



House of Representatives

General Assembly

File No. 495

February Session, 2022

Substitute House Bill No. 5379

House of Representatives, April 14, 2022

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 VARIOUS ELECTION ADMINISTRATION PROCEDURES RELATED TO REGISTRARS OF VOTERS.

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

1 Section 1. Section 9-16 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 The registrars of voters in each town shall give notice of the time and
4 place of each session for the admission of electors held pursuant to
5 section 9-17 by publication in a newspaper published or circulated in
6 such town, or on such town's Internet web site, if any, not more than
7 fifteen nor less than five days before each such session. Nothing [herein]
8 in this section shall require that such publication be in the form of a legal
9 advertisement.

10 Sec. 2. Section 9-17a of the general statutes is repealed and the
11 following is substituted in lieu thereof (*Effective from passage*):

12 As used in sections [9-17, 9-19b,] 9-19c, 9-20, [9-23a, 9-24,] 9-31a [, 9-

13 31b] and 9-31l, as amended by this act, unless otherwise provided, the
14 term "admitting official" means a town clerk, assistant town clerk,
15 registrar of voters, deputy registrar of voters or assistant registrar of
16 voters. [or the board for admission of electors.]

17 Sec. 3. Section 9-31l of the general statutes is repealed and the
18 following is substituted in lieu thereof (*Effective from passage*):

19 (a) (1) A person who is denied admission as an elector may appeal a
20 decision of an admitting official of a town, other than a registrar of
21 voters, concerning the right of such person to be or remain an elector.
22 Any such appeal shall be made to the registrars of voters of such town,
23 [except that if the admitting official who made such decision is a
24 registrar of voters, the appeal shall be made to the board for admission
25 of electors of such town.]

26 (2) Notice of an appeal shall be in writing and delivered to the
27 registrars. [or to the board for admission of electors. Within] Not later
28 than seven days after receipt of a notice of appeal, the registrars [or the
29 board, as the case may be,] shall give written notice of the time and place
30 where such appeal will be heard to the appellant and to the admitting
31 official whose decision is the subject of the appeal. Such appeal shall be
32 heard [within] not later than twenty-one days after notice of the appeal
33 is delivered to the registrars. [or the board. Neither a registrar whose
34 decision is the subject of the appeal nor a registrar who is an appellant
35 shall be a voting member of the board which hears the appeal.]

36 (3) The registrars [or the board] may receive sworn testimony and any
37 other evidence relating to the qualifications of such person to be or
38 remain an elector.

39 (4) [Within] Not later than seven days after hearing an appeal, the
40 registrars [or the board] shall render a decision and shall send written
41 notice of the decision to the appellant and the admitting official whose
42 decision was the subject of the appeal.

43 (b) (1) The person whose right to be or remain an elector is in dispute

44 may appeal the decision of the registrars [or the board for the admission
45 of electors] under subsection (a) of this section to the State Elections
46 Enforcement Commission. If an appeal is not made to the commission
47 as provided in this subsection, the decision of the registrars [or the
48 board] shall be final.

49 (2) Any such appeal shall be in writing and filed with the State
50 Elections Enforcement Commission at its principal offices not later than
51 fourteen days [following] after the decision of the registrars, [or the
52 board.] A copy of any such notice of appeal shall also be delivered
53 within such time to the registrars [or the board that] who rendered the
54 decision under subsection (a) of this section.

55 (3) The registrars [or the board] shall, not later than ten days after
56 receipt of a copy of the notice of appeal, deliver the record of the hearing
57 of the registrars [or board] under subsection (a) of this section to the
58 commission.

59 (4) The commission shall hear such appeal not later than twenty-one
60 days after notice of appeal is filed with the commission. Such hearing
61 shall be conducted in accordance with the provisions of sections 4-176e
62 to 4-180a, inclusive, and section 4-181a. The commission may consider
63 the record of the hearing delivered by the registrars [or the board] and
64 may examine witnesses, documents and any other evidence that it
65 determines may have a bearing on the proper determination of the
66 issues brought on appeal. The commission's hearing shall be recorded.

67 (5) The commission shall render its decision not later than sixty days
68 after the close of its hearing, except that an extension of time may be
69 granted by the commission upon application of any party that sets forth
70 circumstances that the commission determines is appropriate to
71 granting an extension of time. The commission may also initiate an
72 extension of time for rendering its decision, after written notice to the
73 parties, provided all of the parties before the commission give their prior
74 written consent.

75 (6) The decision of the commission shall determine the person's right

76 to be or remain an elector. If any such decision is adverse to such
77 individual's right, the commission shall order both registrars to remove
78 the elector's name from the town's active and inactive registry list and
79 any enrollment list. Any person whose name has been so removed may
80 reapply for admission as an elector with the registrars of voters of the
81 same town at any time. If such application is made within four years
82 after the commission's decision, both registrars may approve such
83 application only after they find that there has been a substantial change
84 in the circumstances that provided the basis for the commission's
85 decision and that the individual is eligible to be an elector. Registrars
86 who approve an individual's application for admission within this time
87 period without a substantial change in circumstances may be subject to
88 a civil penalty imposed by the commission in accordance with
89 subdivision (2) of subsection (a) of section 9-7b if the commission
90 determines, following a written complaint filed with the commission
91 pursuant to [said] section 9-7b, that the registrars' action was without
92 good cause and constitutes a wilful violation of a prior order of the
93 commission.

94 Sec. 4. Section 9-358 of the general statutes is repealed and the
95 following is substituted in lieu thereof (*Effective from passage*):

96 Any person who, upon oath or affirmation, legally administered,
97 wilfully and corruptly testifies or affirms, before any registrar of voters,
98 any moderator of any election, primary or referendum [, any board for
99 admission of electors] or the State Elections Enforcement Commission,
100 falsely, to any material fact concerning the identity, age, residence or
101 other qualifications of any person whose right to be registered or
102 admitted as an elector or to vote at any election, primary or referendum
103 is being passed upon and decided, shall be guilty of a class D felony and
104 shall be disfranchised.

105 Sec. 5. Section 9-362 of the general statutes is repealed and the
106 following is substituted in lieu thereof (*Effective from passage*):

107 The decision [of the board for admission of electors or] of the
108 registrars or of a moderator, as to a person's right to be admitted to the

109 elector's oath, to registration or to cast his vote, shall, in no case, be a bar
110 to a criminal prosecution for procuring himself to be made an elector or
111 to be registered or for voting, without the qualifications required by law.

112 Sec. 6. Subsections (a) and (b) of section 9-35 of the general statutes
113 are repealed and the following is substituted in lieu thereof (*Effective*
114 *from passage*):

115 (a) The registrars, [on the Tuesday of the fifth week] before each
116 regular election, shall [be in session for the purpose of completing]
117 complete a correct list of all electors who will be entitled to vote at such
118 election. Such registry list shall consist of an active registry list and an
119 inactive registry list. [Such session shall be held during such hours
120 between nine o'clock a.m. and five o'clock p.m. as the registrars find
121 necessary to complete the list. Notice of such session shall be given at
122 least five days before the session by publication in a newspaper having
123 a circulation in such municipality, if any, and by posting on the signpost
124 therein, if any, or at some other exterior place near the office of the town
125 clerk. Such publication shall not be required to be in the form of a legal
126 advertisement.]

127 (b) [At such session and on] On any day except on the day of an
128 election or primary, the registrars shall remove from the list the name of
129 each elector who has died, who has been disfranchised or who has
130 confirmed in writing that the elector has moved out of the municipality,
131 except electors entitled to remain on such list under the provisions of
132 this chapter. An elector shall be deemed to have confirmed in writing
133 that the elector has moved out of the municipality if (1) the elector has
134 submitted a change of address form for purposes of a state motor vehicle
135 operator's license, unless the elector states on the form that the change
136 of address is not for voter registration purposes, (2) the elector has
137 submitted a change of address form to a voter registration agency, as
138 defined in section 9-23n, and such agency has provided such change of
139 address to the registrars of voters, or (3) the registrars of voters have
140 received a cancellation of previous registration from any other election
141 official indicating that such elector has registered as an elector outside

142 such municipality.

143 Sec. 7. Section 9-35a of the general statutes is repealed and the
144 following is substituted in lieu thereof (*Effective from passage*):

145 Immediately after the [close of the session or immediately after the]
146 sending of notice of intended removal provided for in section 9-35, as
147 amended by this act, the registrars of voters shall post at the town hall
148 or municipal building in the municipality in which they serve, in a place
149 readily accessible to the public, a list of the names of the electors whose
150 names were removed from the registry list [at such session] or will be
151 removed on the date specified in section 9-35, as amended by this act,
152 together with the address of each such elector as it appeared on the
153 registry list at the time the name was so removed. Together with such
154 list, and as a part thereof, such registrars shall also cause to be posted a
155 statement that complete information as to such removal and as to the
156 privileges and remedies of those whose names were removed from the
157 registry list is available from such registrars, specifying when and where
158 such registrars are available for such purpose and, in the case of
159 registrars of voters having office hours, specifying such office hours.

160 Sec. 8. Section 9-39 of the general statutes is repealed and the
161 following is substituted in lieu thereof (*Effective from passage*):

162 [The] For the purposes of section 9-234, the registrars of voters of each
163 municipality shall print copies of the final registry list for distribution
164 [in such municipality and] in all the voting districts located [therein]
165 within such municipality. The registrars shall, upon request, produce
166 for any candidate for election the final registry list for each voting
167 district for which such person is a candidate and shall maintain such list,
168 either on paper or in electronic format, for a period of two years.

169 Sec. 9. Section 9-172b of the general statutes is repealed and the
170 following is substituted in lieu thereof (*Effective from passage*):

171 (a) In each municipality or political subdivision in which a special
172 election or referendum is to be held, the registrars of voters shall prepare

173 an updated list of the names and addresses of those persons who
174 acquired voting privileges after the completion of the revised registry
175 list and prior to the day of such special election or referendum. In each
176 such municipality or political subdivision, not later than the day before
177 such special election or referendum, such registrars [of voters] shall
178 cause to be completed [and printed] such list arranged as provided in
179 section 9-35, as amended by this act, and certified by [them] such
180 registrars to be correct, and shall [retain] print a sufficient number of
181 copies to be used by [them] such registrars at such special election or
182 referendum for the [purpose of checking the names of those who vote]
183 purposes of section 9-234, provided the names of any persons who
184 acquired such voting privileges within thirty days before such special
185 election or referendum may be inserted in writing on such printed list.
186 [in writing.]

187 (b) In the case of a special election or referendum, no person admitted
188 as an elector on the day of [the] such special election or referendum shall
189 be entitled to vote in [that] such special election or referendum.

190 Sec. 10. Subsection (d) of section 9-192a of the general statutes is
191 repealed and the following is substituted in lieu thereof (*Effective from*
192 *passage*):

193 (d) The advisory committee shall also [(1)] develop a training
194 program in election procedures for poll workers, [, and (2) develop an
195 election law and procedures training program and guide for registrars,
196 deputy registrars and assistant registrars. The training program
197 developed under subdivision (2) of this subsection shall provide for
198 training to be conducted by trained registrars or former registrars hired
199 for such purpose by the Secretary of the State.] The committee shall
200 submit such training [programs and training guide] program to the
201 Secretary of the State, who shall approve or modify [the programs and
202 guide] such program.

203 Sec. 11. Subdivision (3) of subsection (a) of section 9-192a of the
204 general statutes is repealed and the following is substituted in lieu
205 thereof (*Effective from passage*):

206 (3) Once certified, pursuant to subdivision (1) of this subsection, each
207 registrar shall participate each year in not less than eight hours of
208 training [, not including any training described under subdivision (2) of
209 subsection (d) of this section,] in order to maintain such certification.
210 Such training shall be as prescribed by the Secretary of the State and
211 shall be conducted by [said] the Secretary or a third party approved by
212 [said] the Secretary to conduct such training. Any registrar who fails to
213 satisfy such annual training requirement shall be directed by the
214 Secretary of the State to take remedial measures prescribed by [said] the
215 Secretary.

216 Sec. 12. Subsection (b) of section 9-249 of the general statutes is
217 repealed and the following is substituted in lieu thereof (*Effective from*
218 *passage*):

219 (b) The election officials of such voting districts shall attend the
220 elections training program developed under [subdivision (1) of]
221 subsection (d) of section 9-192a, as amended by this act, and any other
222 meeting or meetings as are called for the purpose of receiving such
223 instructions concerning their duties as are necessary for the proper
224 conduct of the election.

225 Sec. 13. Section 9-233 of the general statutes is repealed and the
226 following is substituted in lieu thereof (*Effective from passage*):

227 Prior to each election, the registrars of voters of each town shall
228 appoint, for each voting tabulator to be used at such election, at least
229 one and not more than two electors of [such town as a voting tabulator
230 tender] this state to be voting tabulator tenders, unless the registrars of
231 voters have established two shifts for election officials under the
232 provisions of section 9-258a, in which case the registrars shall appoint at
233 least one and not more than two such electors to be voting tabulator
234 tenders, for each voting tabulator, for each shift.

235 Sec. 14. Sections 9-15a and 9-192b of the general statutes are repealed.
236 (*Effective from passage*)

237 Sec. 15. Subsection (b) of section 9-1 of the 2022 supplement to the
 238 general statutes is repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-16
Sec. 2	<i>from passage</i>	9-17a
Sec. 3	<i>from passage</i>	9-311
Sec. 4	<i>from passage</i>	9-358
Sec. 5	<i>from passage</i>	9-362
Sec. 6	<i>from passage</i>	9-35(a) and (b)
Sec. 7	<i>from passage</i>	9-35a
Sec. 8	<i>from passage</i>	9-39
Sec. 9	<i>from passage</i>	9-172b
Sec. 10	<i>from passage</i>	9-192a(d)
Sec. 11	<i>from passage</i>	9-192a(a)(3)
Sec. 12	<i>from passage</i>	9-249(b)
Sec. 13	<i>from passage</i>	9-233
Sec. 14	<i>from passage</i>	Repealer section
Sec. 15	<i>from passage</i>	Repealer section

Statement of Legislative Commissioners:

In Section 3(b)(6), "said section 9-7b" was changed to "[said] section 9-7b" for consistency; and in Section 11, "said Secretary" was changed to "[said] the Secretary" 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: None

Municipal Impact: None

Explanation

This bill makes various changes affecting election administration that have no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5379*****AN ACT CONCERNING VARIOUS ELECTION ADMINISTRATION PROCEDURES RELATED TO REGISTRARS OF VOTERS.*****SUMMARY**

This bill makes various changes affecting election administration. Principally, it does the following:

1. allows registrars of voters to provide notice of voter registration sessions on their municipality's website as an alternative to in a newspaper (§ 1);
2. repeals obsolete provisions and references concerning municipal boards for admission of electors (§§ 2-5 & 14-15);
3. eliminates a requirement that registrars of voters meet on a specific day before a regular election to complete the registry list of all electors who may vote at the election, and instead requires them to complete the list before the election (§§ 6-7 & 9);
4. eliminates requirements that (a) the advisory committee tasked with establishing training programs for registrars of voters develop an election law and procedures training program and guide for registrars and their assistants and deputies and (b) registrars or their assistants or deputies annually receive at least 10 hours of training through that program (§§ 10-12 & 14); and
5. allows registrars of voters to appoint electors from any Connecticut municipality to serve as voting tabulator tenders, instead of only from their municipality as under current law (§ 13).

Lastly, the bill makes minor, technical, and conforming changes,

including removing obsolete cross-references for the term “admitting official” (§ 2) and clarifying language regarding voter registry lists (§ 8).

EFFECTIVE DATE: Upon passage

§ 1 — NOTICE OF VOTER REGISTRATION SESSION

The bill gives registrars of voters in each municipality the option to provide notice about the time and place of voter registration sessions on their municipal website. Under current law, they must notice these sessions in a newspaper published or circulated in the municipality. Instead, the bill allows either option. In either case, the notice must appear from five to 15 days before the session, and it need not be in the form of a legal advertisement.

§§ 2-5 & 14-15 — BOARDS FOR ADMISSION OF ELECTORS

The bill repeals obsolete references to municipal boards for admission of electors. Current law requires that these boards, among other things, adjudicate appeals made by someone who is denied admission as an elector (i.e., ability to vote) by a registrar of voters. However, in practice, municipalities no longer use these boards. Instead, someone aggrieved by a registrar’s admission decision may file a complaint with the State Elections Enforcement Commission (SEEC).

§§ 6-7 & 9 — PRELIMINARY VOTER REGISTRY LIST

The bill eliminates the requirement that registrars of voters meet on the Tuesday of the fifth week before a regular election to complete a correct registry list of electors entitled to vote in the election (i.e., those on both the active and inactive voter registry lists). It instead requires them to complete the list before the election and makes conforming changes (e.g., repealing the requirement that the registrars notice the session at least five days in advance). In practice, registrars continually maintain this list through the statewide centralized voter registration system.

§§ 10-12 & 14 — REGISTRAR TRAINING

The bill eliminates a requirement that registrars of voters annually

take, or designate their deputies or assistants to take, at least 10 instruction hours under an election law and procedures training program developed by the six-member advisory committee that trains and certifies them. It similarly eliminates the requirement that the committee develop the program and a related guide and submit them to the secretary of the state for approval.

Under existing law unchanged by the bill, registrars of voters must (1) be certified through a program developed by the secretary in consultation with the advisory committee and (2) annually complete at least eight hours of training that are separate from the 10-hour training program the bill eliminates.

The advisory committee consists of representatives of the secretary of the state and SEEC, and four registrars of voters whom the secretary appoints in consultation with the Registrars of Voters Association of Connecticut (CGS § 9-192a).

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/29/2022)