The registrar shall appoint from among the enrolled party
215 members in the state, to serve in each polling place, the primary polling
216 place officials, who shall consist of (1) one moderator, (2) at least one [,
217 but not more than two official checkers, [not more than two challengers
218 if the registrar deems it necessary, and] (3) at least one [and] but not
219 more than two ballot clerks, [and] (4) at least one but not more than two
220 voting tabulator tenders for each tabulator in use at such primary, and
221 [,] (5) in towns with two or more voting districts, at least one [and] but
222 not more than two assistant registrars, provided [(1)] (A) in the case of
223 either a municipality or a political subdivision holding a primary, if no
224 enrolled party member can be found or no such person consents to serve
225 as a moderator, the registrar may appoint any elector who resides in the
226 state and is a certified moderator to be moderator, [(2)] (B) in the case of
227 a political subdivision holding a primary, if an insufficient number of
228 enrolled party members who reside in the state consent to serve as
229 checkers, [challengers,] voting tabulator tenders or assistant registrars,

230 the registrar may appoint any elector who resides in the state to be a
231 checker, [challenger,] voting tabulator tender or assistant registrar, and
232 [(3)] (C) in the case of either a municipality or a political subdivision
233 holding more than one primary on the same day for different political
234 parties, one certified moderator may serve as moderator for both
235 primaries, if the registrars of voters so agree. If unaffiliated electors are
236 authorized under section 9-431 to vote for some but not all of the offices
237 to be contested at the primary, the registrar shall appoint two additional
238 checkers to check the list of unaffiliated electors who are authorized to
239 vote on the separate tabulators. If unaffiliated electors are authorized
240 under section 9-431 to vote in the primary of either of two parties in the
241 same polling place, whether for some or for all offices to be contested at
242 the primary, each such registrar shall appoint two additional checkers
243 to check the list of unaffiliated electors who are authorized to vote in
244 either such primary.

245 Sec. 506. (*Effective from passage*) (a) The Secretary of the State shall
246 consult with various department heads, as defined in section 4-5 of the
247 general statutes, including, but not limited to, the Commissioner of
248 Consumer Protection, the Commissioner of Emergency Services and
249 Public Protection, the Commissioner of Energy and Environmental
250 Protection and the Commissioner of Veterans Affairs, to conduct a study
251 of the technological and staffing capabilities of various state agencies to
252 provide an electronic system to effectuate the purposes of subdivision
253 (1) of subsection (b) of section 9-23n of the general statutes.

254 (b) Not later than February 1, 2023, the Secretary shall submit to the
255 joint standing committees of the General Assembly having cognizance
256 of matters relating to elections, in accordance with the provisions of
257 section 11-4a of the general statutes, (1) a report on the findings of such
258 study, and (2) recommendations for legislation to authorize any such
259 state agency to provide such an electronic system.

260 Sec. 507. Subsection (a) of section 9-164 of the general statutes is
261 repealed and the following is substituted in lieu thereof (*Effective January*
262 *1, 2022*):

263 (a) (1) (A) [Notwithstanding any contrary provision of law, there
264 shall be held in each municipality, biennially, a municipal election on
265 the first Monday of May or the Tuesday after the first Monday of
266 November, of the odd-numbered years, whichever date the legislative
267 body of such municipality determines, provided, if no action is taken by
268 the legislative body to so designate the date of such election, such
269 election shall be held on the Tuesday after the first Monday of
270 November of the odd-numbered years.] On and after January 1, 2022,
271 and notwithstanding any contrary provision of law, there shall be held
272 in each municipality, biennially, a municipal election on the Tuesday
273 after the first Monday of November of the odd-numbered years, except
274 that such municipal election may be held on the first Monday of May of
275 the odd-numbered years if the legislative body of such municipality so
276 determines by a three-fourths vote.

277 (B) In any municipality where the legislative body determines to hold
278 its municipal election on the first Monday of May of the odd-numbered
279 years in accordance with the provisions of subparagraph (A) of this
280 subdivision, such legislative body may subsequently determine by a
281 majority vote to hold such municipal election on the Tuesday after the
282 first Monday of November of the odd-numbered years.

283 (2) In any municipality where the term of any elected official would
284 expire prior to the next regular election held under the provisions of this
285 section, the term of such official shall be extended to the date of such
286 election.

287 Sec. 508. Section 9-164b of the general statutes is repealed and the
288 following is substituted in lieu thereof (*Effective January 1, 2022*):

289 As to any board or commission of a municipality with a rotating
290 membership, some of the members of which, prior to [the] any change
291 [to a uniform] in a municipal election date for such municipality under
292 section 9-164, as amended by this act, were elected for terms beginning
293 approximately one year after the date of their election, the legislative
294 body of such municipality may provide for such conforming changes in

295 the beginning date of the terms of office as are designed to continue the
296 rotation with regard to such office as it existed prior to such change, and
297 in the absence of such action by such legislative body, the beginning
298 date of the terms of such office shall be so changed by the clerk of the
299 municipality in preparing the list provided for under section 9-254. With
300 respect to any board or commission of a municipality with a rotating
301 membership established under sections 8-1, 8-4a, 8-5 and 8-19, the
302 authority empowered to prescribe the term of office of the members of
303 such board or commission, if it is authorized under said sections to
304 provide for an odd-numbered year term, may further provide for
305 deferred terms by prescribing which terms are to begin approximately
306 one year from the date on which the terms of municipal officers
307 generally begin in such municipality.

308 Sec. 509. Section 9-164c of the general statutes is repealed and the
309 following is substituted in lieu thereof (*Effective January 1, 2022*):

310 [After January 1, 1970, any municipality may by charter, or by vote of
311 the legislative body approved at a referendum of the electors to be held
312 within thirty days thereafter, change the date of its municipal election
313 by designating the alternate date specified in section 9-164 as the date of
314 the municipal election, provided (1) no such charter provision adopted,
315 nor such vote of such legislative body so approved, within six months
316 prior to any municipal election may be effective with respect thereto,
317 and (2) in changing from the November municipal election date
318 specified in section 9-164 to the May municipal election date therein
319 specified, the terms of incumbent municipal elected officials shall be
320 diminished to conform to such change but for a period of not more than
321 nine months and (3) in changing from the May municipal election date
322 specified in section 9-164 to the November date therein specified, the
323 terms of incumbent municipal elected officials shall be extended to
324 conform to such change but for a period of not more than nine months.]
325 On and after January 1, 2022, (1) any municipality may change the date
326 of its municipal election in accordance with the provisions of section 9-
327 164, as amended by this act, (2) in any municipality that changes from
328 the November municipal election date specified in said section to the

329 May municipal election date specified in said section, the terms of
330 incumbent municipal elected officials shall be diminished to conform to
331 such change but for a period of not more than nine months, and (3) in
332 any municipality that changes from the May municipal election date
333 specified in said section to the November date specified in said section,
334 the terms of incumbent municipal election officials shall be extended to
335 conform to such change but for a period of not more than nine months.

336 Sec. 510. Section 9-164e of the general statutes is repealed and the
337 following is substituted in lieu thereof (*Effective January 1, 2022*):

338 Before any action is taken under sections [9-164a] ~~9-164b~~ to 9-164f,
339 inclusive, as amended by this act, 9-187 and 9-187a, as amended by this
340 act, such proposed action shall be submitted by the legislative body to
341 the municipal attorney of the municipality taking such action for
342 approval as to conforming to law.

343 Sec. 511. Section 9-164f of the general statutes is repealed and the
344 following is substituted in lieu thereof (*Effective January 1, 2022*):

345 Nothing in sections [9-164a] ~~9-164b~~ to 9-164e, inclusive, as amended
346 by this act, 9-187 and 9-187a, as amended by this act, shall affect the
347 election of registrars of voters.

348 Sec. 512. Section 9-187a of the general statutes is repealed and the
349 following is substituted in lieu thereof (*Effective January 1, 2022*):

350 Except as provided in sections [9-164a] ~~9-164b~~ to 9-164f, inclusive, as
351 amended by this act, the term of each elected municipal official shall
352 begin within seventy days after the municipal election at which such
353 official is elected, on the day within such period prescribed by special
354 act or charter provision, or, in the absence of such special act or charter
355 provision, on the day within such period as is prescribed by action of
356 the legislative body of such municipality, provided (1) in each
357 municipality which holds its municipal election on the first Monday of
358 May in the odd-numbered years, in the absence of such special act or
359 charter provision, or action of the legislative body, such terms shall

360 begin on the first day of July following the municipal election at which
 361 such official is elected, and (2) in each municipality which holds its
 362 municipal election on the Tuesday after the first Monday of November
 363 in the odd-numbered years, with the exception of the term of the town
 364 clerk, in the absence of such special act, or charter provision, or action
 365 of the legislative body, such term shall begin on the second Tuesday next
 366 following the day of the municipal election at which such official is
 367 elected, and (3) in each municipality which holds its municipal election
 368 on the Tuesday after the first Monday in November in the odd-
 369 numbered years, the term of the town clerk shall be two years from the
 370 first Monday of January next succeeding his election, unless otherwise
 371 provided by charter or special act. Whenever the beginning date of the
 372 terms of elected municipal officials is so determined or changed, within
 373 the limits hereinabove specified, the authority providing therefor may
 374 provide for the conforming diminution or extension of terms of
 375 incumbents.

376 Sec. 513. Section 9-164a of the general statutes is repealed. (*Effective*
 377 *January 1, 2022*)"

This act shall take effect as follows and shall amend the following sections:		
Sec. 21	<i>from passage</i>	9-140b(a) to (c)
Sec. 501	<i>from passage</i>	9-264
Sec. 502	<i>from passage</i>	9-232(a)
Sec. 503	<i>from passage</i>	9-235d
Sec. 504	<i>from passage</i>	9-258(a) and (b)
Sec. 505	<i>from passage</i>	9-436(c)
Sec. 506	<i>from passage</i>	New section
Sec. 507	<i>January 1, 2022</i>	9-164(a)
Sec. 508	<i>January 1, 2022</i>	9-164b
Sec. 509	<i>January 1, 2022</i>	9-164c
Sec. 510	<i>January 1, 2022</i>	9-164e
Sec. 511	<i>January 1, 2022</i>	9-164f
Sec. 512	<i>January 1, 2022</i>	9-187a
Sec. 513	<i>January 1, 2022</i>	Repealer section