



General Assembly

**Amendment**

January Session, 2021

LCO No. 10727



Offered by:

REP. ARCONTI, 109<sup>th</sup> Dist.  
REP. GODFREY, 110<sup>th</sup> Dist.  
REP. ALLIE-BRENNAN, 2<sup>nd</sup> Dist.  
REP. GUCKER, 138<sup>th</sup> Dist.

REP. CALLAHAN, 108<sup>th</sup> Dist.  
REP. YACCARINO, 87<sup>th</sup> Dist.  
REP. VAIL, 52<sup>nd</sup> Dist.

To: Subst. House Bill No. 6578

File No. 578

Cal. No. 405

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

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

3 "Section 1. (NEW) (*Effective from passage*) (a) Notwithstanding the  
4 provisions of section 7-192a of the general statutes, the Secretary of the  
5 State shall establish a pilot program through which municipalities  
6 provide a system for the return of absentee ballots, by means of the  
7 Internet and with electronic devices, by electors described in section 9-  
8 153d of the general statutes or persons with physical disabilities who  
9 apply for absentee ballots pursuant to section 9-140 of the general  
10 statutes.

11 (b) The Secretary shall select five municipalities for participation in  
12 such pilot program, in accordance with the following: (1) One

13 municipality with a population of less than ten thousand; (2) one  
14 municipality with a population of ten thousand or greater, but less than  
15 twenty-five thousand; (3) one municipality with a population of twenty-  
16 five thousand or greater, but less than fifty thousand; (4) one  
17 municipality with a population of fifty thousand or greater, but less than  
18 one hundred thousand; and (5) one municipality with a population of  
19 one hundred thousand or greater. For the purposes of this section,  
20 "population" means the estimated number of people according to the  
21 most recent version of the State Register and Manual prepared pursuant  
22 to section 3-90 of the general statutes.

23 (c) (1) Any system described in subsection (a) of this section shall, at  
24 a minimum, (A) provide security that encrypts information over a  
25 secure network; (B) provide for secure identification and authentication  
26 of information transmitted on such system; (C) provide protection  
27 against abuse, tampering, fraudulent use and illegal manipulation of  
28 such system by any individual or group; (D) ensure secure return of  
29 each ballot, including verification that each ballot cast is private and  
30 secure and has not been altered by any individual, such system or any  
31 third party between such elector's or person's electronic device and the  
32 destination at which such ballot is to be counted; (E) provide each such  
33 authorized elector or person with notice that such elector's or person's  
34 ballot has been cast and received; (F) verify that each ballot cast by each  
35 such authorized elector or person is timely received by the applicable  
36 deadline; (G) ensure that only one ballot is counted for each such  
37 authorized elector or person; (H) provide a means of re-examining any  
38 cast ballot for the purpose of any recanvass or audit; (I) provide the  
39 ability to spoil a ballot, in which case a subsequent ballot shall be issued  
40 and only the final ballot of such elector or person may be cast; and (J)  
41 provide for the automatic preparation of ballots that can be printed and  
42 inserted into any tabulator used at any election, primary or referendum.

43 (2) Any elector or person using the system described in subsection (a)  
44 of this section shall certify such elector's or person's agreement to the  
45 use of such system and any terms of such use.

46 (d) Any municipality providing a system described in subsection (a)  
47 of this section shall, not later than fifteen days after the election, primary  
48 or referendum for which absentee ballots are returned using such  
49 system, report in writing to the Secretary of the State (1) the number of  
50 absentee ballots delivered to an elector or person described in said  
51 subsection; (2) the number of such absentee ballots returned to the clerk  
52 of such municipality; and (3) the number of such absentee ballots that  
53 were counted and the number of such absentee ballots that were  
54 rejected.

55 (e) Not later than January 1, 2023, the Secretary of the State shall  
56 submit a report on results of the pilot program described in subsection  
57 (a) of this section and recommendations for legislation to the joint  
58 standing committee of the General Assembly having cognizance of  
59 matters relating to elections, in accordance with the provisions of section  
60 11-4a of the general statutes.

61 Sec. 2. Section 1 of public act 21-13 is repealed and the following is  
62 substituted in lieu thereof (*Effective from passage*):

63 (a) (1) Except as provided in subdivision (2) of this subsection, on or  
64 before the thirtieth day of June in 2021, and thereafter on or before the  
65 first day of May in each year in which the decennial census of the United  
66 States is taken and in which the United States Census Bureau counts any  
67 incarcerated individual as a resident of the town in which such  
68 incarcerated individual's respective correctional facility is located, the  
69 Department of Correction shall deliver to the Secretary of the Office of  
70 Policy and Management in such form as the secretary shall prescribe:

71 (A) A unique identifier for each incarcerated individual subject to the  
72 jurisdiction of the department on the date for which the decennial  
73 census reports population;

74 (B) The street address of the correctional facility in which such  
75 individual was incarcerated at the time of such report;

76 (C) The residential or other address of such individual prior to

77 incarceration;

78 (D) An indication of whether such individual has attained the age of  
79 eighteen years;

80 (E) Such individual's race and whether such individual is of Hispanic  
81 or Latino origin, if known; and

82 (F) Any additional information the secretary may request pursuant  
83 to law.

84 (2) In the case of each incarcerated individual who is serving a  
85 sentence of life imprisonment without the possibility of release, the  
86 Department of Correction shall not deliver to the Secretary of the Office  
87 of Policy and Management the information described in subparagraph  
88 (C) of subdivision (1) of this subsection.

89 (3) Notwithstanding any provision of the general statutes, the  
90 information required to be provided under this subsection shall not  
91 include the name of any incarcerated individual or in any other way  
92 allow for the identification of any such individual from such  
93 information. Such information shall be confidential and not otherwise  
94 disclosed, except to the secretary for the purposes of subsection [(c)] (b)  
95 of this section, or as aggregated by census block for the purposes of  
96 subsection [(d)] (c) of this section.

97 [(b) (1) Except as provided in subdivision (2) of this subsection, on or  
98 before the thirtieth day of June in 2021, and thereafter on or before the  
99 first day of May in each year in which the decennial census of the United  
100 States is taken and in which the United States Census Bureau counts any  
101 incarcerated individual as a resident of the town in which such  
102 incarcerated individual's respective correctional facility is located, the  
103 Secretary of the Office of Policy and Management shall request each  
104 agency that operates a federal correctional facility in this state to provide  
105 the secretary with a report including the information listed in  
106 subdivision (1) of subsection (a) of this section.

107 (2) In the case of each incarcerated individual who is serving a  
108 sentence of life imprisonment without the possibility of release, the  
109 Secretary of the Office of Policy and Management shall not request of  
110 any agency that operates a federal correctional facility in this state that  
111 such agency provide the secretary with the information described in  
112 subparagraph (C) of subdivision (1) of subsection (a) of this section.]

113 [(c)] (b) (1) Except as provided in subdivision [(4)] (3) of this  
114 subsection, for each individual included in a report received under  
115 subsection (a) [or (b)] of this section, the Secretary of the Office of Policy  
116 and Management shall determine the geographic units for which  
117 population counts are reported in the decennial census of the United  
118 States, which units contain the address of the facility in which such  
119 individual was incarcerated, and such individual's prior residential or  
120 other address as listed in such report.

121 (2) Except as provided in subdivision [(4)] (3) of this subsection, for  
122 each individual included in a report received under subsection (a) [or  
123 (b)] of this section, if such individual's prior residential or other address  
124 is known and in this state, the secretary shall adjust such information to:

125 (A) Ensure that all relevant population counts reported in the  
126 decennial census are as if such individual resided at such address on the  
127 date for which the census reports population; and

128 (B) Ensure that such individual is not represented in any applicable  
129 population count reported in the decennial census for the geographic  
130 units that include the facility in which such individual was incarcerated  
131 on the date for which the census reports population, unless such  
132 individual's prior residential or other address is located within the same  
133 such geographic units.

134 [(3) Except as provided in subdivision (4) of this subsection, for each  
135 individual included in a report received under subsection (a) or (b) of  
136 this section whose residential or other address is unknown or not in this  
137 state, and for each individual reported in the decennial census as  
138 residing in a federal correctional facility for whom a report was not

139 provided, the secretary shall adjust such information to:

140 (A) Ensure that such individual is not represented in any applicable  
141 population count reported in the decennial census for the geographic  
142 units that include the facility in which such individual was incarcerated  
143 on the date for which the census reports population; and

144 (B) Ensure that such individual is counted as part of a state unit not  
145 tied to a specific geographical location, in the same manner that an  
146 individual with an unknown state of residency is counted, including,  
147 but not limited to, military and federal government personnel stationed  
148 abroad.]

149 [(4)] (3) For each individual included in a report received under  
150 subsection (a) [or (b)] of this section (A) who is serving a sentence of life  
151 imprisonment without the possibility of release, or (B) whose residential  
152 address or other address is unknown or not in this state, the secretary  
153 shall not adjust such information and shall ensure that such individual  
154 is represented in the applicable population count reported in the  
155 decennial census for the geographic units that include the facility in  
156 which such individual was incarcerated on the date for which the census  
157 reports population.

158 [(d)] (c) The Secretary of the Office of Policy and Management shall  
159 prepare and publish such information, both adjusted and unadjusted,  
160 pursuant to subsection [(c)] (b) of this section on or before either the first  
161 day of July next following the year in which the decennial census of the  
162 United States is taken or the thirtieth day after the publication of the  
163 redistricting data for this state by the United States Census Bureau in  
164 such year, whichever is later, and [such adjusted and unadjusted  
165 information] the redistricting data adjusted in accordance with this  
166 section shall be the basis for determining state assembly and senatorial  
167 districts, as well as municipal voting districts. [No residence at an  
168 unknown geographical location within the state under subdivision (3)  
169 of subsection (c) of this section may be used to determine the average  
170 population of any set of districts.] The secretary shall notify each

171 municipality that [the adjusted and unadjusted information] such  
 172 adjusted redistricting data shall be used for the purposes of determining  
 173 municipal voting districts. In no case may such adjusted redistricting  
 174 data be used for the purposes of calculating municipal aid, as defined in  
 175 section 7-560 of the general statutes.

176 [(e)] (d) The Department of Correction shall (1) determine the  
 177 residential or other address of each individual who is committed to the  
 178 custody of the department as of or after January 1, 2020, and decennially  
 179 thereafter, and who remains so committed on the date for which the  
 180 census reports population, and (2) maintain an electronic record of such  
 181 address. Such record shall contain, at a minimum, the last-known  
 182 residential or other address of each such individual prior to  
 183 incarceration."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	PA 21-13, Sec. 1