



General Assembly

Amendment

January Session, 2023

LCO No. 7382



Offered by:

REP. MASTROFRANCESCO, 80th Dist.

SEN. SAMPSON, 16th Dist.

To: Subst. House Bill No. **5004**

File No. 350

Cal. No. 237

(As Amended)

"AN ACT IMPLEMENTING EARLY VOTING."

1 Strike section 1 in its entirety and substitute the following in lieu
2 thereof:

3 "Section 1. (NEW) (*Effective July 1, 2023*) (a) Any eligible elector may
4 vote prior to the day of an election or primary, in accordance with the
5 provisions of this section, during a period of early voting at each election
6 and each primary held on or after January 1, 2024. Such period of early
7 voting shall (1) notwithstanding the provisions of section 9-2 of the
8 general statutes, commence on the fifth day prior to and conclude on the
9 second day prior to such regular election or primary, and (2) consist of
10 three total days selected by the Secretary of the State, at least one of
11 which shall be a Saturday or Sunday, at such times as provided in
12 subdivision (1) of subsection (c) of section 9-174 of the general statutes,
13 as amended by this act.

14 (b) (1) The registrars of voters of each municipality shall designate a
15 location for the conduct of early voting, which location shall be the same
16 for the duration of the period of early voting except as otherwise
17 specified in this subdivision, provided (A) the registrars of voters have
18 access to the state-wide centralized voter registration system from such
19 location, and (B) such location is certified in writing to the Secretary of
20 the State not later than one hundred twenty days prior to the day of a
21 regular election or primary, or not later than twenty days prior to the
22 day of a special election. The written certification under subparagraph
23 (B) of this subdivision shall provide (i) the name, street address and
24 relevant contact information associated with such location, (ii) the
25 number of election or primary officials to be appointed by the registrars
26 of voters to serve at such location and the roles of such officials, and (iii)
27 a description of the design of such location and a plan for effective
28 conduct of such early voting. The Secretary shall approve or disapprove
29 such written certification not later than ninety days prior to the day of a
30 regular election or primary or not later than fifteen days prior to the day
31 of a special election. If the Secretary disapproves such certification, the
32 Secretary shall provide, in writing, the reasons for such disapproval and
33 shall issue an order for such corrective action as the Secretary deems
34 necessary, including, but not limited to, the appointment of additional
35 election or primary officials or the alteration of such design or plan.
36 After having received approval of such certification or having complied
37 with any order for corrective action to the Secretary's satisfaction, as
38 applicable, the registrars of voters shall determine the site of such
39 location designated for the conduct of early voting at least thirty-one
40 days prior to a regular election or primary, or at least eleven days prior
41 to a special election. Such location shall not be changed within such
42 period, except, if the municipal clerk and registrars of voters
43 unanimously find that such location has been rendered unusable within
44 such period, such clerk and registrars shall forthwith designate another
45 location for the conduct of early voting to be used in place of the location
46 so rendered unusable and shall give adequate notice that such location
47 has been so changed. The provisions of sections 9-168d and 9-168e of the
48 general statutes shall apply to such location designated for the conduct

49 of early voting.

50 (2) In any municipality with a population of at least twenty thousand,
51 the legislative body shall hold a public hearing on whether to designate
52 any additional location in such municipality for the conduct of early
53 voting, which hearing shall be held not later than fifteen days prior to
54 the time for designating any such location set forth in subdivision (1) of
55 this subsection. The legislative body shall properly notice such public
56 hearing not later than ten days prior to such public hearing in a
57 newspaper having general circulation in such municipality and on the
58 Internet web site of the municipality. Not later than three days after the
59 conclusion of such public hearing, the legislative body shall determine
60 whether to designate any such additional location and shall notify the
61 Secretary of the State of such determination. If the legislative body
62 determines that any such additional location be designated, the
63 provisions of subdivision (1) of this subsection shall apply to any such
64 additional location. If the legislative body determines that no additional
65 location be designated, such legislative body shall include in such
66 notification to the Secretary a detailed explanation for such
67 determination. The Secretary shall take no action on any such
68 notification other than to preserve such notification as a public record
69 open to public inspection. For the purposes of this subdivision,
70 "population" means the estimated number of people according to the
71 most recent version of the State Register and Manual prepared pursuant
72 to section 3-90 of the general statutes.

73 (3) The registrars of voters shall appoint, for each day on which early
74 voting is conducted, a moderator and such other election or primary
75 officials to serve at each location designated for such conduct. The
76 moderator so appointed shall perform any duty required, and may
77 exercise any power authorized, under title 9 of the general statutes
78 related to such location. The registrars of voters may delegate to each
79 other election or primary official so appointed any of the responsibilities
80 assigned to the registrars of voters. The registrars of voters shall
81 supervise each such official and train each such official to be an early
82 voting election or primary official.

83 (c) Any elector who wishes to vote during a period of early voting at
84 an election or primary, and is eligible to so vote at such election or
85 primary, shall (1) appear in person at such times as provided in
86 subsection (c) of section 9-174 of the general statutes, as amended by this
87 act, at the location designated by the registrars of voters for early voting,
88 (2) identify such elector as required by subsection (a) of section 9-261 of
89 the general statutes, and (3) declare under oath that such elector has not
90 previously voted in such election or primary, as provided in subsection
91 (e) of this section.

92 (d) If the registrars of voters determine that an elector is eligible to
93 vote in the election or primary, the registrars of voters shall check the
94 state-wide centralized voter registration system before allowing such
95 elector to cast an early voting ballot as provided in subsection (e) of this
96 section.

97 (1) If the registrars of voters determine that the elector has not already
98 voted, or if there is no report that the elector has already voted, the
99 registrars shall allow such elector to vote.

100 (2) If the registrars of voters believe that the elector may have already
101 voted, such matter shall be reviewed by the registrars of voters. After
102 completion of such review, if a resolution of the matter cannot be made
103 and such elector claims to have neither in fact voted nor offered to vote
104 in person or by absentee ballot, such elector may request a challenged
105 ballot in accordance with section 9-232d of the general statutes and may
106 cast such challenged ballot in accordance with section 9-232e of the
107 general statutes. Such matter shall be reported to the State Elections
108 Enforcement Commission, which shall conduct an investigation of the
109 matter.

110 (e) If the elector is allowed to vote, the registrars of voters shall
111 provide such elector with an early voting ballot and early voting
112 envelope and shall make a record of such issuance. The elector shall
113 complete an affirmation printed upon the back of the early voting
114 envelope and shall declare under oath that the voter has not previously

115 voted in the election or primary. The affirmation shall be in the form
116 substantially as follows and signed by the voter:

117 AFFIRMATION: I, the undersigned, do hereby state, under penalty
118 of false statement (perjury), that:

119 1. I am the elector appearing in person to vote at an election or
120 primary prior to the day of such election or primary.

121 2. I am eligible to vote in the election or primary indicated for today.

122 3. I have identified myself to the satisfaction of the registrars of voters.

123 4. I have not voted in person or by absentee ballot and I will not vote
124 otherwise than by this ballot at this election or primary.

125 5. I have received an early voting ballot for the purpose of so voting.

126 (Signature of voter)

127 (f) The elector shall forthwith mark the early voting ballot in the
128 presence of the registrars of voters in such a manner that the registrars
129 of voters shall not know how the early voting ballot is marked. The
130 elector shall place the early voting ballot in the early voting ballot
131 envelope provided and deposit such envelope in a secured early voting
132 ballot depository receptacle. At the conclusion of each day during the
133 early voting period, the registrars of voters shall transport such
134 receptacle containing such day's early voting ballots to the municipal
135 clerk, who shall retain and securely store such ballots in as near a
136 manner as possible to that for the retention and secure storage of
137 absentee ballots, as provided in subsection (g) of this section, except
138 that, if such manner is not practicable, then such early voting ballots
139 shall be retained and securely stored as provided in an alternate plan
140 submitted by the registrars of voters to the Secretary of the State and
141 approved by the Secretary. On the day of the election or primary, the
142 early voting ballots shall be delivered to the registrars of voters for the
143 purpose of counting such ballots. A section of the head moderator's
144 return shall show the number of early voting ballots received from

145 electors. The registrars of voters shall seal a copy of the vote tally for
146 early voting ballots in a depository envelope with the early voting
147 ballots and store such early voting depository envelope with the other
148 election or primary results materials. The early voting depository
149 envelope shall be preserved by the registrars of voters for the period of
150 time required to preserve counted ballots for elections or primaries.

151 (g) Except as provided in section 2 of this act, the provisions of title 9
152 of the general statutes and any regulation adopted under said title
153 concerning procedures relating to the custody, control and counting of
154 absentee ballots shall apply, as nearly as possible, to the custody, control
155 and counting of early voting ballots under this section.

156 (h) (1) Except as provided in subdivision (2) of this subsection, no
157 person shall solicit on behalf of or in opposition to any candidate or on
158 behalf of or in opposition to any question being submitted at the election
159 or primary, or loiter or peddle or offer any advertising matter, ballot or
160 circular to another person within a radius of seventy-five feet of any
161 outside entrance in use as an entry to any location designated by the
162 registrars of voters for early voting or in any corridor, passageway or
163 other approach leading from any such outside entrance to any such
164 location or in any room opening upon any such corridor, passageway
165 or approach.

166 (2) A person, including any candidate or any campaign or party
167 employee or volunteer, may be within such radius of seventy-five feet
168 (A) only for purposes related to the performance of such person's official
169 duties or to the conduct of government business within such radius, and
170 (B) only for as long as necessary to perform such duties or conduct such
171 business.

172 (i) The provisions of subsections (a) to (h), inclusive, of this section
173 shall not apply to any primary held for the purpose of choosing town
174 committee members."