



General Assembly

**Amendment**

January Session, 2023

LCO No. 7399



Offered by:

REP. CANDELORA V., 86<sup>th</sup> Dist.

REP. PERILLO J., 113<sup>th</sup> Dist.

REP. O'DEA, 125<sup>th</sup> Dist.

REP. PISCOPO, 76<sup>th</sup> Dist.

REP. RUTIGLIANO, 123<sup>rd</sup> Dist.

REP. ZUPKUS, 89<sup>th</sup> Dist.

REP. ACKERT, 8<sup>th</sup> 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) (1) Any eligible elector  
4 may vote prior to the day of a regular election or primary, in accordance  
5 with the provisions of this section, during a period of early voting at  
6 each regular election and each primary held on or after January 1, 2024.  
7 Such period of early voting shall (A) notwithstanding the provisions of  
8 section 9-2 of the general statutes, commence on the eleventh day prior  
9 to and conclude on the second day prior to such regular election or  
10 primary, and (B) consist of ten total days, at such times as provided in  
11 subdivision (1) of subsection (c) of section 9-174 of the general statutes,  
12 as amended by this act.

13 (2) Any eligible elector may vote prior to the day of a special election,  
14 in accordance with the provisions of this section, during a period of  
15 early voting at each such special election held on or after January 1, 2024.  
16 Such period of early voting shall (A) notwithstanding the provisions of  
17 section 9-2 of the general statutes, commence on the fifth day prior to  
18 and conclude on the second day prior to such special election, and (B)  
19 consist of four total days, at such times as provided in subdivision (2) of  
20 subsection (c) of section 9-174 of the general statutes, as amended by this  
21 act.

22 (b) (1) The registrars of voters of each municipality shall designate a  
23 location for the conduct of early voting, which location shall be the same  
24 for the duration of the period of early voting except as otherwise  
25 specified in this subdivision, provided (A) the registrars of voters have  
26 access to the state-wide centralized voter registration system from such  
27 location, and (B) such location is certified in writing to the Secretary of  
28 the State not later than one hundred twenty days prior to the day of a  
29 regular election or primary, or not later than twenty days prior to the  
30 day of a special election. The written certification under subparagraph  
31 (B) of this subdivision shall provide (i) the name, street address and  
32 relevant contact information associated with such location, (ii) the  
33 number of election or primary officials who shall be appointed by the  
34 registrars of voters to serve at such location and the roles of such  
35 officials, and (iii) a description of the design of such location and a plan  
36 for effective conduct of such early voting. The Secretary shall approve  
37 or disapprove such written certification not later than ninety days prior  
38 to the day of a regular election or primary, or not later than fifteen days  
39 prior to the day of a special election. If the Secretary disapproves such  
40 certification, the Secretary shall provide, in writing, the reasons for such  
41 disapproval and shall issue an order for such corrective action as the  
42 Secretary deems necessary, including, but not limited to, the  
43 appointment of additional election or primary officials or the alteration  
44 of such design or plan. After having received approval of such  
45 certification or having complied with any order for corrective action to  
46 the Secretary's satisfaction, as applicable, the registrars of voters shall

47 determine the site of such location designated for the conduct of early  
48 voting at least thirty-one days prior to a regular election or primary, or  
49 at least eleven days prior to a special election. Such location shall not be  
50 changed within such period, except, if the municipal clerk and registrars  
51 of voters unanimously find that such location has been rendered  
52 unusable within such period, such clerk and registrars shall forthwith  
53 designate another location for the conduct of early voting to be used in  
54 place of the location so rendered unusable and shall give adequate  
55 notice that such location has been so changed. The provisions of sections  
56 9-168d and 9-168e of the general statutes shall apply to such location  
57 designated for the conduct of early voting.

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

78 (3) The registrars of voters may delegate to each election or primary  
79 official appointed pursuant to subdivision (1) of this subsection any of  
80 the responsibilities assigned to the registrars of voters. The registrars of

81 voters shall supervise each such official and train each such official to be  
82 an early 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 determine that the elector has already  
101 voted, such elector shall not be allowed to vote and such matter shall be  
102 reviewed by the registrars of voters. After completion of such review, if  
103 a resolution of the matter cannot be made, such matter shall be reported  
104 to the State Elections Enforcement Commission, which shall conduct an  
105 investigation of the matter.

106 (e) If the elector is allowed to vote, the registrars of voters shall  
107 provide such elector with an early voting ballot and early voting  
108 envelope and shall make a record of such issuance. The elector shall  
109 complete an affirmation printed upon the back of the early voting  
110 envelope and shall declare under oath that the elector has not previously  
111 voted in the election. The affirmation shall be in the form substantially  
112 as follows and signed by the elector:

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

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

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

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

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

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

122 .... (Signature of voter)

123 (f) The elector shall forthwith mark the early voting ballot in the  
124 presence of the registrars of voters in such a manner that the registrars  
125 of voters shall not know how the early voting ballot is marked. The  
126 elector shall place the early voting ballot in the early voting ballot  
127 envelope provided and deposit such envelope in a secured early voting  
128 ballot depository receptacle. At the conclusion of each day during the  
129 early voting period, the registrars of voters shall transport such  
130 receptacle containing such day's early voting ballots to the municipal  
131 clerk, who shall retain such ballots, if necessary, in the fire-resistive  
132 vault or safe provided for in section 7-27 of the general statutes, until  
133 delivery of such ballots to the registrars of voters on the day of the  
134 election or primary for the purpose of counting such ballots. A section  
135 of the head moderator's return shall show the number of early voting  
136 ballots received from electors. The registrars of voters shall seal a copy  
137 of the vote tally for early voting ballots in a depository envelope with  
138 the early voting ballots and store such early voting depository envelope  
139 with the other election or primary results materials. The early voting  
140 depository envelope shall be preserved by the registrars of voters for the  
141 period of time required to preserve counted ballots for elections or  
142 primaries.

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

148 (h) No person shall solicit on behalf of or in opposition to any  
149 candidate or on behalf of or in opposition to any question being  
150 submitted at the election or primary, or loiter or peddle or offer any  
151 advertising matter, ballot or circular to another person within a radius  
152 of seventy-five feet of any outside entrance in use as an entry to any  
153 location designated by the registrars of voters for early voting or in any  
154 corridor, passageway or other approach leading from any such outside  
155 entrance to any such location or in any room opening upon any such  
156 corridor, passageway or approach.

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