
OLR Bill Analysis

HJ 114

RESOLUTION PROPOSING AN AMENDMENT TO THE STATE CONSTITUTION TO PERMIT NO-EXCUSE ABSENTEE VOTING.

SUMMARY

This resolution proposes a constitutional amendment to remove the state constitution's current restrictions for absentee voting. Under the amendment, the General Assembly may pass a law allowing electors to cast their vote by absentee ballot if they will not appear at the polling place on election day. Currently, the state constitution authorizes the General Assembly to do so for electors who are unable to appear at their polling place (1) because of absence from their city or town, (2) because of sickness or physical disability, or (3) because the tenets of their religion prohibit secular activity on election day (Article VI, § 7). The General Assembly exercised this authority and passed laws codified in CGS § 9-135 (see BACKGROUND).

The ballot designation to be used when the amendment is presented at the general election is: "Shall the Constitution of the State be amended to permit the General Assembly to allow each voter to vote by absentee ballot?"

EFFECTIVE DATE: If the resolution passes by at least three-fourths of the membership of each house of the General Assembly, it will be placed on the 2022 general election ballot. If it passes by a majority of the membership of each house but less than three-fourths, it will be referred to the 2023 session of the legislature. If it passes in that session by a majority of each house, it will appear on the 2024 general election ballot. If a majority of those voting on the amendment in the general election approve it, the amendment will become part of the state constitution.

BACKGROUND

Absentee Voting

CGS § 9-135, as amended by PA 22-2, permits qualified voters to vote by absentee ballot in a primary, election, or referendum if they are unable to appear at their polling place that day because:

1. they are absent from the municipality in which they reside;
2. of sickness or 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. they are primary, election, or referendum officials outside of their voting district, and their duties will keep them away during all voting hours.

Related 2021 Resolution

In 2021, the legislature adopted the same resolution, HJ 58, by majority vote. As a result, the proposed constitutional amendment will be referred to the 2023 session of the legislature for consideration. If it passes in that session by a majority of each house, it will appear on the 2024 general election ballot.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 13 Nay 6 (03/28/2022)