



General Assembly

Amendment

January Session, 2021

LCO No. 8929



Offered by:
REP. PERILLO, 113th Dist.

To: Subst. House Bill No. 6205

File No. 572

Cal. No. 399

"AN ACT REVISING CERTAIN ABSENTEE VOTING STATUTES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subdivision (1) of subsection (g) of section 9-7a of the
4 general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective from passage*):

6 (g) (1) In the case of a written complaint filed with the commission
7 pursuant to section 9-7b, commission staff shall conduct and complete a
8 preliminary examination of such complaint by the fourteenth day
9 following its receipt, at which time such staff shall, at its discretion, (A)
10 dismiss the complaint for failure to allege any substantial violation of
11 state election law supported by evidence, (B) engage the respondent in
12 discussions in an effort to speedily resolve any matter pertaining to a de
13 minimis violation, or (C) investigate and docket the complaint for a
14 determination by the commission that probable cause or no probable
15 cause exists for any such violation. If commission staff dismisses a
16 complaint pursuant to subparagraph (A) of this subdivision, such staff

17 shall provide a brief written statement concisely setting forth the
18 reasons for such dismissal. If commission staff engages a respondent
19 pursuant to subparagraph (B) of this subdivision but is unable to
20 speedily resolve any such matter described in said subparagraph by the
21 forty-fifth day following receipt of the complaint, such staff shall docket
22 such complaint for a determination by the commission that probable
23 cause or no probable cause exists for any violation of state election law.
24 If the commission does not, by the sixtieth day following receipt of the
25 complaint, either issue a decision or render its determination that
26 probable cause or no probable cause exists for any violation of state
27 election laws, the complainant or respondent may apply to the superior
28 court for the judicial district of Hartford for an order to show cause why
29 the commission has not acted upon the complaint and to provide
30 evidence that the commission has unreasonably delayed action. For any
31 complaint received on or after January 1, 2018, if the commission does
32 not, by one year following receipt of such complaint, issue a decision
33 thereon, the commission shall dismiss such complaint, provided the
34 length of time of any delay caused by (i) the commission or commission
35 staff granting any extension or continuance to a respondent prior to the
36 issuance of any such decision, (ii) any subpoena issued in connection
37 with such complaint, (iii) any litigation in state or federal court related
38 to such complaint, or (iv) any investigation by, or consultation of the
39 commission or commission staff with, the Chief State's Attorney, the
40 Attorney General, the United States Department of Justice or the United
41 States Attorney for Connecticut related to such complaint, shall be
42 added to such one year. For any investigation made on the commission's
43 own initiative on or after January 1, 2022, if the commission does not, by
44 one year following initiation of such investigation, issue a decision
45 thereon, the commission shall conclude such investigation, provided the
46 length of time of any delay caused by (I) any subpoena issued in
47 connection with such investigation, (II) any litigation in state or federal
48 court related to such investigation, or (III) any investigation by, or
49 consultation of the commission or commission staff with, the Chief
50 State's Attorney, the Attorney General, the United States Department of
51 Justice or the United States Attorney for Connecticut related to such

52 investigation, shall be added to such one year."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	9-7a(g)(1)