



# House of Representatives

General Assembly

**File No. 578**

January Session, 2021

Substitute House Bill No. 6578

*House of Representatives, April 22, 2021*

The Committee on Government Administration and Elections reported through REP. FOX of the 148th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING PARTICIPATION IN THE ELECTORAL PROCESS.**

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

1 Section 1. Section 9-45 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2021*):

3 (a) The Commissioner of Correction shall, on or before the fifteenth  
4 day of each month, transmit to the Secretary of the State a list of all  
5 persons who, during the preceding calendar month, have been (1)  
6 convicted in the Superior Court of a felony and committed to the  
7 custody of the Commissioner of Correction for confinement in a  
8 correctional institution or facility, [or a community residence] or (2)  
9 returned to confinement in a correctional institution or facility from  
10 parole or special parole, release pursuant to section 18-100, 18-100c, 18-  
11 100e, 18-100h or 18-100i or furlough pursuant to section 18-101a. Such  
12 lists shall include the names, birth dates and addresses of such persons,  
13 with the dates of their conviction and the crimes of which such persons

14 have been convicted, or the dates of the violation of their parole, special  
15 parole, release or furlough and the nature of such violation, as  
16 applicable. The Secretary of the State shall transmit such lists to the  
17 registrars of the towns in which such [convicted] persons who have been  
18 convicted or returned to confinement, as applicable, resided at the time  
19 of their conviction or violation of parole, special parole, release or  
20 furlough and to the registrars of any towns where the [secretary]  
21 Secretary believes such persons may be electors. The registrars of such  
22 towns shall compare the same with the list of electors upon their registry  
23 lists and, after written notice mailed by certified mail to each of the  
24 persons named at the last-known place of address of such person, shall  
25 erase such names from the registry lists in their respective towns or  
26 voting districts.

27 (b) Any person who procures such person or another to be registered  
28 after having been disfranchised by reason of conviction of crime and  
29 committed to the custody of the Commissioner of Correction for  
30 confinement in a correctional institution or facility or a community  
31 residence, and any person who votes at any election after having  
32 forfeited such privileges by reason of conviction of crime and  
33 confinement, shall be fined not more than five hundred dollars and  
34 imprisoned not more than one year.

35 Sec. 2. Section 9-46 of the general statutes is repealed and the  
36 following is substituted in lieu thereof (*Effective July 1, 2021*):

37 (a) A person shall forfeit such person's right to become an elector and  
38 such person's privileges as an elector upon conviction of a felony and  
39 (1) committal to the custody of the Commissioner of Correction for  
40 confinement in a correctional institution or facility, [or] but not a  
41 community residence, (2) committal to confinement in a federal  
42 correctional institution or facility, or (3) committal to the custody of the  
43 chief correctional official of any other state or a county of any other state  
44 for confinement in a correctional institution or facility, [or] but not a  
45 community residence, in such state or county.

46 (b) If a person has forfeited such person's privileges as an elector

47 under subsection (a) of this section, has regained such privileges under  
48 section 9-46a, as amended by this act, and is subsequently returned to  
49 confinement in a correctional institution or facility, but not a community  
50 residence, from parole or special parole, release pursuant to section 18-  
51 100, 18-100c, 18-100e, 18-100h or 18-100i or furlough pursuant to section  
52 18-101a, such person shall again forfeit such privileges.

53 [(b)] (c) No person who has forfeited and not regained such person's  
54 privileges as an elector [.] as provided in section 9-46a, as amended by  
55 this act, or who has regained such privileges and again forfeited such  
56 privileges as provided in subsection (b) of this section, may be a  
57 candidate for or hold public office.

58 Sec. 3. Section 9-46a of the general statutes is repealed and the  
59 following is substituted in lieu thereof (*Effective July 1, 2022*):

60 (a) (1) A person who has been convicted of a felony and committed  
61 to confinement in a [federal or other state] correctional institution or  
62 facility [or community residence] of the federal government or of  
63 another state shall have such person's electoral privileges restored  
64 [upon the payment of all fines in conjunction with the conviction and]  
65 once such person has been [discharged] released from confinement. [,  
66 and, if applicable, parole.]

67 (2) A person who has been convicted of a felony and is committed to  
68 confinement in a community residence of the federal government or of  
69 another state shall have such person's electoral privileges restored if  
70 such person had previously forfeited such electoral privileges.

71 (b) (1) Upon the release from confinement in a correctional institution  
72 or facility [or a community residence] of a person who has been  
73 convicted of a felony and committed to the custody of the Commissioner  
74 of Correction, [and, if applicable, the discharge of such person from  
75 parole, (1)] (A) the person shall have the right to become an elector, [(2)]  
76 (B) the Commissioner of Correction shall give the person a document  
77 certifying that the person has been released from such confinement,  
78 [and, if applicable, has been discharged from parole, (3)] (C) if the

79 person was an elector at the time of such felony conviction and, after  
80 such release, [and any such discharge,] is residing in the same  
81 municipality in which the person resided at the time of such felony  
82 conviction, the person's electoral privileges shall be restored, and [(4)]  
83 (D) if the person was an elector at the time of such felony conviction and,  
84 after such release, [and any such discharge,] is residing in a different  
85 municipality or if the person was not an elector at the time of such felony  
86 conviction, the person's electoral privileges shall be restored or granted  
87 upon submitting to an admitting official satisfactory proof of the  
88 person's qualifications to be admitted as an elector. [The provisions of  
89 subdivisions (1) to (4), inclusive, of this subsection shall not apply to any  
90 person convicted of a felony for a violation of any provision of this title  
91 until such person has been discharged from any parole or probation for  
92 such felony.]

93 (2) A person who has been convicted of a felony and committed to  
94 the custody of the Commissioner of Correction and is confined in a  
95 community residence shall have such person's electoral privileges  
96 restored if such person had previously forfeited such electoral  
97 privileges.

98 (c) The registrars of voters of the municipality in which a person is  
99 admitted as an elector pursuant to subsection (a) or (b) of this section,  
100 within thirty days after the date on which such person is admitted, shall  
101 notify the registrars of voters of the municipality wherein such person  
102 resided at the time of such person's conviction that such person's  
103 electoral rights have been so restored.

104 (d) The Commissioner of Correction shall establish procedures to  
105 inform those persons who have been convicted of a felony and  
106 committed to the custody of said commissioner for confinement in a  
107 correctional institution or facility or a community residence, and are  
108 eligible to have their electoral privileges restored or granted pursuant to  
109 subsection (b) of this section, of the right and procedures to have such  
110 privileges restored. The [Office of Adult Probation] Commissioner of  
111 Correction shall, within available appropriations, inform such persons

112 who are on [probation on January 1, 2002] parole or special parole, or  
113 confined in a community residence, of their right to become electors and  
114 procedures to have their electoral privileges restored, which shall be in  
115 accordance with subsections (b) and (c) of this section.

116 (e) The Commissioner of Correction shall, on or before the fifteenth  
117 day of each month, transmit to the Secretary of the State a list of all  
118 persons convicted of a felony and committed to the custody of said  
119 commissioner who, during the preceding calendar month, have (1) been  
120 released from confinement in a correctional institution or facility, or (2)  
121 begun confinement in a community residence. [and, if applicable,  
122 discharged from parole.] Such lists shall include the names, birth dates  
123 and addresses of such persons, with the dates of their convictions and  
124 the crimes of which such persons have been convicted. The Secretary [of  
125 the State] shall transmit such lists to the registrars of the municipalities  
126 in which such convicted persons resided at the time of their convictions  
127 and to the registrars of any municipalities where the [secretary]  
128 Secretary believes such persons may be electors.

129 Sec. 4. Section 9-19h of the general statutes is repealed and the  
130 following is substituted in lieu thereof (*Effective from passage*):

131 (a) The Department of Social Services, the Labor Department and the  
132 Department of Motor Vehicles shall make voter registration information  
133 and materials available to the public. Such information and materials  
134 shall be placed in public areas of the offices of such departments. The  
135 State Library and the libraries of the state's public institutions of higher  
136 education shall also make such information and materials available to  
137 users of the libraries. The Secretary of the State shall provide such  
138 departments, such libraries and any libraries open to the public with  
139 suitable nonpartisan literature, materials and voter registration  
140 application forms authorized under sections 9-23g and 9-23h. [The  
141 secretary shall also provide to the Department of Social Services, the  
142 Labor Department and the Department of Motor Vehicles any furniture  
143 needed to display such literature, materials and forms.]

144 (b) (1) In addition to the requirements of subsection (a) of this section,

145 and except as provided in subdivision (2) of this subsection, the  
146 Commissioner of Motor Vehicles [, not later than January 1, 1994,] shall  
147 include an application for the admission of an elector with each  
148 application form provided for a motor vehicle operator's license and a  
149 motor vehicle operator's license renewal, which are issued under  
150 subpart (B) of part III of chapter 246, and with each application form  
151 provided for an identity card issued under section 1-1h. Such  
152 application form for the admission of an elector [(1)] (A) shall be subject  
153 to the approval of the Secretary of the State, [(2)] (B) shall not include  
154 any provisions for the witnessing of the application, and [(3)] (C) shall  
155 contain a statement that [(A)] (i) specifies each eligibility requirement,  
156 [(B)] (ii) contains an attestation that the applicant meets each such  
157 requirement, and [(C)] (iii) requires the signature of the applicant under  
158 penalty of perjury. The Commissioner of Motor Vehicles shall accept  
159 any such completed application for admission which is submitted in  
160 person, [or] by mail [. The] or through an electronic system pursuant to  
161 subdivision (2) of this subsection. Except as provided in said  
162 subdivision, the applicant shall state on such form, under penalty of  
163 perjury, the applicant's name, bona fide residence address, date of birth,  
164 whether the applicant is a United States citizen, party enrollment, if any,  
165 prior voting address, if registered previously, and that the applicant's  
166 privileges as an elector are not forfeited by reason of conviction of a  
167 felony. No Social Security number on any such application form for the  
168 admission of an elector filed prior to January 1, 2000, may be disclosed  
169 to the public or to any governmental agency. The commissioner shall  
170 indicate on each such form the date of receipt of such application to  
171 ensure that any eligible applicant is registered to vote in an election if it  
172 is received by the Commissioner of Motor Vehicles by the last day for  
173 registration to vote in an election. The commissioner shall provide the  
174 applicant with an application receipt, on a form approved by the  
175 Secretary of the State and on which the commissioner shall record the  
176 date that the commissioner received the application, using an official  
177 date stamp bearing the words "Department of Motor Vehicles". The  
178 commissioner shall provide such receipt whether the application was  
179 submitted in person, [or] by mail or through an electronic system

180 pursuant to subdivision (2) of this subsection. The commissioner shall  
181 forthwith transmit the application to the registrars of voters of the  
182 applicant's town of residence. If a registration application is accepted  
183 within five days before the last day for registration to vote in a regular  
184 election, the application shall be transmitted to the registrars of voters  
185 of the town of voting residence of the applicant not later than five days  
186 after the date of acceptance. The procedures in subsections (c), (d), (f)  
187 and (g) of section 9-23g which are not inconsistent with the National  
188 Voter Registration Act of 1993, P.L. 103-31, as amended from time to  
189 time, shall apply to applications made under this section. The  
190 commissioner is not an admitting official and may not restore, under the  
191 provisions of section 9-46a, as amended by this act, electoral privileges  
192 of persons convicted of a felony.

193 (2) (A) The Commissioner of Motor Vehicles shall provide an  
194 electronic system, subject to the approval of the Secretary of the State, to  
195 effectuate the purposes of subdivision (1) of this subsection regarding  
196 application for admission of an elector, except that the condition that an  
197 applicant state and attest to meeting each eligibility requirement may be  
198 waived for any such eligibility requirement verified independently by  
199 said commissioner through a federally approved identity verification  
200 program or other evidence acceptable to said commissioner. Such  
201 electronic system may provide for the transmittal to the Secretary of an  
202 applicant's signature on file with said commissioner. The use of any  
203 such electronic system shall comply with the National Voter  
204 Registration Act of 1993, P.L. 103-31, as amended from time to time.

205 (B) (i) Unless otherwise provided in this subparagraph, if the  
206 Commissioner of Motor Vehicles determines that a person applying for  
207 a motor vehicle operator's license, a motor vehicle operator's license  
208 renewal or an identity card meets each eligibility requirement for  
209 admission as an elector, said commissioner shall forthwith transmit an  
210 application for such person's admission as an elector to the registrars of  
211 voters of the town of residence of such person through an electronic  
212 system pursuant to this subdivision, in accordance with the provisions  
213 of subdivision (1) of this subsection, except that no such application

214 shall be transmitted if such person declines to apply for such admission.

215 (ii) If said commissioner determines that a person applying for a  
216 motor vehicle operator's license, a motor vehicle operator's license  
217 renewal or an identity card is not a United States citizen, said  
218 commissioner shall not provide such person an opportunity to apply for  
219 admission as an elector through an electronic system pursuant to this  
220 subdivision and shall not transmit any application for such admission  
221 on behalf of such person.

222 (iii) If said commissioner cannot determine whether a person  
223 applying for a motor vehicle operator's license, a motor vehicle  
224 operator's license renewal or an identity card is a United States citizen,  
225 such person shall attest to his or her United States citizenship as a  
226 precondition of said commissioner processing such person's application  
227 for admission as an elector through an electronic system pursuant to this  
228 subdivision.

229 (C) In the case of an individual already admitted as an elector and  
230 who is also enrolled in a party, if use of such electronic system results in  
231 such elector being removed from the enrollment list of such party  
232 because such elector did not affirmatively confirm an intent to continue  
233 enrollment in such party, such removal shall be presumed unintentional  
234 and such elector shall be restored to such list upon such elector's  
235 notification of such removal to the registrar of voters of the town of  
236 residence of such elector.

237 Sec. 5. Section 9-19i of the general statutes is repealed and the  
238 following is substituted in lieu thereof (*Effective from passage*):

239 (a) Any change of address form submitted by a person in accordance  
240 with law for purposes of a motor vehicle operator's license shall serve  
241 as notification of change of address for voter registration for the person  
242 unless the person states on the form that the change of address is not for  
243 voter registration purposes. The Commissioner of Motor Vehicles shall  
244 forthwith transmit such change of address information to the registrars  
245 of voters of the town of the former address of the person. If the name of

246 the person appears on the registry list of the town, and if the new  
247 address is also within such town, the registrars shall enter the name of  
248 such elector on the registry list at the place where he then resides. If the  
249 name of the person appears on the registry list of the town and if the  
250 new address is outside such town, the registrars shall remove the name  
251 of such elector from the registry list and send the elector the notice,  
252 information and application required by subsection (c) of section 9-35,  
253 except that if said commissioner is using an electronic system pursuant  
254 to subsection (b) of this section, the Secretary of the State may prescribe  
255 alternative procedures for sending such notice and information and  
256 may waive the requirement to send such application.

257 (b) The Commissioner of Motor Vehicles shall provide an electronic  
258 system, subject to the approval of the Secretary of the State, to effectuate  
259 the purposes of subsection (a) of this section regarding notifications of  
260 change of address for voter registration. Such electronic system may  
261 provide for the transmittal to the Secretary of an applicant's signature  
262 on file with said commissioner. The use of any such electronic system  
263 shall comply with the National Voter Registration Act of 1993, P.L. 103-  
264 31, as amended from time to time.

265 Sec. 6. Section 9-23n of the general statutes is repealed and the  
266 following is substituted in lieu thereof (*Effective January 1, 2022*):

267 (a) As used in this section, "voter registration agency" means (1)  
268 public assistance offices, (2) all offices in the state that provide  
269 state-funded programs primarily engaged in providing services to  
270 persons with disabilities, (3) libraries that are open to the public, and (4)  
271 such other appropriate offices as the Secretary of the State shall  
272 designate in accordance with the National Voter Registration Act of  
273 1993, P.L. 103-31, as amended from time to time.

274 (b) [Voter registration agencies shall] (1) Except as provided in  
275 subdivision (2) of this subsection, each voter registration agency shall  
276 (A) distribute mail voter registration application forms, [(2)] (B) assist  
277 applicants for [such] assistance or services provided by the agency in  
278 completing voter registration application forms, except for applicants

279 who refuse [such] assistance [, (3)] in completing such forms, (C) accept  
280 completed voter registration application forms and provide each  
281 applicant with an application receipt, on which the agency shall record  
282 the date that the agency received the application, using an official date  
283 stamp bearing the name of the agency, and [(4)] (D) immediately  
284 transmit all such applications to the registrars of voters of the town of  
285 voting residence of the applicants. The agency shall provide such receipt  
286 whether the application was submitted in person, [or] by mail or  
287 through an electronic system pursuant to subdivision (2) of this  
288 subsection. If a registration application is accepted within five days  
289 before the last day for registration to vote in a regular election, the  
290 application shall be transmitted to the registrars of voters of the town of  
291 voting residence of the applicant not later than five days after the date  
292 of acceptance. [The] Except as provided in subdivision (2) of this  
293 subsection, the voter registration agency shall indicate on the completed  
294 mail voter registration application form, without indicating the identity  
295 of the voter registration agency, the date of its acceptance by such  
296 agency, to ensure that any eligible applicant is registered to vote in an  
297 election if it is received by the registration agency by the last day for  
298 registration to vote in an election. If a state-funded program primarily  
299 engaged in providing services to persons with disabilities provides  
300 services to a person with a disability at the person's home, the agency  
301 shall provide such voter registration services at the person's home. The  
302 procedures in subsections (c), (d), (f) and (g) of section 9-23g that are not  
303 inconsistent with the National Voter Registration Act of 1993, P.L.  
304 103-31, as amended from time to time, shall apply to applications made  
305 under this section. Officials and employees of such voter registration  
306 agencies are not admitting officials, as defined in section 9-17a, and may  
307 not restore, under the provisions of section 9-46a, electoral privileges of  
308 persons convicted of a felony.

309 (2) (A) Each voter registration agency shall provide an electronic  
310 system, subject to the approval of the Secretary of the State, to effectuate  
311 the purposes of subdivision (1) of this subsection regarding application  
312 for admission of an elector, except that the condition that an applicant  
313 state and attest to meeting each eligibility requirement may be waived

314 for any such eligibility requirement verified independently by the  
315 agency through a federally approved identity verification program or  
316 other evidence acceptable to the agency. Such electronic system may  
317 provide for the transmittal to the Secretary of an applicant's signature  
318 on file with the voter registration agency. The use of any such electronic  
319 system shall comply with the National Voter Registration Act of 1993,  
320 P.L. 103-31, as amended from time to time.

321 (B) (i) Unless otherwise provided in this subparagraph, if the voter  
322 registration agency determines that a person applying for assistance or  
323 services provided by the agency meets each eligibility requirement for  
324 admission as an elector, the agency shall forthwith transmit an  
325 application for such person's admission as an elector to the registrars of  
326 voters of the town of residence of such person through an electronic  
327 system pursuant to this subdivision, in accordance with the provisions  
328 of subdivision (1) of this subsection, except that no such application  
329 shall be transmitted if such person declines to apply for such admission.

330 (ii) If the voter registration agency determines that a person applying  
331 for assistance or services provided by the agency is not a United States  
332 citizen, the agency shall not provide such person an opportunity to  
333 apply for admission as an elector through an electronic system pursuant  
334 to this subdivision and shall not transmit any application for such  
335 admission on behalf of such person.

336 (iii) If the voter registration agency cannot determine whether a  
337 person applying for assistance or services provided by the agency is a  
338 United States citizen, such person shall attest to his or her United States  
339 citizenship as a precondition of the agency processing such person's  
340 application for admission as an elector through an electronic system  
341 pursuant to this subdivision.

342 (C) In the case of an individual already admitted as an elector and  
343 who is also enrolled in a party, if use of such electronic system results in  
344 such elector being removed from the enrollment list of such party  
345 because such elector did not affirmatively confirm an intent to continue  
346 enrollment in such party, such removal shall be presumed unintentional

347 and such elector shall be restored to such list upon such elector's  
348 notification of such removal to the registrar of voters of the town of  
349 residence of such elector.

350 Sec. 7. Section 9-23o of the general statutes is repealed and the  
351 following is substituted in lieu thereof (*Effective January 1, 2022*):

352 A voter registration agency, as defined in section 9-23n, as amended  
353 by this act, shall comply with the National Voter Registration Act of  
354 1993, P.L. 103-31, as amended from time to time, and (1) shall distribute  
355 with each application for [service or] assistance or services provided by  
356 the agency, and with each recertification, renewal or change of address  
357 form relating to such [service or] assistance or services a mail voter  
358 registration application form approved by the Secretary of the State, and  
359 (2) during each application for such assistance or services and each  
360 recertification, renewal or change of address relating to such assistance  
361 or services, shall use an electronic system described in subdivision (2) of  
362 subsection (b) of section 9-23n, as amended by this act, in accordance  
363 with said subdivision to effectuate the purposes of subdivision (1) of  
364 said subsection regarding application for admission of an elector, unless  
365 the applicant declines to register to vote pursuant to the provisions of  
366 the National Voter Registration Act of 1993, P.L. 103-31, as amended  
367 from time to time. Such declination shall be in writing, except in the case  
368 of an application for service or assistance provided by a library, or a  
369 recertification, renewal or change of address form relating to such  
370 library service or assistance. Such voter registration agency shall  
371 provide each applicant to register to vote the same degree of assistance  
372 with regard to the completion of the registration application form as is  
373 provided by the agency with regard to the completion of its own forms,  
374 unless the applicant refuses such assistance.

375 Sec. 8. Section 9-23p of the general statutes is repealed and the  
376 following is substituted in lieu thereof (*Effective January 1, 2022*):

377 Each public institution of higher education shall (1) distribute mail  
378 voter registration application forms, and [(2)] assist applicants who  
379 request assistance in completing such voter registration application

380 forms, and (2) use an electronic system described in subdivision (2) of  
381 subsection (b) of section 9-23n, as amended by this act, in accordance  
382 with said subdivision to effectuate the purposes of subdivision (1) of  
383 said subsection regarding application for admission of an elector, and  
384 assist applicants who request assistance in so applying through such  
385 electronic system.

386 Sec. 9. Subsection (a) of section 9-232 of the general statutes is  
387 repealed and the following is substituted in lieu thereof (*Effective from*  
388 *passage*):

389 (a) [Each registrar may appoint one or more challengers in his town  
390 or district, one of whom may be present at the offering of any vote; and  
391 any such challenger or any] Any elector may challenge the right of any  
392 person offering to vote, on the ground of want of identity with the  
393 person on whose name the vote is offered, or disfranchisement or lack  
394 of bona fide residence, and the moderator shall decide upon the right of  
395 the person so challenged to vote.

396 Sec. 10. Section 9-235d of the general statutes is repealed and the  
397 following is substituted in lieu thereof (*Effective from passage*):

398 (a) Notwithstanding any provision of sections 9-233, 9-235 and 9-258,  
399 as amended by this act, [to the contrary,] a United States citizen who is  
400 sixteen or seventeen years of age and a bona fide resident of a town may  
401 be [(1)] appointed as [a challenger or] (1) an unofficial checker in an  
402 election, or (2) [appointed as] a checker, translator, ballot clerk or voting  
403 tabulator tender in an election after (A) attending poll worker training,  
404 and (B) receiving the written permission of a parent, guardian or the  
405 principal of the school that the citizen attends if the citizen is a secondary  
406 school student and the citizen is to be appointed to work on a day when  
407 such school is in session.

408 (b) Notwithstanding any provision of section 9-436, as amended by  
409 this act, or 9-436a, [to the contrary,] a United States citizen who is sixteen  
410 or seventeen years of age and a bona fide resident of a town or political  
411 subdivision holding a primary may be [(1)] appointed as [a challenger

412 or] (1) a candidate checker in the primary, or (2) [appointed as] a  
413 checker, translator, ballot clerk or voting tabulator tender in a primary  
414 after (A) attending poll worker training, and (B) receiving the written  
415 permission of a parent, guardian or the principal of the school that the  
416 citizen attends if the citizen is a secondary school student and the citizen  
417 is to be appointed to work on a day when such school is in session.

418 Sec. 11. Subsections (a) and (b) of section 9-258 of the general statutes  
419 are repealed and the following is substituted in lieu thereof (*Effective*  
420 *from passage*):

421 (a) For municipalities with more than one voting district, the election  
422 officials of each polling place shall be electors of the state and shall  
423 consist of (1) one moderator, (2) at least one but not more than two  
424 official checkers, (3) two assistant registrars of voters of opposite  
425 political parties, each of whom shall be residents of the town, (4) [not  
426 more than two challengers if the registrars of voters have appointed  
427 challengers pursuant to section 9-232, (5)] at least one but not more than  
428 two ballot clerks, and [(6)] (5) at least one but not more than two voting  
429 tabulator tenders for each voting tabulator in use at the polling place. A  
430 known candidate for any office shall not serve as an election official on  
431 election day or serve at the polls in any capacity, except that (A) a  
432 municipal clerk or a registrar of voters, who is a candidate for the same  
433 office, may perform his or her official duties, and (B) a deputy registrar  
434 of voters, who is a candidate for the office of registrar of voters, may  
435 perform his or her official duties. If, in the opinion of the registrar of  
436 voters, the public convenience of the electors in any voting district so  
437 requires, provision shall be made for an additional line or lines of  
438 electors at the polling place and, if more than one line of electors is  
439 established, at least one but not more than two additional official  
440 checkers and at least one but not more than two ballot clerks for each  
441 line of electors shall be appointed and, if more than one tabulator is used  
442 in a polling place, at least one but not more than two additional voting  
443 tabulator tenders shall be appointed for each additional machine so  
444 used. Head moderators, central counting moderators and absentee  
445 ballot counters appointed pursuant to law shall also be deemed election

446 officials.

447 (b) For municipalities with one voting district, the election officials of  
448 such polling place shall be electors of the state and shall consist of (1)  
449 one moderator, (2) at least one but not more than two official checkers,  
450 (3) [not more than two challengers if the registrars of voters have  
451 appointed challengers pursuant to section 9-232, (4)] at least one but not  
452 more than two voting tabulator tenders for each voting tabulator in use  
453 at the polling place, and [(5)] (4) at least one but not more than two ballot  
454 clerks. Additionally, such election officials may consist of two registrars  
455 of voters of opposite political parties, or two assistant registrars of voters  
456 of opposite political parties, as the case may be, subject to the  
457 requirements of sections 9-259 and 9-439, provided if the registrars of  
458 voters are present in the polling place, they shall appoint at least one  
459 designee to be present in their office. A known candidate for any office  
460 shall not serve as an election official on election day or serve at the polls  
461 in any capacity, except that (A) a municipal clerk or a registrar of voters,  
462 who is a candidate for the same office, may perform his or her official  
463 duties, and (B) a deputy registrar of voters, who is a candidate for the  
464 office of registrar of voters, may perform his or her official duties. If, in  
465 the opinion of the registrar of voters, the public convenience of the  
466 electors in any voting district so requires, provision shall be made for an  
467 additional line or lines of electors at the polling place and, if more than  
468 one line of electors is established, at least one but not more than two  
469 additional official checkers for each line of electors shall be appointed  
470 and, if more than one tabulator is used in a polling place, at least one  
471 but not more than two additional voting tabulator tenders shall be  
472 appointed for each additional tabulator so used. Head moderators,  
473 central counting moderators and absentee ballot counters appointed  
474 pursuant to law shall be deemed to be election officials.

475 Sec. 12. Subsection (c) of section 9-436 of the general statutes is  
476 repealed and the following is substituted in lieu thereof (*Effective from*  
477 *passage*):

478 (c) The registrar shall appoint from among the enrolled party

479 members in the state, to serve in each polling place, the primary polling  
480 place officials, who shall consist of (1) one moderator, (2) at least one [,]  
481 but not more than two official checkers, [not more than two challengers  
482 if the registrar deems it necessary, and] (3) at least one [and] but not  
483 more than two ballot clerks, [and] (4) at least one but not more than two  
484 voting tabulator tenders for each tabulator in use at such primary, and  
485 [,] (5) in towns with two or more voting districts, at least one [and] but  
486 not more than two assistant registrars, provided [(1)] (A) in the case of  
487 either a municipality or a political subdivision holding a primary, if no  
488 enrolled party member can be found or no such person consents to serve  
489 as a moderator, the registrar may appoint any elector who resides in the  
490 state and is a certified moderator to be moderator, [(2)] (B) in the case of  
491 a political subdivision holding a primary, if an insufficient number of  
492 enrolled party members who reside in the state consent to serve as  
493 checkers, [challengers,] voting tabulator tenders or assistant registrars,  
494 the registrar may appoint any elector who resides in the state to be a  
495 checker, [challenger,] voting tabulator tender or assistant registrar, and  
496 [(3)] (C) in the case of either a municipality or a political subdivision  
497 holding more than one primary on the same day for different political  
498 parties, one certified moderator may serve as moderator for both  
499 primaries, if the registrars of voters so agree. If unaffiliated electors are  
500 authorized under section 9-431 to vote for some but not all of the offices  
501 to be contested at the primary, the registrar shall appoint two additional  
502 checkers to check the list of unaffiliated electors who are authorized to  
503 vote on the separate tabulators. If unaffiliated electors are authorized  
504 under section 9-431 to vote in the primary of either of two parties in the  
505 same polling place, whether for some or for all offices to be contested at  
506 the primary, each such registrar shall appoint two additional checkers  
507 to check the list of unaffiliated electors who are authorized to vote in  
508 either such primary.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2021	9-45
Sec. 2	July 1, 2021	9-46

Sec. 3	<i>July 1, 2022</i>	9-46a
Sec. 4	<i>from passage</i>	9-19h
Sec. 5	<i>from passage</i>	9-19i
Sec. 6	<i>January 1, 2022</i>	9-23n
Sec. 7	<i>January 1, 2022</i>	9-23o
Sec. 8	<i>January 1, 2022</i>	9-23p
Sec. 9	<i>from passage</i>	9-232(a)
Sec. 10	<i>from passage</i>	9-235d
Sec. 11	<i>from passage</i>	9-258(a) and (b)
Sec. 12	<i>from passage</i>	9-436(c)

**Statement of Legislative Commissioners:**

In Section 1(a), "conviction or violation or parole" was changed to "conviction or violation of parole" for accuracy; in Sections 4(b)(2)(B)(i) and 6(b)(2)(B)(i), "such person's residence" was changed to "the town of residence of such person" for accuracy and consistency; and in Sections 4(b)(2)(C) and 6(b)(2)(C), "in which such elector resides" was changed to "of residence of such elector" for consistency.

**GAE**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Resources of the General Fund	GF - Revenue Loss	See Below	See Below

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

This bill makes various changes affecting elections, including the forfeiture and restoration of electoral privileges for certain individuals convicted of a felony, voter registration, and polling place challengers.

Under current law, an individual imprisoned for a felony regains the right to vote and accompanying electoral privileges after paying all fines and completing any required prison and parole time. The bill will result in an indeterminate revenue loss from reduced collection of criminal fines and penalties. The other provisions of the bill are not anticipated to result in a fiscal impact to the state or municipalities.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

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**OLR Bill Analysis**

**sHB 6578**

***AN ACT CONCERNING PARTICIPATION IN THE ELECTORAL PROCESS.***

**SUMMARY**

This bill makes various unrelated changes affecting elections, including the forfeiture and restoration of electoral privileges (i.e., voting rights) for certain individuals convicted of a felony; voter registration; and polling place challengers. Principally, it does the following:

1. eliminates the current requirement that convicted felons forfeit their electoral privileges if they are committed to confinement in an in-state or out-of-state community residence;
2. restores the electoral privileges of convicted felons who are on parole or special parole or who are confined in a community residence;
3. conforms law with practice by requiring the Department of Motor Vehicles (DMV) to use a secretary of the state-approved electronic system that complies with the National Voter Registration Act (NVRA) to automatically transmit voter registration applications to registrars of voters for eligible applicants unless they opt out;
4. similarly, requires voter registration agencies and public higher education institutions to use a secretary of the state-approved and NVRA-compliant electronic system to transmit voter registration applications for eligible applicants; and
5. eliminates provisions authorizing registrars of voters to appoint challengers as polling place officials, which conforms with

current practice.

The bill also makes several technical and conforming changes.

EFFECTIVE DATE: Upon passage, except that the changes (1) eliminating voting rights forfeiture for certain individuals confined in a community residence are effective July 1, 2021; (2) restoring voting rights for parolees and individuals confined in community residences are effective July 1, 2022; and (3) affecting voter registration agencies and public higher education institutions are effective January 1, 2022.

### **§§ 1-3 — VOTING RIGHTS FOR INDIVIDUALS CONVICTED OF A FELONY**

The bill makes several changes concerning the forfeiture and restoration of electoral privileges for certain individuals convicted of a felony.

#### ***Forfeiture of Electoral Privileges (§ 2)***

Under current law, an individual forfeits his or her right to be an elector, and all accompanying electoral privileges (i.e., the right to vote, run for public office, and hold an office), upon conviction of a felony and commitment to any state or federal prison (CGS § 9-46). Effective July 1, 2021, the bill eliminates a requirement that such individuals forfeit their electoral privileges if they are committed to Department of Correction (DOC) custody (or a state or county correction department outside of Connecticut) for confinement in a community residence (e.g., halfway house, group home, or mental health facility).

The bill also specifies that if an individual regains his or her electoral privileges after forfeiture, he or she must again forfeit them upon returning to confinement in a correctional institution or facility from the following:

1. parole or special parole;
2. release to (a) an educational program or work, (b) a community residence, (c) a zero-tolerance drug supervision program, (d) home confinement for certain motor vehicle and

drug offenses, or (e) a community-based nursing home for palliative and end-of-life care; or

3. specified furloughs granted at the commissioner's discretion (e.g., to permit attendance at a relative's funeral or to obtain medical services not otherwise available).

### ***Notice to Secretary of the State and Registrars of Voters (§ 1)***

Effective July 1, 2021, the bill makes conforming changes to monthly reports that the (1) DOC commissioner must send to the secretary of the state and (2) secretary must transmit to registrars of voters. Under current law, the commissioner must send the secretary a list by the 15th of each month of all individuals convicted of a felony and committed to DOC custody in the previous calendar month for confinement in a correctional institution, facility, or community residence. The secretary must then send the list to the registrars of voters in towns where (1) these individuals resided at the time of their conviction or (2) she believes they may be electors.

The bill (1) eliminates the requirement that the DOC commissioner's report include a list of these individuals committed for confinement in a community residence and (2) additionally requires that it include a list of individuals returned to confinement in a correctional institution or facility for violating the terms of their parole, special parole, release, or furlough (see above). It must also include the date and nature of these violations. The bill makes conforming changes to the information the secretary must provide registrars of voters by similarly requiring her to notify registrars in towns where (1) individuals returned to confinement resided at the time of their parole, special parole, release, or furlough violation (as applicable) or (2) she believes they may be electors.

Under existing law, after sending a written notice by certified mail to the individual's last known address, the registrars must remove his or her name from the registry list (CGS § 9-45).

### ***Restoration of Electoral Privileges (§ 3)***

Under current law, an individual imprisoned for a felony regains the

right to vote and accompanying electoral privileges after paying all fines and completing any required prison and parole time.

Effective July 1, 2022, the bill allows convicted felons to regain their electoral privileges upon release from confinement in a correctional institution or facility. It eliminates current law's requirements that such individuals also, as applicable, (1) be released from a community residence, (2) be discharged from parole, and (3) pay all felony conviction-related fines. The bill specifies that any convicted felon who forfeited his or her electoral privileges and is confined in a community residence must have his or her electoral privileges restored.

Under the bill, the DOC commissioner must, within available appropriations, inform people who are on parole, special parole, or confined in a community residence of their right to become electors and the process for having their privileges restored.

The bill also makes conforming changes to a monthly report that the DOC commissioner must send to the secretary of the state. Under current law, the commissioner must send the secretary a list by the 15th of each month of all individuals convicted of a felony who were released in the previous calendar month from a correctional institution or facility or a community residence and, if applicable, discharged from parole.

The bill eliminates current law's requirement that the list include community residence releases and parole discharges and instead requires that it include individuals who have begun confinement in a community residence. By law, unchanged by the bill, the secretary must send this list to the registrars in the towns where (1) the individuals lived at the time of their conviction or (2) she believes they may be electors.

#### **§§ 4-8 — ELECTRONIC SYSTEM FOR TRANSMITTING VOTER REGISTRATION APPLICATIONS**

By law, the DMV commissioner must include a voter registration application as part of each motor vehicle driver's license application or

renewal or each identity card application. Similarly, voter registration agencies (see BACKGROUND) must include a voter registration application with each service or assistance application, recertification, renewal, or change of address. Public higher education institutions must distribute mail voter registration application forms.

### ***Application and Transmittal Procedures***

The bill requires DMV, voter registration agencies, and public higher education institutions to use a secretary of the state-approved and NVRA-compliant (see BACKGROUND) electronic system to automatically transmit voter registration applications for qualified applicants to registrars of voters unless the applicants decline to apply for admission. (In practice, DMV must already do this pursuant to a memorandum of understanding (MOU) between the agencies (see BACKGROUND).)

***Eligibility Verification.*** By law, voter registration forms include (1) a statement that specifies each eligibility requirement and (2) an attestation that the applicant meets each requirement (CGS § 9-20). The bill allows DMV, voter registration agencies, and public higher education institutions to waive attestation for any requirement for which they can verify an applicant's eligibility independently through a federally approved identity verification program or through other acceptable evidence. The electronic system may provide for transmittal of applicants' signatures on file with DMV, a voter registration agency, or public higher education institution, as applicable, to the secretary of the state.

The bill prohibits DMV, voter registration agencies, and public higher education institutions from processing voter registration applications using the electronic system if they determine that an individual applying for a credential, service, or assistance is not a U.S. citizen. If they cannot determine whether the individual is a U.S. citizen, the applicant must attest to his or her citizenship before DMV, a voter registration agency, or a public higher institution may process the voter registration application through the electronic system.

**Transmittal.** Under the bill, if DMV determines that an applicant for a motor vehicle driver's license or renewal or for an identity card (i.e., "DMV credential") meets each eligibility requirement for admission as an elector, then the commissioner must use an electronic system to immediately transmit a voter registration application for that individual unless he or she declines to apply for admission. Similarly, if a voter registration agency or public higher education determines that an applicant for assistance or services meets each eligibility requirement for admission as an elector, then the agency or institution must use an electronic system to immediately transmit a voter registration application for that individual unless he or she declines to apply for admission. In all cases, the application must be transmitted to the registrars of voters in the municipality where the individual resides.

### **Party Enrollment**

Under the bill, if the system removes an elector from a political party's enrollment list because he or she did not affirmatively confirm an intent to continue enrollment, the removal must be presumed unintentional. In that case, the bill requires that the elector be restored to the party's enrollment list after the appropriate registrar of voters is notified.

### **Address Changes**

The bill additionally requires DMV to use a secretary of the state-approved electronic system to notify registrars of voters of address changes for voter registration purposes. Under the bill, the electronic system (1) may provide for the transmittal of an applicant's signature, on file with DMV, to the secretary of the state and (2) must comply with NVRA requirements.

If DMV uses such a system, the secretary of the state may (1) prescribe alternative procedures for sending required information to electors who are removed from the registry list because they have moved out of town and (2) waive the requirement that registrars send the mail-in voter registration form to these electors.

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**§§ 9-12 — POLLING PLACE CHALLENGERS**

Current law authorizes each municipality's registrar of voters to appoint up to two challengers per polling place who may challenge the right of anyone attempting to vote if the challenger knows, suspects, or reasonably believes that there is some doubt as to the voter's identity, residence, or disenfranchisement status. The moderator decides any challenge.

The bill conforms the law with current practice by eliminating registrar-appointed challengers as authorized poll workers during a primary or election. Existing law, unchanged by the bill, authorizes any elector to act as a challenger.

**BACKGROUND*****Related Bill***

sSB 5, favorably reported by the Government Administration and Elections Committee, contains the same provisions on (1) the forfeiture and restoration of electoral privileges for certain individuals convicted of a felony and (2) DMV, voter registration agencies, and public higher education institutions using an electronic system to automatically transmit voter registration applications.

***Voter Registration Agencies***

The NVRA requires covered states to designate as voter registration agencies (1) all offices that provide federal or state public assistance, (2) all offices that provide state-funded programs primarily engaged in providing services to individuals with disabilities, and (3) Armed Forces recruitment offices. States must also designate additional voter registration agencies, which may include (1) state or local offices like public libraries or schools, fishing and hunting license bureaus, or unemployment compensation offices or (2) with their agreement, federal or nongovernmental offices (52 U.S.C. § 20506).

Generally, all voter registration agencies must:

1. distribute the National Mail Voter Registration Form;

2. provide an “information form” on the voter-registration process;
3. help applicants complete the registration application unless they refuse assistance; and
4. accept completed voter registration applications and transmit them to the appropriate state election official within a prescribed timeframe.

Those agencies that provide public assistance or services to individuals with disabilities must include the National Mail Voter Registration Form, or an equivalent form that they design, with each application, recertification, renewal, or change of address form related to the assistance or services. Those providing in-home services to individuals with disabilities must provide the above-listed registration services in the individual’s home.

### ***NVRA***

The NVRA (P.L. 103-31) generally requires states to offer eligible citizens the opportunity to register to vote by:

1. applying as part of a motor vehicle driver’s license application or renewal;
2. sending a mail-in application; or
3. applying in person at a designated voter registration agency, including offices providing public assistance or services to individuals with disabilities.

The requirements apply to federal elections; however, in practice, states such as Connecticut have extended the procedures to state and local elections.

### ***MOU***

Connecticut began implementing an automatic voter registration (AVR) system under a May 16, 2016, MOU between the Office of the Secretary of the State and DMV. The MOU established a method,

process, and timeline for developing the system and required that it be fully implemented by August 7, 2018.

Under the MOU, Connecticut's AVR system must, among other things:

1. establish a schedule and method for DMV to electronically provide registrars of voters with the records of individuals who apply for or renew a DMV credential (i.e., driver's license or identity card);
2. allow individuals who submit DMV credential applications to change their voter registration status or record;
3. provide a way for records transmitted by the AVR system to constitute a completed voter registration application, and for registrars of voters to register applicants to vote unless an applicant is ineligible to vote, declines registration, or does not attest to meeting all voter eligibility requirements;
4. designate party preference as "unaffiliated" for a registrant who does not provide a preference; and
5. provide a way for applicants, as part of their voter registration application, to swear or affirm that they are U.S. citizens and meet all other voter eligibility requirements.

The AVR system must enable DMV to provide registrars of voters with certain information about applicants, including name; birthdate; driver's license or identification card number, or last four digits of the Social Security number; whether the individual affirmatively declined to register to vote; and political party preference.

The MOU prohibits DMV from electronically transmitting through the AVR system the records of individuals who (1) were issued a DMV credential but were not U.S. citizens at the time of issuance or (2) have a "drive only" license, indicating that they cannot establish their legal presence in the U.S. or may not have a Social Security number.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13 Nay 6 (04/05/2021)