



General Assembly

Amendment

January Session, 2021

LCO No. 8094



Offered by:

REP. MASTROFRANCESCO, 80th Dist.

REP. REBIMBAS, 70th Dist.

SEN. SAMPSON, 16th Dist.

To: House Joint Resolution No. 59 File No. 97 Cal. No. 104

**"RESOLUTION APPROVING AN AMENDMENT TO THE STATE
CONSTITUTION TO ALLOW FOR EARLY VOTING."**

1 Strike everything after the resolving clause and substitute the
2 following in lieu thereof:

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

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

9 Sec. 7. The general assembly may provide by law for voting in the
10 choice of any officer to be elected or upon any question to be voted on
11 at an election by qualified voters of the state who are unable to appear
12 at the polling place on the day of election because of absence from the

13 city or town of which they are inhabitants or because of sickness or
14 physical disability or because the tenets of their religion forbid secular
15 activity. The general assembly may further provide by law for voting in
16 person prior to the day of election in the choice of any officer to be
17 elected or upon any question to be voted on at an election by qualified
18 voters of the state who present current and valid photo identification.

19 Section 9 of article third of the Constitution is amended to read as
20 follows:

21 Sec. 9. At all elections for members of the general assembly the
22 presiding officers in the several towns shall [receive the votes of the
23 electors, and] count and declare [them] the votes of the electors in open
24 meeting. The presiding officers shall make and certify duplicate lists of
25 the persons voted for, and of the number of votes for each. One list shall
26 be delivered within three days to the town clerk, and within ten days
27 after such meeting, the other shall be delivered [under seal] to the
28 secretary of the state.

29 Section 4 of article fourth of the Constitution is amended to read as
30 follows:

31 Sec. 4. [At the meetings of the electors in the respective towns held
32 quadrennially as herein provided for the election of state officers, the
33 presiding officers shall receive the votes and shall count and declare the
34 same in the presence of the electors] The votes at the election of state
35 officers shall be counted and declared in open meeting by the presiding
36 officers in the several towns. The presiding officers shall make and
37 certify duplicate lists of the persons voted for, and of the number of
38 votes for each. One list shall be delivered within three days to the town
39 clerk, and within ten days after such meeting, the other shall be
40 delivered [under seal] to the secretary of the state. The votes so delivered
41 shall be counted, canvassed and declared by the treasurer, secretary,
42 and comptroller, within the month of November. The vote for treasurer
43 shall be counted, canvassed and declared by the secretary and
44 comptroller only; the vote for secretary shall be counted, canvassed and

45 declared by the treasurer and comptroller only; and the vote for
46 comptroller shall be counted, canvassed and declared by the treasurer
47 and secretary only. A fair list of the persons and number of votes given
48 for each, together with the returns of the presiding officers, shall be, by
49 the treasurer, secretary and comptroller, made and laid before the
50 general assembly, then next to be held, on the first day of the session
51 thereof. In the election of governor, lieutenant-governor, secretary,
52 treasurer, comptroller and attorney general, the person found upon the
53 count by the treasurer, secretary and comptroller in the manner herein
54 provided, to be made and announced before December fifteenth of the
55 year of the election, to have received the greatest number of votes for
56 each of such offices, respectively, shall be elected thereto; provided, if
57 the election of any of them shall be contested as provided by statute, and
58 if such a contest shall proceed to final judgment, the person found by
59 the court to have received the greatest number of votes shall be elected.
60 If two or more persons shall be found upon the count of the treasurer,
61 secretary and comptroller to have received an equal and the greatest
62 number of votes for any of said offices, and the election is not contested,
63 the general assembly on the second day of its session shall hold a joint
64 convention of both houses, at which, without debate, a ballot shall be
65 taken to choose such officer from those persons who received such a
66 vote; and the balloting shall continue on that or subsequent days until
67 one of such persons is chosen by a majority vote of those present and
68 voting. The general assembly shall have power to enact laws regulating
69 and prescribing the order and manner of voting for such officers. The
70 general assembly shall by law prescribe the manner in which all
71 questions concerning the election of a governor or lieutenant-governor
72 shall be determined.

73 RESOLVED: That the foregoing proposed amendment to the
74 Constitution be continued to the next session of the General Assembly
75 elected at the general election to be held on November 8, 2022, and
76 published with the laws passed at the present session, or be presented
77 to the electors at the general election to be held on November 8, 2022,
78 whichever the case may be, according to article sixth of the amendments

79 to the Constitution. The designation of said proposed amendment to be
80 used on the ballots at such election shall be "Shall the Constitution of the
81 State be amended to permit the General Assembly to provide for early
82 voting by persons who present current and valid photo identification?"