



# Working Draft

General Assembly

**Bill No.**

February Session, 2020

LCO No. 3576

Referred to Committee on

Introduced by:

***AN ACT CONCERNING ABSENTEE VOTING AT THE 2020 STATE ELECTION AND ELECTION DAY REGISTRATION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-135 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Any elector eligible to vote at a primary or an election and any  
4 person eligible to vote at a referendum may vote by absentee ballot if  
5 [he or she] such elector or person is unable to appear at [his or her] such  
6 elector's or person's polling place during the hours of voting for any of  
7 the following reasons: (1) [His or her] such elector's or person's active  
8 service with the armed forces of the United States; (2) [his or her] such  
9 elector's or person's absence from the town of [his or her] such elector's  
10 or person's voting residence during all of the hours of voting; (3) [his or  
11 her] such elector's or person's illness; (4) [his or her] such elector's or  
12 person's physical disability; (5) the tenets of [his or her] such elector's or  
13 person's religion forbid secular activity on the day of the primary,  
14 election or referendum; [or] (6) the required performance of [his or her]  
15 such elector's or person's duties as a primary, election or referendum

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16 official, including as a town clerk or registrar of voters or as staff of the  
17 clerk or registrar, at a polling place other than [his or her] such elector's  
18 or person's own during all of the hours of voting at such primary,  
19 election or referendum; or (7) for the state election in 2020, the sickness  
20 of COVID-19. As used in this section, "COVID-19" means the respiratory  
21 disease designated by the World Health Organization on February 11,  
22 2020, as coronavirus 2019, and any related mutation thereof recognized  
23 by said organization as a communicable respiratory disease.

24 (b) No person shall misrepresent the eligibility requirements for  
25 voting by absentee ballot prescribed in subsection (a) of this section, to  
26 any elector or prospective absentee ballot applicant.

27 Sec. 2. Section 9-137 of the general statutes is repealed and the  
28 following is substituted in lieu thereof (*Effective from passage*):

29 (a) Each absentee ballot shall be returned to the municipal clerk,  
30 inserted in an inner envelope which shall be capable of being sealed and  
31 which shall have printed on its face a form containing the following  
32 statements:

33 "I hereby state under the penalties of false statement in absentee  
34 balloting that I am eligible to vote at the primary, election or referendum  
35 in the municipality in which this absentee ballot is to be cast and that I  
36 expect to be unable to appear at my polling place during the hours of  
37 voting at such primary, election or referendum for one or more of the  
38 following reasons: (1) My active service in the armed forces; (2) my  
39 absence from the town in which I am eligible to vote during all of the  
40 hours of voting; (3) my illness or physical disability; (4) the tenets of my  
41 religion which forbid secular activity on the day of the primary, election  
42 or referendum; or (5) my duties as a primary, election or referendum  
43 official.

44 Date ....

45 .... (Signature)"

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46 (b) Notwithstanding the provisions of subsection (a) of this section,  
47 for the state election in 2020, each inner envelope in which an absentee  
48 ballot is returned to the municipal clerk shall have printed on its face a  
49 form containing the following statements:

50 "I hereby state under the penalties of false statement in absentee  
51 balloting that I am eligible to vote at the primary, election or referendum  
52 in the municipality in which this absentee ballot is to be cast and that I  
53 expect to be unable to appear at my polling place during the hours of  
54 voting at such primary, election or referendum for one or more of the  
55 following reasons: (1) My active service in the armed forces; (2) my  
56 absence from the town in which I am eligible to vote during all of the  
57 hours of voting; (3) my illness or physical disability; (4) the tenets of my  
58 religion which forbid secular activity on the day of the primary, election  
59 or referendum; (5) my duties as a primary, election or referendum  
60 official; or (6) the sickness of COVID-19.

61 Date ....

62 .... (Signature)"

63 Sec. 3. Section 9-139b of the general statutes is repealed and the  
64 following is substituted in lieu thereof (*Effective from passage*):

65 (a) The Secretary of the State may make any changes in any forms  
66 prescribed by this chapter which, in the opinion of [said secretary] the  
67 Secretary, are necessary to conform to the applicable provisions of  
68 federal law.

69 (b) For the state election in 2020, the Secretary of the State may make  
70 any changes in any forms prescribed by this chapter or in any printed,  
71 recorded or electronic material issued pursuant to this chapter which, in  
72 the opinion of the Secretary, are necessary to conform to the applicable  
73 provisions of law.

74 Sec. 4. Subsection (g) of section 9-140 of the general statutes is

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75 repealed and the following is substituted in lieu thereof (*Effective from*  
76 *passage*):

77 (g) (1) On the first day of issuance of absentee voting sets, the  
78 municipal clerk shall mail an absentee voting set to each applicant  
79 whose application was received by the clerk prior to that day. When the  
80 clerk receives an application during the time period in which absentee  
81 voting sets are to be issued he shall mail an absentee voting set to the  
82 applicant, within twenty-four hours, unless the applicant submits his  
83 application in person at the office of the clerk and asks to be given his  
84 absentee voting set immediately, in which case the clerk shall comply  
85 with the request. Any absentee voting set to be mailed to an applicant  
86 shall be mailed to the bona fide personal mailing address shown on the  
87 application. Issuance of absentee voting sets shall also be subject to the  
88 provisions of subsection (c) of this section, section 9-150c and section 9-  
89 159q concerning persons designated to deliver or return ballots in cases  
90 involving unforeseen illness or disability and supervised voting at  
91 certain health care institutions.

92 (2) Notwithstanding the provisions of subdivision (1) of this  
93 subsection, for the state election in 2020, each absentee voting set  
94 required to be mailed under said subdivision to an applicant by the  
95 municipal clerk may be mailed by a third-party mailing vendor  
96 approved and selected by the Secretary of the State for use by the clerk  
97 for such purpose.

98 Sec. 5. Subsection (c) of section 9-140b of the general statutes is  
99 repealed and the following is substituted in lieu thereof (*Effective from*  
100 *passage*):

101 (c) (1) For purposes of this section, "mailed" means (A) sent by the  
102 United States Postal Service or any commercial carrier, courier or  
103 messenger service recognized and approved by the Secretary of the  
104 State, or (B) for the state election in 2020, deposited in a secure drop box  
105 designated by the municipal clerk for such purpose, in accordance with

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106 instructions prescribed by the Secretary.

107 (2) In the case of absentee ballots mailed under subparagraph (B) of  
108 subdivision (1) of this subsection, beginning on the twenty-ninth day  
109 before the state election in 2020 and on each weekday thereafter until  
110 the close of the polls, the municipal clerk shall (A) retrieve from the  
111 secure drop box described in said subparagraph each such ballot  
112 deposited in such drop box, and (B) if the drop box is located outside a  
113 building other than the building where the clerk's office is located,  
114 arrange for the clerk or the clerk's designee to be escorted by a police  
115 officer during such retrieval.

116 Sec. 6. Section 9-19j of the general statutes is repealed and the  
117 following is substituted in lieu thereof (*Effective from passage*):

118 (a) As used in this subsection and subsections (b) to (i), inclusive, of  
119 this section, "election day" means the day on which a regular election,  
120 as defined in section 9-1, is held.

121 (b) Notwithstanding the provisions of this chapter, a person who (1)  
122 is (A) not an elector, or (B) an elector registered in a municipality who  
123 wishes to change [his or her] such elector's registration to another  
124 municipality pursuant to the provisions of subdivision (2) of subsection  
125 (e) of this section, and (2) meets the eligibility requirements under  
126 subsection (a) of section 9-12, may apply for admission as an elector on  
127 election day pursuant to the provisions of subsections (a) to (i),  
128 inclusive, of this section.

129 (c) (1) The registrars of voters shall designate a location for the  
130 completion and processing of election day registration applications on  
131 election day, provided (A) the registrars of voters shall have access to  
132 the state-wide centralized voter registration system from such location,  
133 and (B) such location shall be certified in writing to the Secretary of the  
134 State not later than thirty-one days before election day. The written  
135 certification under subparagraph (B) of this subdivision shall (i) include  
136 the name, street address and relevant contact information associated

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137 with such location, (ii) list the name and address of each election official  
138 appointed to serve at such location, if any, and (iii) provide a description  
139 of the design of such location and a plan for effective completion and  
140 processing of such applications. Upon review of such written  
141 certification, the Secretary may require the registrars of voters to  
142 appoint one or more additional election officials or alter such design or  
143 plan.

144 (2) The registrars of voters may apply to the Secretary of the State not  
145 later than ninety days before election day, in a form and manner  
146 prescribed by the Secretary, to designate any additional location for the  
147 completion and processing of election day registration applications on  
148 election day. Upon approval of the application by the Secretary, the  
149 registrars of voters may so designate any such additional location.

150 [(2)] (3) The registrars of voters may [appoint one or more election  
151 officials to serve at such location and may delegate to such election  
152 officials] delegate to each election official appointed pursuant to  
153 subdivision (1) of this subsection, if any, any of the responsibilities  
154 assigned to the registrars of voters. The registrars of voters shall  
155 supervise each such election [officials] official and train each such  
156 election [officials] official to be an election day registration election  
157 [officials] official.

158 (d) Any person applying to register on election day under the  
159 provisions of subsections (a) to (i), inclusive, of this section shall make  
160 application in accordance with the provisions of section 9-20, provided  
161 (1) on election day, the applicant shall appear in person not later than  
162 eight o'clock p.m., in accordance with subsection (b) of section 9-174, at  
163 the location designated by the registrars of voters for election day  
164 registration, (2) an applicant who is a student enrolled at an institution  
165 of higher education may submit a current photo identification card  
166 issued by [said] such institution in lieu of the identification required by  
167 section 9-20, and (3) the applicant shall declare under oath that the  
168 applicant has not previously voted in the election. If the information that

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169 the applicant is required to provide under section 9-20 and subsections  
170 (a) to (i), inclusive, of this section does not include proof of the  
171 applicant's residential address, the applicant shall also submit  
172 identification that shows the applicant's bona fide residence address,  
173 including, but not limited to, a learner's permit issued under section 14-  
174 36 or a utility bill that has the applicant's name and current address and  
175 that has a due date that is not later than thirty days after the election or,  
176 in the case of a student enrolled at an institution of higher education, a  
177 registration or fee statement from such institution that has the  
178 applicant's name and current address.

179 (e) If the registrars of voters determine that an applicant satisfies the  
180 application requirements set forth in subsection (d) of this section, the  
181 registrars of voters shall check the state-wide centralized voter  
182 registration system before admitting such applicant as an elector.

183 (1) If the registrars of voters determine that the applicant is not  
184 already an elector, the registrars of voters shall admit the applicant as  
185 an elector and the privileges of an elector shall attach immediately.

186 (2) If the registrars of voters determine that such applicant is an  
187 elector in another municipality and such applicant states that he or she  
188 wants to change the municipality in which the applicant is an elector,  
189 notwithstanding the provisions of section 9-21, the registrars of voters  
190 of the municipality in which such elector now seeks to register shall  
191 immediately notify the registrars of voters in such other municipality  
192 that such elector is changing the municipality in which the applicant is  
193 an elector. The registrars of voters in such other municipality shall notify  
194 the election officials in such municipality to remove such elector from  
195 the official voter list of such municipality. Such election officials shall  
196 cross through the elector's name on such official voter list and mark "off"  
197 next to such elector's name on such official voter list.

198 (A) If it is reported that such applicant already voted in such other  
199 municipality, the registrars of voters of such other municipality shall

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200 immediately notify the registrars of voters of the municipality in which  
201 such elector now seeks to register. In such event, such elector shall not  
202 receive an election day registration ballot from the registrars of voters  
203 of the municipality in which such elector now seeks to register. For any  
204 such elector, the election day registration process shall cease in the  
205 municipality in which such elector now seeks to register and such  
206 matter shall be reviewed by the registrars of voters in the municipality  
207 in which such elector now seeks to register. After completion of such  
208 review, if a resolution of the matter can not be made, such matter shall  
209 be reported to the State Elections Enforcement Commission which shall  
210 conduct an investigation of the matter.

211 (B) If there is no such report that such applicant already voted in the  
212 other municipality, the registrars of voters of the municipality in which  
213 the applicant seeks to register shall admit the applicant as an elector and  
214 the privileges of an elector shall attach immediately.

215 (f) If the applicant is admitted as an elector, the registrars of voters  
216 shall provide the elector with an election day registration ballot and  
217 election day registration envelope and shall make a record of such  
218 issuance. The elector shall complete an affirmation imprinted upon the  
219 back of the envelope for an election day registration ballot and shall  
220 declare under oath that the applicant has not previously voted in the  
221 election. The affirmation shall be in the form substantially as follows and  
222 signed by the voter:

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

- 225 1. I am the person admitted here as an elector in the town indicated.
- 226 2. I am eligible to vote in the election indicated for today in the town  
227 indicated.
- 228 3. The information on my voter registration card is correct and  
229 complete.



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230 4. I reside at the address that I have given to the registrars of voters.

231 5. If previously registered at another location, I have provided such  
232 address to the registrars of voters and hereby request cancellation of  
233 such prior registration.

234 6. I have not voted in person or by absentee ballot and I will not vote  
235 otherwise than by this ballot at this election.

236 7. I completed an application for an election day registration ballot  
237 and received an election day registration ballot.

238 .... (Signature of voter)

239 (g) The elector shall forthwith mark the election day registration  
240 ballot in the presence of the registrars of voters in such a manner that  
241 the registrars of voters shall not know how the election day registration  
242 ballot is marked. The elector shall place the election day registration  
243 ballot in the election day registration ballot envelope provided, and  
244 deposit such envelope in a secured election day registration ballot  
245 depository receptacle. At the time designated by the registrars of voters  
246 and noticed to election officials, the registrars of voters shall transport  
247 such receptacle containing the election day registration ballots to the  
248 central location or polling place, pursuant to subsection (b) of section 9-  
249 147a, where absentee ballots are counted and such election day  
250 registration ballots shall be counted by the election officials present at  
251 such central location or polling place. A section of the head moderator's  
252 return shall show the number of election day registration ballots  
253 received from electors. The registrars of voters shall seal a copy of the  
254 vote tally for election day registration ballots in a depository envelope  
255 with the election day registration ballots and store such election day  
256 registration depository envelope with the other election results  
257 materials. The election day registration depository envelope shall be  
258 preserved by the registrars of voters for the period of time required to  
259 preserve counted ballots for elections.

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260 (h) The provisions of the general statutes and regulations concerning  
261 procedures relating to the custody, control and counting of absentee  
262 ballots shall apply as nearly as possible, to the custody, control and  
263 counting of election day registration ballots under subsections (a) to (i),  
264 inclusive, of this section.

265 (i) After the acceptance of an election day registration, the registrars  
266 of voters shall forthwith send a registration confirmation notice to the  
267 residential address of each applicant who is admitted as an elector on  
268 election day under subsections (a) to (i), inclusive, of this section. Such  
269 confirmation shall be sent by first class mail with instructions on the  
270 envelope that it be returned if not deliverable at the address shown on  
271 the envelope. If a confirmation notice is returned undelivered, the  
272 registrars shall forthwith take the necessary action in accordance with  
273 section 9-35 or 9-43, as applicable, notwithstanding the May first  
274 deadline in section 9-35.

275 (j) No person shall solicit in behalf of or in opposition to the candidacy  
276 of another or himself or herself or in behalf of or in opposition to any  
277 question being submitted at the election, or loiter or peddle or offer any  
278 advertising matter, ballot or circular to another person within a radius  
279 of seventy-five feet of any outside entrance in use as an entry to any  
280 location designated by the [registrars' of voters designated location]  
281 registrars of voters for election day registration balloting or in any  
282 corridor, passageway or other approach leading from any such outside  
283 entrance to any such [registrars' of voters designated] location or in any  
284 room opening upon any such corridor, passageway or approach.

285 Sec. 7. Section 9-174 of the general statutes is repealed and the  
286 following is substituted in lieu thereof (*Effective from passage*):

287 (a) Notwithstanding the provisions of any general statute, special act  
288 or municipal charter, [to the contrary,] at any regular election, or at any  
289 special election held to fill a vacancy in a state, district or municipal  
290 office, the polls shall remain open for voting from six o'clock a.m. until

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291 eight o'clock p.m. No elector shall be permitted to cast [his] such  
292 elector's vote after the hour prescribed for the closing of the polls in any  
293 election unless such elector is in line at eight o'clock p.m. An election  
294 official or a police [official] officer of the municipality, who is designated  
295 by the moderator, shall be placed at the end of the line at eight o'clock  
296 p.m. Such official or officer shall not allow any electors who were not in  
297 such line at eight o'clock p.m. to enter such line.

298 (b) Notwithstanding the provisions of any general statute, special act  
299 or municipal charter, at any regular election, each location designated  
300 for election day registration pursuant to subsection (c) of section 9-19j  
301 shall remain open for election day registration and voting from six  
302 o'clock a.m. until eight o'clock p.m. No applicant for election day  
303 registration shall be admitted as an elector or permitted to cast such  
304 applicant's vote after the hour prescribed for the closing of the location  
305 designated for such purposes in any regular election unless such  
306 applicant is in line at eight o'clock p.m. An election official or a police  
307 officer of the municipality, who is appointed by the registrars of voters,  
308 shall be placed at the end of the line at eight o'clock p.m. Such official or  
309 officer shall not allow any applicants who were not in such line at eight  
310 o'clock p.m. to enter such line.

311 Sec. 8. Section 9-159r of the general statutes is repealed and the  
312 following is substituted in lieu thereof (*Effective from passage*):

313 (a) Notwithstanding any provision of the general statutes to the  
314 contrary, if twenty or more of the patients in any institution in the state  
315 are electors, absentee ballots voted by such electors shall be voted under  
316 the supervision of the registrars of voters or their designees of the town  
317 in which the institution is located, in accordance with the provisions of  
318 this section. As used in this section, [the term "institution" shall be  
319 construed as defined] "institution" has the same meaning as provided in  
320 section 9-159q.

321 (b) Application for an absentee ballot for any such patient shall be

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322 made to the clerk of the town in which such patient is eligible to vote.  
323 The application procedure set forth in section 9-140 shall apply, except  
324 that the clerk shall deliver the absentee voting set for any such  
325 application to the clerk of the town in which the institution is located,  
326 who shall deliver all such voting sets he receives to the registrars of such  
327 town, on the date when the supervision of absentee balloting is to occur.  
328 The ballots and envelopes shall be prepared for delivery to the applicant  
329 as provided in sections 9-137 to 9-140a, inclusive. The registrars or their  
330 designees shall furnish the town clerk a written receipt for such ballots.  
331 The registrars of the town in which an institution is located and the  
332 administrator of the institution shall mutually agree on a date and time  
333 for such supervision of absentee balloting, which shall be not later than  
334 the last business day before the election or primary.

335 (c) The supervision of absentee balloting under this section shall be  
336 carried out in accordance with the provisions of subsections (g), (h), (i)  
337 and (k) of section 9-159q.

338 (d) Notwithstanding the provisions of subsections (a) to (c), inclusive,  
339 of this section, for the state election in 2020, the Secretary of the State  
340 may waive any requirement under said subsections, provided the  
341 Secretary has (1) consulted with the Commissioner of Public Health or  
342 said commissioner's designee regarding such waiver, and (2) given  
343 written notice to the town clerk and registrars of voters in each  
344 municipality.

345 Sec. 9. Section 9-307 of the general statutes is repealed and the  
346 following is substituted in lieu thereof (*Effective from passage*):

347 (a) Immediately after the polls are closed, the official checker or  
348 checkers, appointed under the provisions of section 9-234, shall make  
349 and deliver to the moderator a certificate stating the whole number of  
350 names on the registry list or enrollment list including, if applicable,  
351 unaffiliated electors authorized under section 9-431 to vote in the  
352 primary, and the number checked as having voted in that election or

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353 primary. For the purpose of computing the whole number of names on  
354 the registry list, the lists of persons who have applied for presidential or  
355 overseas ballots prepared in accordance with section 9-158h shall be  
356 included. If a paper registry list is used, the registrars or assistant  
357 registrars, as the case may be, shall write and sign with ink, on the list  
358 or lists so used and checked, a certificate of the whole number of names  
359 registered on the list eligible to vote in the election or primary and the  
360 number checked as having voted in that election or primary, and  
361 deposit it in the office of the municipal clerk not later than forty-eight  
362 hours after the close of the polls. If an electronic version of the registry  
363 list is used, the electronic device upon which such list is stored shall be  
364 returned to the registrars of voters who shall cause the electronic  
365 registry list to be printed. Such printed list shall be signed by each  
366 registrar, who shall deposit such list in the office of the municipal clerk  
367 not later than forty-eight hours after the close of the polls. The municipal  
368 clerk shall carefully preserve the paper registry list or printed electronic  
369 registry list, as applicable, on file, with the marks on it without  
370 alteration, for public inspection, and shall immediately enter a certified  
371 copy of such certificate on the town records. Subject to the provisions of  
372 section 7-109, the municipal clerk may destroy any voting checklist four  
373 years after the date upon which it was used. The moderator shall place  
374 the certificate which the moderator received from the official checker or  
375 checkers in the office of the municipal clerk not later than forty-eight  
376 hours after the close of the polls.

377 (b) Notwithstanding the provisions of subsection (a) of this section,  
378 for the state election in 2020, any certificate or list required under said  
379 subsection to be deposited or placed in the office of the municipal clerk  
380 shall be so deposited or placed not later than ninety-six hours after the  
381 close of the polls.

382 Sec. 10. Section 9-309 of the general statutes is repealed and the  
383 following is substituted in lieu thereof (*Effective from passage*):

384 (a) Upon the close of the polls, the moderator, in the presence of the

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385 other election officials, shall immediately lock the voting tabulator  
386 against voting and immediately cause the vote totals for all candidates  
387 and questions to be produced. The moderator shall, in the order of the  
388 offices as their titles are arranged on the ballot, read and announce in  
389 distinct tones the result as shown, giving the number indicated and  
390 indicating the candidate to whom such total belongs, and shall read the  
391 votes recorded for each office on the ballot. The moderator shall also, in  
392 the same manner, announce the vote on each constitutional amendment,  
393 proposition or other question voted on. The vote so announced by the  
394 moderator shall be taken down by each checker and recorded on the  
395 tally sheets. Each checker shall record the number of votes received for  
396 each candidate on the ballot and also the number received by each  
397 person for whom write-in ballots were cast. The moderator shall make  
398 a preliminary list from the vote totals produced by the tabulators and  
399 shall prepare such preliminary list for transmission to the Secretary of  
400 the State pursuant to section 9-314. After such preliminary list has been  
401 transmitted to the Secretary of the State, the canvass may be temporarily  
402 interrupted, during which time the moderator shall (1) return the keys  
403 for all tabulators to the registrars of voters, (2) seal the tabulators against  
404 voting or being tampered with, (3) prepare and seal individual  
405 envelopes for all (A) write-in ballots, (B) absentee ballots, (C)  
406 moderators' returns, and (D) other notes, worksheets or written  
407 materials used at the election, and (4) store all such tabulators and  
408 envelopes in a secure place or places directed by the registrars of voters.  
409 At the end of such temporary interruption, the moderator shall receive  
410 such keys from the registrars and shall take possession of and break the  
411 seal on all such tabulators and envelopes for the purpose of completing  
412 the canvass. The result totals shall remain in full public view until the  
413 statement of canvass and all other reports have been fully completed  
414 and signed by the moderator, checkers and registrars, or assistant  
415 registrars, as the case may be. Any other remaining result of the votes  
416 cast shall be publicly announced by the moderator not later than forty-  
417 eight hours after the close of the polls. Such public announcement shall  
418 consist of reading both the name of each candidate, with the designating

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419 number and letter on the ballot and the absentee vote as furnished to the  
420 moderator by the absentee ballot counters, and also the vote cast for and  
421 against each question submitted. While such announcement is being  
422 made, ample opportunity shall be given to any person lawfully present  
423 to compare the results so announced with the result totals provided by  
424 the tabulator and any necessary corrections shall then and there be made  
425 by the moderator, checkers and registrars or assistant registrars, after  
426 which the compartments of the voting tabulator shall be closed and  
427 locked. In canvassing, recording and announcing the result, the election  
428 officials shall be guided by any instructions furnished by the Secretary  
429 of the State.

430 (b) Notwithstanding the provisions of subsection (a) of this section,  
431 for the state election in 2020, any other result of the votes cast required  
432 under said subsection to be publicly announced by the moderator shall  
433 be so announced not later than ninety-six hours after the close of the  
434 polls.

435 Sec. 11. Section 9-311 of the general statutes is repealed and the  
436 following is substituted in lieu thereof (*Effective from passage*):

437 (a) (1) If, within three days after an election, it appears to the  
438 moderator that there is a discrepancy in the returns of any voting  
439 district, such moderator shall forthwith within said period summon, by  
440 written notice delivered personally, the recanvass officials, consisting of  
441 at least two checkers of different political parties and at least two  
442 absentee ballot counters of different political parties who served at such  
443 election, and the registrars of voters of the municipality in which the  
444 election was held and such other officials as may be required to conduct  
445 such recanvass. Such written notice shall require the clerk or registrars  
446 of voters, as the case may be, to bring with them the depository  
447 envelopes required by section 9-150a, the package of write-in ballots  
448 provided for in section 9-310, the absentee ballot applications, the list of  
449 absentee ballot applications, the registry list and the moderators' returns  
450 and shall require such recanvass officials to meet at a specified time not

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451 later than the fifth business day after such election to recanvass the  
452 returns of a voting tabulator or voting tabulators or absentee ballots or  
453 write-in ballots used in such district in such election. If any of such  
454 recanvass officials are unavailable at the time of the recanvass, the  
455 registrar of voters of the same political party as that of the recanvass  
456 official unable to attend shall designate another elector having previous  
457 training and experience in the conduct of elections to take his place.  
458 Before such recanvass is made, such moderator shall give notice, in  
459 writing, to the chairman of the town committee of each political party  
460 which nominated candidates for the election, and, in the case of a state  
461 election, not later than twenty-four hours after a determination is made  
462 regarding the need for a recanvass to the Secretary of the State, of the  
463 time and place where such recanvass is to be made; and each such  
464 chairman may send representatives to be present at such recanvass.  
465 Such representatives may observe, but no one other than a recanvass  
466 official may take part in the recanvass. If any irregularity in the  
467 recanvass procedure is noted by such a representative, he shall be  
468 permitted to present evidence of such irregularity in any contest relating  
469 to the election.

470 (2) Notwithstanding the provisions of subdivision (1) of this  
471 subsection, for the state election in 2020, (A) if, within five days after the  
472 election, it appears to the moderator that there is a discrepancy in the  
473 returns of any voting district, such moderator shall forthwith within  
474 said period summon, by written notice delivered personally, the  
475 recanvass officials to conduct such recanvass in accordance with the  
476 provisions of said subdivision, and (B) such written notice shall require  
477 such recanvass officials to meet not later than the seventh business day  
478 after the election for such purpose.

479 (b) The moderator shall determine the place or places where the  
480 recanvass shall be conducted and, if such recanvass is held before the  
481 tabulators are boxed and collected in the manner required by section 9-  
482 266, the moderator may either require that such recanvass of such  
483 tabulators be conducted in each place where the tabulators are located,



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484 or he may require that they be removed to one central place, where such  
485 recanvass shall be conducted. All recanvassing procedures shall be open  
486 to public observation. Such recanvass officials shall, in the presence of  
487 such moderator and registrars of voters, make a record of the number  
488 on the seal and the number on the protective counter, if one is provided,  
489 on each voting tabulator specified by such moderator. Such registrars of  
490 voters in the presence of such moderator shall turn over the keys of each  
491 such tabulator to such recanvass officials, and such recanvass officials,  
492 in the presence of such registrars of voters and moderator, shall  
493 immediately proceed to recanvass the vote cast thereon, and shall then  
494 open the package of absentee ballots and recanvass the vote cast  
495 thereon. In the course of the recanvass of the absentee ballot vote the  
496 recanvass officials shall check all outer envelopes for absentee ballots  
497 against the inner envelopes for such ballots and against the registry list  
498 to verify postmarks, addresses and registry list markings and also to  
499 determine whether the number of envelopes from which absentee  
500 ballots have been removed is the same as the number of persons checked  
501 as having voted by absentee ballot. The write-in ballots shall also be  
502 recanvassed at this time. All of the recanvass officials shall use the same  
503 forms for tallies and returns as were used at the original canvass and the  
504 absentee ballot counters shall also sign the tallies.

505 (c) (1) The votes shall be announced and recorded in the manner  
506 prescribed in section 9-309 on return forms provided by the registrars of  
507 voters and appended thereto shall be a statement signed by the  
508 moderator indicating the time and place of the recanvass and the names,  
509 addresses, titles and party affiliations of the recanvass officials. The  
510 write-in ballots shall be replaced in a properly secured sealed package.  
511 Upon the completion of such recanvass, any tabulator used in such  
512 recanvass shall be locked and sealed, the keys thereof shall immediately  
513 be returned to such registrars of voters and such tabulator shall remain  
514 so locked until the expiration of fourteen days after such election or for  
515 such longer period as is ordered by a court of competent jurisdiction.  
516 The absentee ballots shall be replaced in their wrappers and be resealed

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517 by the moderator in the presence of the recanvass officials. Upon the  
518 completion of such recanvass, such moderator and at least two of the  
519 recanvass officials of different political parties shall forthwith prepare  
520 and sign such return forms which shall contain a written statement  
521 giving the result of such recanvass for each tabulator and each package  
522 of absentee ballots whose returns were so recanvassed, setting forth  
523 whether or not the original canvass was correctly made and stating  
524 whether or not the discrepancy still remains unaccounted for. Such  
525 return forms containing such statement shall forthwith be filed by the  
526 moderator in the office of such clerk. If such recanvass reveals that the  
527 original canvass of returns was not correctly made, such return forms  
528 containing such statement so filed with the clerk shall constitute a  
529 corrected return. In the case of a state election, a recanvass return shall  
530 be made in duplicate on a form prescribed and provided by the  
531 Secretary of the State, and the moderator shall file one copy with the  
532 Secretary of the State and one copy with the town clerk not later than  
533 ten days after the election. Such recanvass return shall be substituted for  
534 the original return and shall have the same force and effect as an original  
535 return.

536 (2) Notwithstanding the provisions of subdivision (1) of this  
537 subsection, for the state election in 2020, each copy of the recanvass  
538 return required under said subdivision to be filed by the moderator with  
539 the Secretary of the State and the town clerk shall be so filed not later  
540 than twelve days after the election.

541 (d) As used in this section, (1) "moderator" means, in the case of  
542 municipalities not divided into voting districts, the moderator of the  
543 election and, in the case of municipalities divided into voting districts,  
544 the head moderator of the election, and (2) "registrars of voters", in a  
545 municipality where there are different registrars of voters for different  
546 voting districts, means the registrars of voters in the voting district in  
547 which, at the last-preceding election, the presiding officer for the  
548 purpose of declaring the result of the vote of the whole municipality was  
549 moderator.

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550 Sec. 12. Section 9-314 of the general statutes is repealed and the  
551 following is substituted in lieu thereof (*Effective from passage*):

552 (a) As used in this subsection, "moderator" means the moderator of  
553 each state election in each town not divided into voting districts and the  
554 head moderator in each town divided into voting districts. The  
555 moderator shall make a preliminary list of the votes given for each of  
556 the following officers: Presidential electors, Governor, Lieutenant  
557 Governor, Secretary of the State, Treasurer, Comptroller, Attorney  
558 General, United States senator, representative in Congress, state  
559 senator, judge of probate, state representative and registrars of voters  
560 when said officers are to be chosen, as reported solely by the tabulator,  
561 as provided in section 9-309, in the moderator's town and shall  
562 immediately transmit such preliminary list to the Secretary of the State  
563 not later than midnight on election day. Once the preliminary list has  
564 been transmitted to the Secretary of the State, the moderator shall make  
565 a duplicate list of the votes given in the moderator's town for each of the  
566 following officers: Presidential electors, Governor, Lieutenant  
567 Governor, Secretary of the State, Treasurer, Comptroller, Attorney  
568 General, United States senator, representative in Congress, state  
569 senator, judge of probate, state representative and registrars of voters  
570 when said officers are to be chosen. Such duplicate list shall indicate the  
571 total number of names on the official check list of such town and the  
572 total number of names checked as having voted. The moderator shall  
573 transmit such duplicate list to the Secretary of the State by electronic  
574 means as prescribed by the Secretary of the State not later than forty-  
575 eight hours after the close of the polls on election day. The moderator  
576 shall also seal and deliver one of such duplicate lists to the Secretary of  
577 the State not later than the third day after the election. Any such  
578 moderator who fails to so transmit or deliver such duplicate list to the  
579 Secretary of the State by the time required shall pay a late filing fee of  
580 fifty dollars. The moderator shall also deliver one of such duplicate lists  
581 to the clerk of such town. The Secretary of the State shall enter the  
582 returns in tabular form in books kept by the Secretary for that purpose

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583 and present a printed report of the same, with the name of, and the total  
584 number of votes received by, each of the candidates for said offices, to  
585 the General Assembly at its next session.

586 (b) As used in this subsection, "moderator" means the moderator of  
587 each municipal election in each town not divided into voting districts,  
588 and the head moderator in each town divided into voting districts. The  
589 moderator shall make a preliminary list of the votes given for each  
590 municipal office elected at such municipal election, as reported solely  
591 by the tabulator, as provided in section 9-309, in the moderator's town  
592 and shall immediately transmit such preliminary list to the Secretary of  
593 the State not later than midnight on election day. Once the preliminary  
594 list has been transmitted to the Secretary of the State, the moderator  
595 shall make a duplicate list of the votes given in the moderator's town for  
596 each municipal office elected at such municipal election. Such duplicate  
597 list shall indicate the total number of names on the official check list of  
598 such town and the total number of names checked as having voted and  
599 shall be on a form prescribed by the Secretary of the State. The  
600 moderator shall transmit such duplicate list to the Secretary of the State  
601 by electronic means as prescribed by the Secretary of the State not later  
602 than forty-eight hours after the close of the polls on election day. The  
603 moderator shall also seal and deliver one of such duplicate lists to the  
604 Secretary of the State not later than the third day after the election. Any  
605 such moderator who fails to so transmit or deliver such duplicate list to  
606 the Secretary of the State by the time required shall pay a late filing fee  
607 of fifty dollars. The moderator shall also deliver one of such duplicate  
608 lists to the clerk of such town.

609 (c) Notwithstanding the provisions of subsections (a) and (b) of this  
610 section, for the state election in 2020, (1) the preliminary list required  
611 under said subsections to be transmitted to the Secretary of the State by  
612 the moderator shall be so transmitted not later than midnight two days  
613 after election day, (2) the duplicate list required under said subsections  
614 to be transmitted by electronic means to the Secretary by such  
615 moderator shall be so transmitted not later than ninety-six hours after

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616 the close of the polls on election day, and (3) the duplicate list required  
617 under said subsections to be sealed and delivered to the Secretary shall  
618 be so delivered not later than the fifth day after the election.

619 Sec. 13. Section 9-140c of the general statutes is repealed and the  
620 following is substituted in lieu thereof (*Effective from passage*):

621 (a) The municipal clerk shall retain the envelopes containing absentee  
622 ballots received by him under section 9-140b and shall not open such  
623 envelopes. The municipal clerk shall endorse over his signature, upon  
624 each outer envelope as he receives it, the date and precise time of its  
625 receipt. The clerk shall make an affidavit attesting to the accuracy of all  
626 such endorsements, and at the close of the polls shall deliver such  
627 affidavit to the head moderator, who shall endorse the time of its receipt  
628 and return it to the clerk after all counting is complete. The clerk shall  
629 preserve the affidavit for one hundred eighty days in accordance with  
630 the requirements of section 9-150b. The clerk shall keep a list of the  
631 names of the applicants who return absentee ballots to the clerk under  
632 section 9-140b. The list shall be preserved as a public record as required  
633 by section 9-150b.

634 (b) (1) [Beginning] Except as provided in subdivision (2) of this  
635 subsection, beginning not earlier than the seventh day before the  
636 election, primary or referendum and on any weekday thereafter, all  
637 absentee ballots received by the municipal clerk not later than eleven  
638 o'clock a.m. of such day may be sorted into voting districts by the  
639 municipal clerk and checked as provided in this subsection. On any  
640 such day, beginning as soon as the ballots have been sorted, the  
641 registrars of voters, without opening the outer envelopes, may check the  
642 names of the applicants returning ballots on the official checklist to be  
643 used at the election, primary or referendum by indicating "absentee" or  
644 "A" preceding each such name and, if unaffiliated electors are  
645 authorized under section 9-431 to vote in the primary of either of two  
646 parties, the designation of the party in which the applicants are voting  
647 preceding each such name. Unless absentee ballots are to be counted in

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648 the respective polling places, pursuant to subsection (b) of section 9-  
649 147a, the registrars shall also place such indication on a duplicate of the  
650 checklist to be retained by the municipal clerk until he delivers it to the  
651 registrars at twelve o'clock noon, except as provided in subparagraph  
652 (A) of subdivision (2) of subsection (e) of this section, on election,  
653 primary or referendum day for the use of the absentee ballot counters  
654 pursuant to subsection (i) of this section. All absentee ballots received  
655 not later than eleven o'clock a.m. of the last day before the election,  
656 primary or referendum which is not a Sunday or legal holiday, shall be  
657 so sorted and checked not later than such day.

658 (2) For the state election in 2020, beginning the fourteenth day before  
659 the election and on any weekday thereafter, all absentee ballots received  
660 by the municipal clerk not later than eleven o'clock a.m. of such day may  
661 be sorted into voting districts by the municipal clerk and checked as  
662 provided in said subdivision.

663 (c) If the name of the applicant returning the ballot is not on the  
664 official checklist for any polling place in such municipality, the  
665 registrars shall endorse on the face of such outer envelope the word  
666 "rejected", followed by a statement of the reasons for rejection, and the  
667 outer envelope shall not be opened or the ballot counted.

668 (d) After such checking has been completed on any such day, the  
669 municipal clerk shall seal the unopened ballots in a package and retain  
670 them in a safe place.

671 (e) (1) Except as provided in subdivision (2) of this subsection, ballots  
672 received not later than eleven o'clock a.m. on such last day before the  
673 election, primary or referendum shall be delivered by the municipal  
674 clerk to the registrars not earlier than ten o'clock a.m. and not later than  
675 twelve o'clock noon on the day of the election or primary and at twelve  
676 o'clock noon on the day of a referendum. Unless absentee ballots are to  
677 be counted in the respective polling places, pursuant to subsection (b)  
678 of section 9-147a, the municipal clerk shall also deliver to the registrars

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679 at this time the duplicate checklist provided for in subsection (b) of this  
680 section, for the use of the absentee ballot counters pursuant to  
681 subsection (i) of this section.

682 (2) (A) For the state election in 2020, ballots received not later than  
683 eleven o'clock a.m. on such last day before the election shall be delivered  
684 by the municipal clerk to the registrars at six o'clock a.m. on the day of  
685 the election.

686 ~~[(2)]~~ (B) The municipal clerk may deliver the ballots at a time that is  
687 later than the time provided in subdivision (1) of this subsection or  
688 subparagraph (A) of this subdivision, provided such time is mutually  
689 agreed upon by the municipal clerk and registrars and is not later than  
690 eight o'clock p.m. on the day of the election, primary or referendum.

691 (f) Absentee ballots timely received by the clerk after eleven o'clock  
692 a.m. of such last day before an election, primary or referendum shall be  
693 sorted into voting districts by the clerk and retained by the clerk  
694 separately until delivered to the registrars of voters for checking.

695 (g) Any or all of such ballots received after eleven o'clock a.m. of such  
696 last day before an election, primary or referendum and before six o'clock  
697 p.m. on the day of the election, primary or referendum shall, upon  
698 request of the registrars, be delivered to the registrars by the municipal  
699 clerk at six o'clock p.m. on the day of the election, primary or  
700 referendum for checking, or at a later time mutually agreed upon by the  
701 clerk and registrars, provided such time is not later than eight o'clock  
702 p.m. on the day of the election, primary or referendum.

703 (h) Absentee ballots received after six o'clock p.m. and any ballots  
704 received prior to six o'clock p.m. which were not delivered earlier shall  
705 be delivered to the registrars at the close of the polls for checking.  
706 Although absentee ballots shall be checked by the registrars of voters at  
707 various times throughout the election, primary or referendum day,  
708 absentee ballots may be counted at one single time during such day.

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709 (i) (1) Except as otherwise provided in this subsection, the absentee  
710 ballot counters, upon receipt of the ballots delivered by the municipal  
711 clerk to the registrars at six o'clock p.m. and at the close of the polls  
712 pursuant to subsections (g) and (h) of this section, shall check the names  
713 of the applicants returning ballots on the duplicate checklist in the same  
714 manner as provided in subsections (b) and (c) of this section.

715 (2) (A) Except as provided in subparagraph (B) of this subdivision,  
716 the names of applicants whose ballots were delivered at six o'clock p.m.  
717 shall be called in to the appropriate polling places where they shall be  
718 checked by the checkers on the official checklists, and they shall also be  
719 checked by the absentee ballot counters on the duplicate checklist  
720 required under subsection (b) of this section.

721 (B) [When] Whenever absentee ballots are counted in any polling  
722 place pursuant to subsection (b) of section 9-147a, the names of  
723 applicants whose ballots were delivered at six o'clock p.m. shall be  
724 checked by the absentee ballot counters and checkers at such polling  
725 place on the official checklist used at such polling place.

726 (3) (A) Except as provided in subparagraph (B) of this subdivision,  
727 the names of applicants whose ballots were delivered at the close of the  
728 polls shall be checked by the absentee ballot counters on the official  
729 checklists used at the polling places and such official checklists, bearing  
730 the certifications required by section 9-307, shall be delivered by the  
731 registrars or assistant registrars to the central counting moderator for  
732 that purpose.

733 (B) [When] Whenever absentee ballots are counted in any polling  
734 place pursuant to subsection (b) of section 9-147a, the official checklist  
735 used at such polling place shall remain in such polling place for  
736 checking by the absentee ballot counters at such polling place.

737 (4) If the name of an applicant returning a ballot has been checked on  
738 the official checklist as having voted in person the absentee ballot  
739 counters shall, in checking the ballots, endorse on the face of the outer



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740 envelope the word "rejected" followed by a statement of the reason for  
741 rejection, and the outer envelope shall not be opened or the ballot  
742 counted.

743 (5) (A) Except as provided in subparagraph (B) of this subdivision,  
744 when central counting is completed and the result is announced, the  
745 central counting moderator shall deliver the duplicate checklist, the  
746 official checklists and the returns required by section 9-150b to the head  
747 moderator.

748 (B) [When] Whenever absentee ballots are counted in any polling  
749 place pursuant to subsection (b) of section 9-147a, and such counting is  
750 completed and the result for such polling place is announced, the  
751 moderator for such polling place shall deliver the official checklist used  
752 at such polling place and the return required by section 9-150b to the  
753 head moderator.

754 (j) Each time ballots are delivered by the clerk to the registrars on  
755 election, primary or referendum day, the clerk and registrars shall  
756 execute an affidavit of delivery and receipt stating the number of ballots  
757 delivered. The clerk shall preserve the affidavit for six months in  
758 accordance with section 9-150b.

759 (k) Each group of absentee ballots shall be counted by the absentee  
760 ballot counters when received from the registrars on election, primary  
761 or referendum day, in the manner provided in section 9-150a.

762 (l) The municipal clerk shall retain all outer envelopes containing  
763 absentee ballots received by him after the close of the polls, unopened,  
764 for the period prescribed in section 9-150b.

765 Sec. 14. Section 9-159o of the general statutes is repealed and the  
766 following is substituted in lieu thereof (*Effective from passage*):

767 (a) Any elector who has returned an absentee ballot to the municipal  
768 clerk and who finds [he] such elector is able to vote in person shall

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769 proceed before ten o'clock a.m. on election, primary or referendum day  
770 to the municipal clerk's office and request that [his] such elector's ballot  
771 be withdrawn. The municipal clerk shall remove the ballot from the  
772 sealed package and shall mark the serially-numbered outer envelope,  
773 which shall remain unopened, "rejected" and note the reasons for  
774 rejection. The elector shall also endorse the envelope. The rejected ballot  
775 shall then be returned to the sealed package until delivered on election,  
776 primary or referendum day to the registrars of voters in accordance with  
777 section 9-140c. The municipal clerk shall then give the elector a signed  
778 statement directed to the moderator of the voting district in which the  
779 elector resides stating that the elector has withdrawn his absentee ballot  
780 and may vote in person. Upon delivery of the statement by the elector  
781 to the moderator, the moderator shall cause the absentee indication next  
782 to the name of the elector to be stricken from the official checklist and  
783 the elector may then have [his] such elector's name checked and vote in  
784 person. Unless absentee ballots are to be counted in the respective  
785 polling places pursuant to subsection (b) of section 9-147a, the municipal  
786 clerk shall also cause the absentee indication next to the name of the  
787 elector to be stricken from the duplicate checklist to be used by the  
788 absentee ballot counters.

789 (b) Notwithstanding the provisions of subsection (a) of this section,  
790 for the state election in 2020, any elector who has returned an absentee  
791 ballot to the municipal clerk and who finds such elector is able to vote  
792 in person shall proceed before five o'clock p.m. on the last day before  
793 the election to the municipal clerk's office and request that such elector's  
794 ballot be withdrawn.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	9-135
Sec. 2	<i>from passage</i>	9-137
Sec. 3	<i>from passage</i>	9-139b
Sec. 4	<i>from passage</i>	9-140(g)
Sec. 5	<i>from passage</i>	9-140b(c)

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Sec. 6	<i>from passage</i>	9-19j
Sec. 7	<i>from passage</i>	9-174
Sec. 8	<i>from passage</i>	9-159r
Sec. 9	<i>from passage</i>	9-307
Sec. 10	<i>from passage</i>	9-309
Sec. 11	<i>from passage</i>	9-311
Sec. 12	<i>from passage</i>	9-314
Sec. 13	<i>from passage</i>	9-140c
Sec. 14	<i>from passage</i>	9-159o