



General Assembly

Amendment

January Session, 2021

LCO No. 8108



Offered by:

REP. CANDELORA, 86th Dist.

REP. O'DEA, 125th Dist.

REP. DEVLIN, 134th Dist.

REP. PERILLO, 113th Dist.

REP. REBIMBAS, 70th Dist.

REP. ZUPKUS, 89th Dist.

REP. MASTROFRANCESCO, 80th Dist.

To: House Joint Resolution No. 59

File No. 97

Cal. No. 104

**"RESOLUTION APPROVING AN AMENDMENT TO THE STATE
CONSTITUTION TO ALLOW FOR EARLY VOTING."**

1 Strike everything after the resolving clause and substitute the
2 following in lieu thereof:

3 "That the following be proposed as an amendment to the
4 Constitution of the State, which, when approved and adopted in the
5 manner provided by the Constitution, shall, to all intents and purposes,
6 become a part thereof:

7 Section 7 of article sixth of the Constitution is amended to read as
8 follows:

9 Sec. 7. The general assembly may provide by law for voting in the
10 choice of any officer to be elected or upon any question to be voted on
11 at an election by qualified voters of the state who are unable to appear
12 at the polling place on the day of election because of absence from the

13 city or town of which they are inhabitants or because of sickness or
14 physical disability or because the tenets of their religion forbid secular
15 activity. The general assembly may further provide by law for voting in
16 person, during the seven days prior to the day of election but not on any
17 Saturday or Sunday, in the choice of any officer to be elected or upon
18 any question to be voted on at such election by qualified voters of the
19 state.

20 Section 9 of article third of the Constitution is amended to read as
21 follows:

22 Sec. 9. At all elections for members of the general assembly the
23 presiding officers in the several towns shall [receive the votes of the
24 electors, and] count and declare [them] the votes of the electors in open
25 meeting. The presiding officers shall make and certify duplicate lists of
26 the persons voted for, and of the number of votes for each. One list shall
27 be delivered within three days to the town clerk, and within ten days
28 after such meeting, the other shall be delivered [under seal] to the
29 secretary of the state.

30 Section 4 of article fourth of the Constitution is amended to read as
31 follows:

32 Sec. 4. [At the meetings of the electors in the respective towns held
33 quadrennially as herein provided for the election of state officers, the
34 presiding officers shall receive the votes and shall count and declare the
35 same in the presence of the electors] The votes at the election of state
36 officers shall be counted and declared in open meeting by the presiding
37 officers in the several towns. The presiding officers shall make and
38 certify duplicate lists of the persons voted for, and of the number of
39 votes for each. One list shall be delivered within three days to the town
40 clerk, and within ten days after such meeting, the other shall be
41 delivered [under seal] to the secretary of the state. The votes so delivered
42 shall be counted, canvassed and declared by the treasurer, secretary,
43 and comptroller, within the month of November. The vote for treasurer
44 shall be counted, canvassed and declared by the secretary and

45 comptroller only; the vote for secretary shall be counted, canvassed and
46 declared by the treasurer and comptroller only; and the vote for
47 comptroller shall be counted, canvassed and declared by the treasurer
48 and secretary only. A fair list of the persons and number of votes given
49 for each, together with the returns of the presiding officers, shall be, by
50 the treasurer, secretary and comptroller, made and laid before the
51 general assembly, then next to be held, on the first day of the session
52 thereof. In the election of governor, lieutenant-governor, secretary,
53 treasurer, comptroller and attorney general, the person found upon the
54 count by the treasurer, secretary and comptroller in the manner herein
55 provided, to be made and announced before December fifteenth of the
56 year of the election, to have received the greatest number of votes for
57 each of such offices, respectively, shall be elected thereto; provided, if
58 the election of any of them shall be contested as provided by statute, and
59 if such a contest shall proceed to final judgment, the person found by
60 the court to have received the greatest number of votes shall be elected.
61 If two or more persons shall be found upon the count of the treasurer,
62 secretary and comptroller to have received an equal and the greatest
63 number of votes for any of said offices, and the election is not contested,
64 the general assembly on the second day of its session shall hold a joint
65 convention of both houses, at which, without debate, a ballot shall be
66 taken to choose such officer from those persons who received such a
67 vote; and the balloting shall continue on that or subsequent days until
68 one of such persons is chosen by a majority vote of those present and
69 voting. The general assembly shall have power to enact laws regulating
70 and prescribing the order and manner of voting for such officers. The
71 general assembly shall by law prescribe the manner in which all
72 questions concerning the election of a governor or lieutenant-governor
73 shall be determined.

74 RESOLVED: That the foregoing proposed amendment to the
75 Constitution be continued to the next session of the General Assembly
76 elected at the general election to be held on November 8, 2022, and
77 published with the laws passed at the present session, or be presented
78 to the electors at the general election to be held on November 8, 2022,

79 whichever the case may be, according to article sixth of the amendments
80 to the Constitution. The designation of said proposed amendment to be
81 used on the ballots at such election shall be "Shall the Constitution of the
82 State be amended to permit the General Assembly to provide for early
83 voting during the seven days prior to the day of election but not on any
84 Saturday or Sunday?"