



# House of Representatives

General Assembly

**File No. 96**

January Session, 2021

Substitute House Joint Resolution No. 58

*House of Representatives, March 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 joint resolution ought to be adopted.

**RESOLUTION PROPOSING A STATE CONSTITUTIONAL AMENDMENT TO ALLOW NO-EXCUSE ABSENTEE VOTING.**

Resolved by this Assembly:

1 Section 1. That the following be proposed as an amendment to the  
2 Constitution of the State, which, when approved and adopted in the  
3 manner provided by the Constitution, shall, to all intents and purposes,  
4 become a part thereof:

5 Section 7 of article sixth of the Constitution is amended to read as  
6 follows:

7 Sec. 7. The general assembly may provide by law for voting in the  
8 choice of any officer to be elected or upon any question to be voted on  
9 at an election by qualified voters of the state who [are unable to] will not  
10 appear at the polling place on the day of election, [because of absence  
11 from the city or town of which they are inhabitants or because of  
12 sickness or physical disability or because the tenets of their religion  
13 forbid secular activity.]

14 RESOLVED: That the foregoing proposed amendment to the  
15 Constitution be continued to the next session of the General Assembly  
16 elected at the general election to be held on November 8, 2022, and  
17 published with the laws passed at the present session, or be presented  
18 to the electors at the general election to be held on November 8, 2022,  
19 whichever the case may be, according to article sixth of the amendments  
20 to the Constitution. The designation of said proposed amendment to be  
21 used on the ballots at such election shall be "Shall the Constitution of the  
22 State be amended to permit the General Assembly to allow each voter  
23 to vote by absentee ballot?"

**Statement of Legislative Commissioners:**

"November 3, 2022" was changed to "November 8, 2022" for accuracy.

**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 \$
Secretary of the State	GF - Cost	None	5,000

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

This resolution proposes a constitutional amendment to remove the constitution's current restrictions on absentee voting.

The Secretary of the State is anticipated to incur a cost of \$5,000 in FY 23 (for the November 2022 election) for providing posters with the proposed constitutional amendment question and explanation to each polling place in every municipality. This cost will cover the printing and mailing of the posters.

As all materials required for placing a constitutional amendment on the ballot are supplied by the State, and the vote will occur on the same day as a regularly scheduled statewide election, no costs will be incurred by municipalities.

**The Out Years**

The cost identified above is one-time. However, the FY 23 cost may be shifted into FY 25 pursuant to the requirements of the constitutional amendment process.

**OLR Bill Analysis**

sHJ 58

**RESOLUTION PROPOSING A STATE CONSTITUTIONAL AMENDMENT TO ALLOW NO-EXCUSE ABSENTEE VOTING.****SUMMARY**

This resolution proposes a constitutional amendment to remove the constitution's current restrictions on absentee voting. Under these restrictions, the General Assembly may pass a law allowing electors to cast their vote by absentee ballot if they are unable to appear at their polling place because of absence from the town where they reside, because of sickness or physical disability, or because the tenets of their religion prohibit secular activity on election day (Article VI, § 7). The General Assembly exercised this authority and passed provisions codified at CGS § 9-135 (see BACKGROUND).

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

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

**BACKGROUND*****Absentee Voting***

CGS § 9-135 permits qualified electors to vote by absentee ballot if they are unable to appear at their polling place because:

1. they are absent from the municipality in which they reside during all hours of voting;
2. they are ill or have a physical disability;
3. the tenets of their religion forbid secular activity on the day of the primary, election, or referendum;
4. they are in active service in the U.S. Armed Forces; or
5. they are primary, election, or referendum officials outside of their voting district, and their duties will keep them away during all hours of voting.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13    Nay 6    (03/05/2021)