
OLR Bill Analysis

sHB 5262 (as amended by House "A")*

AN ACT REVISING CERTAIN ABSENTEE VOTING ELIGIBILITY STATUTES.

SUMMARY

This bill expands two of the six statutory reasons for which qualified voters (i.e., electors and people eligible to vote in a referendum) may vote by absentee ballot in an election, primary, or referendum (see BACKGROUND). Under the bill, qualified voters may vote by absentee ballot if they are unable to appear at their polling place because of (1) sickness, rather than because of their own illness, or (2) physical disability, rather than because of their own physical disability.

Additionally, the bill authorizes qualified voters to vote by absentee ballot if they are unable to appear at their polling place because of absence from the town of their voting residence. Current law authorizes voters to vote absentee for this reason only if they are absent during all hours of voting.

The bill also modifies when each of the six statutory reasons for voting by absentee ballot applies. Currently, these reasons apply to qualified voters who are unable to appear at their polling place during the hours of voting. Under the bill, they apply to qualified voters who are unable to do so during the day of the election, primary, or referendum.

The bill requires that absentee ballots be updated to reflect the above changes. Specifically, the statement printed on the face of the absentee ballots' inner envelope must show the revised reasons electors may vote absentee. By law, absentee voters must sign the statement under penalties of false statement in absentee balloting, which is a class D felony punishable by up to five years in prison, a fine of up to \$5,000, or both (CGS § 9-359a).

Lastly, the bill makes technical changes, including removing obsolete provisions concerning absentee voting because of the COVID-19 sickness in the 2020 state election and any election, primary, or referendum from June 23, 2021, through November 2, 2021.

*House Amendment "A" adds the provision on when each of the six statutory reasons for voting by absentee ballot applies.

EFFECTIVE DATE: Upon passage

BACKGROUND

Related Bill

sSB 184 (File 6, §§ 3 & 4), reported favorably by the Government Administration and Elections Committee, (1) makes similar changes concerning absentee voting due to illness and absence from the town of residence and (2) allows absentee voting because of the COVID-19 sickness for any election, primary, or referendum held through November 8, 2022.

Permitted Reasons Under the Constitution 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 prohibiting secular activity (Conn. Const. Art. VI, § 7). The General Assembly exercised this authority and passed laws codified at CGS § 9-135.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13 Nay 6 (03/09/2022)