



Senate

General Assembly

File No. 6

February Session, 2022

Substitute Senate Bill No. 184

Senate, March 11, 2022

The Committee on Government Administration and Elections reported through SEN. FLEXER of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT EXTENDING THROUGH NOVEMBER 8, 2022, SEVERAL CHANGES REGARDING ELECTION ADMINISTRATION AS A RESULT OF COVID-19 AND CONCERNING ELIGIBILITY TO VOTE BY ABSENTEE BALLOT.

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

1 Section 1. Subsection (a) of section 9-225 of the 2022 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (a) (1) Except as provided in subdivision (2) of this subsection, the
5 town clerk or assistant town clerk of each town shall warn the electors
6 therein to meet on the Tuesday following the first Monday in November
7 in the even-numbered years, at six o'clock a.m., which warning shall be
8 given by publication (A) in a newspaper having a general circulation in
9 such town, or towns in the case of a joint publication under subsection
10 (b) of this section, not more than fifteen nor less than five days previous
11 to holding such election, and (B) on such town's Internet web site, not

12 more than fifteen nor less than five days previous to holding such
13 election. The clerk in each town shall, in the warning for such election,
14 give notice of (i) the time and the location of each polling place in the
15 town, (ii) in towns divided into voting districts, the time and the location
16 of each polling place in each district, and (iii) the time and the location
17 of each location designated for election day registration in the town, at
18 which such election will be held. The town clerk shall record each such
19 warning.

20 (2) For the state election in [2020] 2022, and any election held
21 pursuant to section 9-211, 9-212, 9-215 or 9-218 on or after [June 23, 2021,
22 but prior to November 3, 2021,] the effective date of this section but prior
23 to November 9, 2022, the warning under subsection (a) of this section
24 shall be given not more than seven nor less than four days previous to
25 holding such election.

26 Sec. 2. Section 9-226 of the 2022 supplement to the general statutes is
27 repealed and the following is substituted in lieu thereof (*Effective from*
28 *passage*):

29 (a) The warning of each municipal election shall specify the objects
30 for which such election is to be held. Except as provided in subsection
31 (b) of this section, notice of a town election shall be given by the town
32 clerk or assistant town clerk, by publishing a warning (1) in a newspaper
33 published in such town or having a general circulation therein, such
34 publication to be not more than fifteen nor less than five days previous
35 to holding the election, and (2) on such town's Internet web site, such
36 publication to be not more than fifteen nor less than five days previous
37 to holding the election. The town clerk in each town shall, in the warning
38 for such election, give notice of (A) the time and the location of each
39 polling place in the town, (B) in towns divided into voting districts, the
40 time and the location of each polling place in each district, and (C) the
41 time and the location of each location designated for election day
42 registration in the town. The town clerk shall record each such warning.
43 Except as provided in subsection (b) of this section, notice of an election
44 of a city or borough shall be given by publishing a warning (i) in a

45 newspaper published within the limits of such city or borough or having
46 a general circulation therein, not more than fifteen nor less than five
47 days previous to holding the election, and (ii) on the Internet web site of
48 such city or borough, or the town having such city or borough within
49 such town's limits, not more than fifteen nor less than five days previous
50 to holding the election, which warning shall include notice of (I) the time
51 and the location of each polling place in such city or borough, (II) in
52 cities and boroughs divided into voting districts, the time and the
53 location of each polling place in each district, and (III) the time and the
54 location of each location designated for election day registration in such
55 city or borough.

56 (b) For any municipal election held on or after [June 23, 2021, but
57 prior to November 3, 2021] the effective date of this section but prior to
58 November 9, 2022, the notice under subsection (a) of this section shall
59 be given not more than seven nor less than four days previous to
60 holding such election.

61 Sec. 3. Section 9-135 of the 2022 supplement to the general statutes is
62 repealed and the following is substituted in lieu thereof (*Effective from*
63 *passage*):

64 (a) Any elector eligible to vote at a primary or an election and any
65 person eligible to vote at a referendum may vote by absentee ballot if
66 such elector or person is unable to appear at such elector's or person's
67 polling place during the hours of voting for any of the following reasons:
68 (1) Such elector's or person's active service with the armed forces of the
69 United States; (2) such elector's or person's absence from the town of
70 such elector's or person's voting residence; [during all of the hours of
71 voting; (3) such elector's or person's] (3) illness; (4) such elector's or
72 person's physical disability; (5) the tenets of such elector's or person's
73 religion forbid secular activity on the day of the primary, election or
74 referendum; (6) the required performance of such elector's or person's
75 duties as a primary, election or referendum official, including as a town
76 clerk or registrar of voters or as staff of the clerk or registrar, at a polling
77 place other than such elector's or person's own during all of the hours

78 of voting at such primary, election or referendum; or (7) for [the state
 79 election in 2020, and] any election, primary or referendum held on or
 80 after [June 23, 2021, but prior to November 3, 2021] the effective date of
 81 this section but prior to November 9, 2022, the sickness of COVID-19.
 82 As used in this section, "COVID-19" means the respiratory disease
 83 designated by the World Health Organization on February 11, 2020, as
 84 coronavirus 2019, and any related mutation thereof recognized by said
 85 organization as a communicable respiratory disease.

86 (b) No person shall misrepresent the eligibility requirements for
 87 voting by absentee ballot prescribed in subsection (a) of this section, to
 88 any elector or prospective absentee ballot applicant.

89 Sec. 4. Section 9-137 of the 2022 supplement to the general statutes is
 90 repealed and the following is substituted in lieu thereof (*Effective from*
 91 *passage*):

92 (a) Each absentee ballot shall be returned to the municipal clerk,
 93 inserted in an inner envelope which shall be capable of being sealed and
 94 which shall have printed on its face a form containing the following
 95 statements:

96 "I hereby state under the penalties of false statement in absentee
 97 balloting that I am eligible to vote at the primary, election or referendum
 98 in the municipality in which this absentee ballot is to be cast and that I
 99 expect to be unable to appear at my polling place during the hours of
 100 voting at such primary, election or referendum for one or more of the
 101 following reasons: (1) My active service in the armed forces; (2) my
 102 absence from the town in which I am eligible to vote; [during all of the
 103 hours of voting; (3) my] (3) illness or my physical disability; (4) the tenets
 104 of my religion which forbid secular activity on the day of the primary,
 105 election or referendum; or (5) my duties as a primary, election or
 106 referendum official.

107 Date

108 (Signature)"

109 (b) Notwithstanding the provisions of subsection (a) of this section,
110 for [the state election in 2020, and] any election, primary or referendum
111 held on or after [June 23, 2021, but prior to November 3, 2021] the
112 effective date of this section but prior to November 9, 2022, each inner
113 envelope in which an absentee ballot is returned to the municipal clerk
114 shall have printed on its face a form containing the following statements:

115 "I hereby state under the penalties of false statement in absentee
116 balloting that I am eligible to vote at the primary, election or referendum
117 in the municipality in which this absentee ballot is to be cast and that I
118 expect to be unable to appear at my polling place during the hours of
119 voting at such primary, election or referendum for one or more of the
120 following reasons: (1) My active service in the armed forces; (2) my
121 absence from the town in which I am eligible to vote; [during all of the
122 hours of voting; (3) my] (3) illness or my physical disability; (4) the tenets
123 of my religion which forbid secular activity on the day of the primary,
124 election or referendum; (5) my duties as a primary, election or
125 referendum official; or (6) the sickness of COVID-19.

126 Date

127 (Signature)"

128 Sec. 5. Section 9-139b of the 2022 supplement to the general statutes
129 is repealed and the following is substituted in lieu thereof (*Effective from*
130 *passage*):

131 (a) The Secretary of the State may make any changes in any forms
132 prescribed by this chapter which, in the opinion of the Secretary, are
133 necessary to conform to the applicable provisions of federal law.

134 (b) For [the state election in 2020, and] any election, primary or
135 referendum held on or after [June 23, 2021, but prior to November 3,
136 2021] the effective date of this section but prior to November 9, 2022, the
137 Secretary of the State may make any changes in any forms prescribed by
138 this chapter or in any printed, recorded or electronic material issued
139 pursuant to this chapter which, in the opinion of the Secretary, are

140 necessary to conform to the applicable provisions of law.

141 Sec. 6. Subsection (g) of section 9-140 of the 2022 supplement to the
142 general statutes is repealed and the following is substituted in lieu
143 thereof (*Effective from passage*):

144 (g) (1) On the first day of issuance of absentee voting sets the
145 municipal clerk shall mail an absentee voting set to each applicant
146 whose application was received by the clerk prior to that day. When the
147 clerk receives an application during the time period in which absentee
148 voting sets are to be issued he shall mail an absentee voting set to the
149 applicant, within twenty-four hours, unless the applicant submits his
150 application in person at the office of the clerk and asks to be given his
151 absentee voting set immediately, in which case the clerk shall comply
152 with the request. Any absentee voting set to be mailed to an applicant
153 shall be mailed to the bona fide personal mailing address shown on the
154 application. Issuance of absentee voting sets shall also be subject to the
155 provisions of subsection (c) of this section, section 9-150c and section 9-
156 159q concerning persons designated to deliver or return ballots in cases
157 involving unforeseen illness or disability and supervised voting at
158 certain health care institutions.

159 (2) Notwithstanding the provisions of subdivision (1) of this
160 subsection, for [the state election in 2020, and] any election, primary or
161 referendum held on or after [June 23, 2021, but prior to November 3,
162 2021] the effective date of this section but prior to November 9, 2022,
163 each absentee voting set required to be mailed to an applicant under
164 said subdivision (A) shall be mailed by the municipal clerk within forty-
165 eight hours after the application for such absentee voting set is received
166 by the clerk, or (B) may be mailed by a third-party mailing vendor
167 approved and selected by the Secretary of the State for use by the
168 municipal clerk for such purpose, provided any contract between the
169 Secretary of the State and any such vendor shall require that such
170 vendor mail each absentee voting set within seventy-two hours after the
171 application for such absentee voting set is received by such vendor from
172 the clerk.

173 Sec. 7. Section 9-140c of the 2022 supplement to the general statutes is
174 repealed and the following is substituted in lieu thereof (*Effective from*
175 *passage*):

176 (a) The municipal clerk shall retain the envelopes containing absentee
177 ballots received by him under section 9-140b and shall not open such
178 envelopes. The municipal clerk shall endorse over his signature, upon
179 each outer envelope as he receives it, the date and precise time of its
180 receipt. The clerk shall make an affidavit attesting to the accuracy of all
181 such endorsements, and at the close of the polls shall deliver such
182 affidavit to the head moderator, who shall endorse the time of its receipt
183 and return it to the clerk after all counting is complete. The clerk shall
184 preserve the affidavit for one hundred eighty days in accordance with
185 the requirements of section 9-150b. The clerk shall keep a list of the
186 names of the applicants who return absentee ballots to the clerk under
187 section 9-140b. The list shall be preserved as a public record as required
188 by section 9-150b, as amended by this act.

189 (b) (1) (A) Except as provided in subparagraph (B) of this subdivision,
190 beginning not earlier than the seventh day before the election, primary
191 or referendum and on any weekday thereafter, all absentee ballots
192 received by the municipal clerk at or prior to eleven o'clock a.m. of such
193 day may be sorted into voting districts by the municipal clerk and
194 checked as provided in this subparagraph. On any such day, beginning
195 as soon as the ballots have been sorted, the registrars of voters, without
196 opening the outer envelopes, may check the names of the applicants
197 returning ballots on the official checklist to be used at the election,
198 primary or referendum by indicating "absentee" or "A" preceding each
199 such name and, if unaffiliated electors are authorized under section 9-
200 431 to vote in the primary of either of two parties, the designation of the
201 party in which the applicants are voting preceding each such name.
202 Unless absentee ballots are to be counted in the respective polling
203 places, pursuant to subsection (b) of section 9-147a, as amended by this
204 act, the registrars shall also place such indication on a duplicate checklist
205 to be retained by the municipal clerk until the municipal clerk delivers
206 such duplicate checklist to the registrars, in accordance with subsection

207 (e) of this section, for the use of the absentee ballot counters pursuant to
208 subsection (i) of this section.

209 (B) For [the state election in 2020, and] any election, primary or
210 referendum held on or after [June 23, 2021, but prior to November 3,
211 2021] the effective date of this section but prior to November 9, 2022,
212 beginning on the fourteenth day before such election, primary or
213 referendum and on any weekday thereafter, all absentee ballots
214 received by the municipal clerk at or prior to eleven o'clock a.m. of such
215 day may be sorted into voting districts by the municipal clerk and
216 checked as provided in subparagraph (A) of this subdivision.

217 (2) All absentee ballots received at or prior to eleven o'clock a.m. of
218 the last day before the election, primary or referendum which is not a
219 Sunday or legal holiday, shall be sorted into voting districts by the
220 municipal clerk and checked as provided in subparagraph (A) of
221 subdivision (1) of this subsection not later than such last day.

222 (c) If the name of the applicant returning the ballot is not on the
223 official checklist for any polling place in such municipality, the
224 registrars shall endorse on the face of such outer envelope the word
225 "rejected", followed by a statement of the reasons for rejection, and the
226 outer envelope shall not be opened or the ballot counted.

227 (d) After such checking has been completed on any such day, the
228 municipal clerk shall seal the unopened ballots in a package and retain
229 them in a safe place.

230 (e) (1) Except as provided in subdivision (2) of this subsection, ballots
231 received at or prior to eleven o'clock a.m. on the last day before the
232 election, primary or referendum shall be delivered by the municipal
233 clerk to the registrars between ten o'clock a.m. and twelve o'clock noon
234 on the day of the election or primary and at twelve o'clock noon on the
235 day of a referendum. Unless absentee ballots are to be counted in the
236 respective polling places, pursuant to subsection (b) of section 9-147a, as
237 amended by this act, the municipal clerk shall also deliver to the
238 registrars at this time the duplicate checklist provided for in subsection

239 (b) of this section, for the use of the absentee ballot counters pursuant to
240 subsection (i) of this section.

241 (2) (A) For [the state election in 2020, and] any election, primary or
242 referendum held on or after [June 23, 2021, but prior to November 3,
243 2021] the effective date of this section but prior to November 9, 2022:

244 (i) Ballots received, sorted and checked prior to five o'clock p.m. on
245 the (I) fourth day before such election, primary or referendum may be
246 delivered by the municipal clerk to the registrars at five o'clock p.m. on
247 such fourth day, (II) third day before such election, primary or
248 referendum may be so delivered at five o'clock p.m. on such third day,
249 and (III) second day before such election, primary or referendum may
250 be so delivered at five o'clock p.m. on such second day;

251 (ii) Ballots received not later than eleven o'clock a.m. on the last day
252 before such election, primary or referendum shall be delivered by the
253 municipal clerk to the registrars at six o'clock a.m. on the day of such
254 election, primary or referendum; and

255 (iii) Each time ballots are delivered pursuant to this subparagraph,
256 the municipal clerk shall also deliver to the registrars at such time a copy
257 of the duplicate checklist provided for in subsection (b) of this section,
258 current as of the time of such delivery, for the use of the absentee ballot
259 counters pursuant to subsection (i) of this section.

260 (B) The municipal clerk may deliver the ballots at times later than
261 those provided in subdivision (1) of this subsection or subparagraph (A)
262 of this subdivision, as applicable, provided any such time is mutually
263 agreed upon by the municipal clerk and registrars and is not later than
264 eight o'clock p.m. on the day of the election, primary or referendum.

265 (f) Absentee ballots timely received by the clerk after eleven o'clock
266 a.m. of such last day before an election, primary or referendum shall be
267 sorted into voting districts by the clerk and retained by the clerk
268 separately until delivered to the registrars of voters for checking.

269 (g) Any or all of such ballots received after eleven o'clock a.m. of such

270 last day before an election, primary or referendum and before six o'clock
271 p.m. on the day of the election, primary or referendum shall, upon
272 request of the registrars, be delivered to the registrars by the municipal
273 clerk at six o'clock p.m. on the day of the election, primary or
274 referendum for checking, or at a later time mutually agreed upon by the
275 clerk and registrars, provided such time is not later than eight o'clock
276 p.m. on the day of the election, primary or referendum.

277 (h) Absentee ballots received after six o'clock p.m. on the day of the
278 election, primary or referendum and any ballots received prior to six
279 o'clock p.m. of such day which were not delivered earlier shall be
280 delivered to the registrars at the close of the polls for checking. Although
281 absentee ballots shall be checked by the registrars of voters at various
282 times throughout the election, primary or referendum day, absentee
283 ballots may be counted at one single time during such day.

284 (i) (1) Except as otherwise provided in this subsection, the absentee
285 ballot counters, upon receipt of the ballots delivered by the municipal
286 clerk to the registrars at six o'clock p.m. on the day of the election,
287 primary or referendum and at the close of the polls pursuant to
288 subsections (g) and (h) of this section, shall check the names of the
289 applicants returning ballots on the duplicate checklist in the same
290 manner as provided in subsections (b) and (c) of this section.

291 (2) (A) Except as provided in subparagraph (B) of this subdivision,
292 the names of applicants whose ballots were delivered at six o'clock p.m.
293 on the day of the election, primary or referendum shall be called in to
294 the appropriate polling places where they shall be checked by the
295 checkers on the official checklists, and they shall also be checked by the
296 absentee ballot counters on the duplicate checklist required under
297 subsection (b) of this section.

298 (B) Whenever absentee ballots are counted in any polling place
299 pursuant to subsection (b) of section 9-147a, as amended by this act, the
300 names of applicants whose ballots were delivered at six o'clock p.m. on
301 the day of the election, primary or referendum shall be checked by the
302 absentee ballot counters and checkers at such polling place on the

303 official checklist used at such polling place.

304 (3) (A) Except as provided in subparagraph (B) of this subdivision,
305 the names of applicants whose ballots were delivered at the close of the
306 polls shall be checked by the absentee ballot counters on the official
307 checklists used at the polling places and such official checklists, bearing
308 the certifications required by section 9-307, as amended by this act, shall
309 be delivered by the registrars or assistant registrars to the central
310 counting moderator for that purpose.

311 (B) Whenever absentee ballots are counted in any polling place
312 pursuant to subsection (b) of section 9-147a, as amended by this act, the
313 official checklist used at such polling place shall remain in such polling
314 place for checking by the absentee ballot counters at such polling place.

315 (4) If the name of an applicant returning a ballot has been checked on
316 the official checklist as having voted in person the absentee ballot
317 counters shall, in checking the ballots, endorse on the face of the outer
318 envelope the word "rejected" followed by a statement of the reason for
319 rejection, and the outer envelope shall not be opened or the ballot
320 counted.

321 (5) (A) Except as provided in subparagraph (B) of this subdivision,
322 when central counting is completed and the result is announced, the
323 central counting moderator shall deliver the duplicate checklist, the
324 official checklists and the returns required by section 9-150b, as
325 amended by this act, to the head moderator.

326 (B) Whenever absentee ballots are counted in any polling place
327 pursuant to subsection (b) of section 9-147a, as amended by this act, and
328 such counting is completed and the result for such polling place is
329 announced, the moderator for such polling place shall deliver the
330 official checklist used at such polling place and the return required by
331 section 9-150b, as amended by this act, to the head moderator.

332 (j) Each time absentee ballots are delivered by the clerk to the
333 registrars pursuant to this section, the clerk and registrars shall execute

334 an affidavit of delivery and receipt stating the number of ballots
335 delivered. The clerk shall preserve the affidavit for the period prescribed
336 in section 9-150b, as amended by this act.

337 (k) (1) Except as provided in subdivision (2) of this subsection, the
338 absentee ballot counters shall count, in the manner provided in section
339 9-150a, each group of absentee ballots upon receipt from the registrars.

340 (2) For [the state election in 2020, and] any election, primary or
341 referendum held on or after [June 23, 2021, but prior to November 3,
342 2021] the effective date of this section but prior to November 9, 2022,
343 whenever absentee ballots are to be processed before the day of such
344 election, primary or referendum, pursuant to subdivision (1) of
345 subsection (c) of section 9-147a, as amended by this act, the absentee
346 ballot counters shall process, in the manner provided in section 9-150e,
347 as amended by this act, each group of absentee ballots upon receipt from
348 the registrars.

349 (l) The municipal clerk shall retain all outer envelopes containing
350 absentee ballots received by him after the close of the polls, unopened,
351 for the period prescribed in section 9-150b, as amended by this act.

352 Sec. 8. Section 9-147a of the 2022 supplement to the general statutes
353 is repealed and the following is substituted in lieu thereof (*Effective from*
354 *passage*):

355 (a) Except as provided in subsection (b) or (c) of this section, at any
356 election, primary or referendum, all absentee ballots shall, within
357 existing resources, be counted in the manner provided in section 9-150a
358 at a central location designated by the registrars of voters in writing to
359 the municipal clerk at least twenty days before the election, primary or
360 referendum, which location shall be published in the warning for the
361 election, primary or referendum. Except as provided in subsection (b) of
362 this section, if unaffiliated electors are authorized under section 9-431 to
363 vote in the primary of either of two parties, all absentee ballots shall be
364 separated, counted, tallied and placed in depository envelopes by
365 voting district. Any member of the public may observe the counting of

366 absentee ballots at such central location.

367 (b) At any election, primary or referendum, all absentee ballots may
368 be counted in the manner provided in section 9-150a in the respective
369 polling places if the registrars of voters agree that such absentee ballots
370 should be so counted. If unaffiliated electors are authorized under
371 section 9-431 to vote in the primary of either of two parties, absentee
372 ballots may be counted in the respective polling places if the parties
373 agree that such absentee ballots should be so counted. Any election
374 official serving in a polling place may observe the counting of absentee
375 ballots at such polling place.

376 (c) (1) For [the state election in 2020, and] any election, primary or
377 referendum held on or after [June 23, 2021, but prior to November 3,
378 2021] the effective date of this section but prior to November 9, 2022,
379 absentee ballots may be processed before the day of such election,
380 primary or referendum in the manner provided in section 9-150e, as
381 amended by this act. Any such processing shall take place at a central
382 location designated by the registrars of voters in writing to the
383 municipal clerk at least ten days before such election, primary or
384 referendum, which location shall be published in the warning for such
385 election, primary or referendum.

386 (2) If absentee ballots are to be processed pursuant to subdivision (1)
387 of this subsection, the registrars of voters and municipal clerk shall
388 jointly certify such fact in writing to the Secretary of the State at least ten
389 days before such election, primary or referendum. Such written
390 certification shall (A) include the name, street address and relevant
391 contact information associated with the designated central location, and
392 (B) list the name and address of each absentee ballot counter appointed
393 pursuant to section 9-147c. The Secretary shall approve or disapprove
394 such written certification not later than two days after receipt of such
395 certification and may require the appointment of one or more additional
396 absentee ballot counters.

397 (3) In the case of absentee ballots delivered to the registrars on the
398 day of such election, primary or referendum, nothing in this subsection

399 shall preclude the counting of such absentee ballots in the respective
400 polling places pursuant to subsection (b) of this section.

401 Sec. 9. Section 9-433 of the 2022 supplement to the general statutes is
402 repealed and the following is substituted in lieu thereof (*Effective from*
403 *passage*):

404 (a) (1) After the deadline set forth in section 9-400 for filing
405 candidacies, and upon the completion of the tabulation of petition
406 signatures, if any, if one or more candidacies for nomination by a
407 political party to a state or district office have been filed in accordance
408 with the provisions of section 9-400, the Secretary of the State shall
409 notify the clerk of each town within the state or within the district, as
410 the case may be, that a primary is to be held by such party for the
411 nomination of such party to such office. Such notice shall include a list
412 of all the proposed candidates, those endorsed by the convention as well
413 as those filing candidacies, together with their addresses and the titles
414 of the office for which they are candidates and, if applicable, a statement
415 that unaffiliated electors may vote in the primary. Except as provided in
416 subdivision (2) of this subsection, the clerk of each such town shall
417 thereupon cause such notice to be published forthwith in a newspaper
418 having a general circulation in such town, or towns in the case of a joint
419 publication under subsection (b) of this section, together with a
420 statement of the date upon which the primary is to be held, the hours
421 during which the polls shall be open and the location of the polls.

422 (2) For any primary for nomination by a political party to a state or
423 district office held on or after [June 23, 2021, but prior to November 3,
424 2021] the effective date of this section but prior to November 9, 2022, the
425 notice published by the clerk of the town under subdivision (1) of this
426 subsection shall be so published not more than seven nor less than four
427 days previous to holding such [election] primary.

428 (b) Notwithstanding the provisions of any charter or home rule
429 ordinance, the warning under subsection (a) of this section may be
430 published jointly by two or more towns in a newspaper, provided all
431 other requirements of this section with respect to such warning are met.

432 Sec. 10. Section 9-435 of the 2022 supplement to the general statutes
433 is repealed and the following is substituted in lieu thereof (*Effective from*
434 *passage*):

435 (a) Except as provided in sections 9-418 and 9-419, if in any
436 municipality, within the time specified in section 9-405, a candidacy for
437 nomination by a political party to any municipal office or for election as
438 a town committee member is filed with the registrar, in conformity with
439 the provisions of sections 9-405 to 9-412, inclusive, and section 9-414, by
440 or on behalf of any person other than party-endorsed candidates, the
441 registrar shall forthwith after the deadline for certification of party-
442 endorsed candidates notify the clerk of such municipality that a primary
443 is to be held by such party for the nomination of such party to such office
444 or for the election by such party of town committee members, as the case
445 may be. Such notice shall include a list of all the proposed candidates,
446 those endorsed as well as those filing candidacies, together with their
447 addresses and the titles of the offices or positions for which they are
448 candidates. In the case of a primary for justices of the peace, such notice
449 shall also contain the complete ballot designation of each slate pursuant
450 to subsection (h) of section 9-437. Except as provided in subsection (b)
451 of this section, the clerk of the municipality shall thereupon cause such
452 notice to be published forthwith in a newspaper having a general
453 circulation in such municipality, together with a statement of the date
454 upon which the primary is to be held, the hours during which the polls
455 shall be open and the location of the polls. The clerk of the municipality
456 shall also file such notice with the Secretary of the State not later than
457 three business days after receipt of such notice from the registrar of
458 voters. The clerk shall forthwith publish any change in the proposed
459 candidates, listing such changes.

460 (b) For any primary for nomination by a political party to a municipal
461 office, or for the election by a political party of town committee
462 members, held on or after [June 23, 2021, but prior to November 3, 2021]
463 the effective date of this section but prior to November 9, 2022, the notice
464 published by the clerk of the municipality under subsection (a) of this
465 section shall be so published not more than seven nor less than four days

466 previous to holding such primary or election.

467 Sec. 11. Section 9-150e of the 2022 supplement to the general statutes
468 is repealed and the following is substituted in lieu thereof (*Effective from*
469 *passage*):

470 Notwithstanding the provisions of section 9-150a, for [the state
471 election in 2020, and] any election, primary or referendum held on or
472 after [June 23, 2021, but prior to November 3, 2021] the effective date of
473 this section but prior to November 9, 2022, in any municipality in which
474 absentee ballots are processed pursuant to subdivision (1) of subsection
475 (c) of section 9-147a, as amended by this act:

476 (a) (1) Not earlier than five o'clock p.m. on the fourth day before such
477 election, primary or referendum, the absentee ballot counters shall
478 proceed to the central counting location at the times designated by the
479 registrars of voters;

480 (2) At the time each group of ballots is delivered pursuant to
481 subdivision (2) of subsection (e) of section 9-140c, as amended by this
482 act, the counters shall proceed as hereinafter provided;

483 (3) Except with respect to ballots marked "Rejected" pursuant to
484 section 9-140c, as amended by this act, or other applicable law, the
485 counters shall then remove the inner envelopes from the outer
486 envelopes, shall note the total number of absentee ballots received and
487 shall report such total to the moderator. The counters shall similarly
488 note and separately so report the total numbers of presidential ballots
489 and overseas ballots received pursuant to sections 9-158a to 9-158m,
490 inclusive;

491 (4) If the statement on the inner envelope has not been signed as
492 required by section 9-140a, such inner envelope shall not be opened or
493 the ballot removed therefrom, and such inner envelope shall be replaced
494 in the opened outer envelope which shall be marked "Rejected" and the
495 reason therefor endorsed thereon by the counters; and

496 (5) Not earlier than the day of such election, primary or referendum,

497 and after the duties under subdivisions (1) to (4), inclusive, of this
498 subsection have been performed, absentee ballots shall be counted in
499 the manner provided in subsections (e) to (m), inclusive, of section 9-
500 150a.

501 (b) In accordance with instructions which shall be prescribed by the
502 Secretary of the State not later than ten days before such election,
503 primary or referendum, each group of ballots delivered pursuant to
504 subdivision (2) of subsection (e) of section 9-140c, as amended by this
505 act, shall be kept secure (1) throughout the performance of the duties
506 under subdivisions (1) to (4), inclusive, of subsection (a) of this section,
507 and (2) after such performance until such time on the day of such
508 election, primary or referendum that absentee ballots are counted in the
509 manner provided in subsections (e) to (m), inclusive, of section 9-150a.
510 The requirements of this subsection shall be in addition to all other
511 applicable requirements under this title regarding the security of
512 absentee ballots and any related materials.

513 Sec. 12. Section 9-159r of the 2022 supplement to the general statutes
514 is repealed and the following is substituted in lieu thereof (*Effective from*
515 *passage*):

516 (a) Notwithstanding any provision of the general statutes to the
517 contrary, if twenty or more of the patients in any institution in the state
518 are electors, absentee ballots voted by such electors shall be voted under
519 the supervision of the registrars of voters or their designees of the town
520 in which the institution is located, in accordance with the provisions of
521 this section. As used in this section, "institution" has the same meaning
522 as provided in section 9-159q.

523 (b) Application for an absentee ballot for any such patient shall be
524 made to the clerk of the town in which such patient is eligible to vote.
525 The application procedure set forth in section 9-140, as amended by this
526 act, shall apply, except that the clerk shall deliver the absentee voting
527 set for any such application to the clerk of the town in which the
528 institution is located, who shall deliver all such voting sets he receives
529 to the registrars of such town, on the date when the supervision of

530 absentee balloting is to occur. The ballots and envelopes shall be
531 prepared for delivery to the applicant as provided in sections 9-137 to 9-
532 140a, inclusive, as amended by this act. The registrars or their designees
533 shall furnish the town clerk a written receipt for such ballots. The
534 registrars of the town in which an institution is located and the
535 administrator of the institution shall mutually agree on a date and time
536 for such supervision of absentee balloting, which shall be not later than
537 the last business day before the election or primary.

538 (c) The supervision of absentee balloting under this section shall be
539 carried out in accordance with the provisions of subsections (g), (h), (i)
540 and (k) of section 9-159q.

541 (d) Notwithstanding the provisions of subsections (a) to (c), inclusive,
542 of this section, for [the state election in 2020, and] any election or
543 primary held on or after [June 23, 2021, but prior to November 3, 2021]
544 the effective date of this section but prior to November 9, 2022, the
545 Secretary of the State may waive any requirement under said
546 subsections, provided the Secretary (1) waives such requirement in
547 recognition of [the public health and civil preparedness emergency
548 declared by the Governor on March 10, 2020] a declaration by the
549 Governor of a civil preparedness emergency, pursuant to section 28-9,
550 or a public health emergency, pursuant to section 19a-131a, and has
551 consulted with the Commissioner of Public Health or said
552 commissioner's designee regarding such waiver, (2) has given written
553 notice to the town clerk and registrars of voters in each municipality,
554 and (3) has submitted a report, in accordance with section 11-4a, to the
555 joint standing committee of the General Assembly having cognizance of
556 matters relating to elections advising of such waiver and specifying
557 alternative actions to be taken to provide opportunities for absentee
558 voting by electors described in this section.

559 Sec. 13. Section 9-159o of the 2022 supplement to the general statutes
560 is repealed and the following is substituted in lieu thereof (*Effective from*
561 *passage*):

562 (a) Any elector who has returned an absentee ballot to the municipal

563 clerk and who finds such elector is able to vote in person shall proceed
564 before ten o'clock a.m. on election, primary or referendum day to the
565 municipal clerk's office and request that such elector's ballot be
566 withdrawn. The municipal clerk shall remove the ballot from the sealed
567 package and shall mark the serially-numbered outer envelope, which
568 shall remain unopened, "rejected" and note the reasons for rejection. The
569 elector shall also endorse the envelope. The rejected ballot shall then be
570 returned to the sealed package until delivered on election, primary or
571 referendum day to the registrars of voters in accordance with section 9-
572 140c, as amended by this act. The municipal clerk shall then give the
573 elector a signed statement directed to the moderator of the voting
574 district in which the elector resides stating that the elector has
575 withdrawn such elector's absentee ballot and may vote in person. Upon
576 delivery of the statement by the elector to the moderator, the moderator
577 shall cause the absentee indication next to the name of the elector to be
578 stricken from the official checklist and the elector may then have such
579 elector's name checked and vote in person. Unless absentee ballots are
580 to be counted in the respective polling places pursuant to subsection (b)
581 of section 9-147a, as amended by this act, the municipal clerk shall also
582 cause the absentee indication next to the name of the elector to be
583 stricken from the duplicate checklist to be used by the absentee ballot
584 counters.

585 (b) Notwithstanding the provisions of subsection (a) of this section,
586 for [the state election in 2020, and] any election, primary or referendum
587 held on or after [June 23, 2021, but prior to November 3, 2021] the
588 effective date of this section but prior to November 9, 2022, any elector
589 who has returned an absentee ballot to the municipal clerk and who
590 finds such elector is able to vote in person shall proceed before five
591 o'clock p.m. on the fourth day before such election, primary or
592 referendum to the municipal clerk's office and request that such elector's
593 ballot be withdrawn.

594 Sec. 14. Subsection (g) of section 9-150b of the 2022 supplement to the
595 general statutes is repealed and the following is substituted in lieu
596 thereof (*Effective from passage*):

597 (g) (1) No such depository envelope shall be opened except by order
598 of a court of competent jurisdiction, by the State Elections Enforcement
599 Commission pursuant to a subpoena issued under subdivision (1) of
600 subsection (a) of section 9-7b or within five business days after an
601 election, primary or referendum for the purpose of a recanvass
602 conducted pursuant to law. After such a recanvass the depository
603 envelopes and their contents shall be returned to the municipal clerk
604 and preserved for the stated period.

605 (2) Notwithstanding the provisions of subdivision (1) of this
606 subsection, for [the state election in 2020, and] any election, primary or
607 referendum held on or after [June 23, 2021, but prior to November 3,
608 2021] the effective date of this section but prior to November 9, 2022, no
609 such depository envelope shall be opened for the purpose of a recanvass
610 conducted pursuant to law except within seven business days after such
611 election, primary or referendum as provided in section 9-311, as
612 amended by this act.

613 Sec. 15. Section 9-307 of the 2022 supplement to the general statutes
614 is repealed and the following is substituted in lieu thereof (*Effective from*
615 *passage*):

616 (a) Immediately after the polls are closed, the official checker or
617 checkers, appointed under the provisions of section 9-234, shall make
618 and deliver to the moderator a certificate stating the whole number of
619 names on the registry list or enrollment list including, if applicable,
620 unaffiliated electors authorized under section 9-431 to vote in the
621 primary, and the number checked as having voted in that election or
622 primary. For the purpose of computing the whole number of names on
623 the registry list, the lists of persons who have applied for presidential or
624 overseas ballots prepared in accordance with section 9-158h shall be
625 included. If a paper registry list is used, the registrars or assistant
626 registrars, as the case may be, shall write and sign with ink, on the list
627 or lists so used and checked, a certificate of the whole number of names
628 registered on the list eligible to vote in the election or primary and the
629 number checked as having voted in that election or primary, and

630 deposit it in the office of the municipal clerk not later than forty-eight
631 hours after the close of the polls. If an electronic version of the registry
632 list is used, the electronic device upon which such list is stored shall be
633 returned to the registrars of voters who shall cause the electronic
634 registry list to be printed. Such printed list shall be signed by each
635 registrar, who shall deposit such list in the office of the municipal clerk
636 not later than forty-eight hours after the close of the polls. The municipal
637 clerk shall carefully preserve the paper registry list or printed electronic
638 registry list, as applicable, on file, with the marks on it without
639 alteration, for public inspection, and shall immediately enter a certified
640 copy of such certificate on the town records. Subject to the provisions of
641 section 7-109, the municipal clerk may destroy any voting checklist four
642 years after the date upon which it was used. The moderator shall place
643 the certificate which the moderator received from the official checker or
644 checkers in the office of the municipal clerk not later than forty-eight
645 hours after the close of the polls.

646 (b) Notwithstanding the provisions of subsection (a) of this section,
647 for [the state election in 2020, and] any election or primary held on or
648 after [June 23, 2021, but prior to November 3, 2021] the effective date of
649 this section but prior to November 9, 2022, any certificate or list required
650 under said subsection to be deposited or placed in the office of the
651 municipal clerk shall be so deposited or placed not later than ninety-six
652 hours after the close of the polls at such election or primary.

653 Sec. 16. Section 9-309 of the 2022 supplement to the general statutes
654 is repealed and the following is substituted in lieu thereof (*Effective from*
655 *passage*):

656 (a) Upon the close of the polls, the moderator, in the presence of the
657 other election officials, shall immediately lock the voting tabulator
658 against voting and immediately cause the vote totals for all candidates
659 and questions to be produced. The moderator shall, in the order of the
660 offices as their titles are arranged on the ballot, read and announce in
661 distinct tones the result as shown, giving the number indicated and
662 indicating the candidate to whom such total belongs, and shall read the

663 votes recorded for each office on the ballot. The moderator shall also, in
664 the same manner, announce the vote on each constitutional amendment,
665 proposition or other question voted on. The vote so announced by the
666 moderator shall be taken down by each checker and recorded on the
667 tally sheets. Each checker shall record the number of votes received for
668 each candidate on the ballot and also the number received by each
669 person for whom write-in ballots were cast. The moderator shall make
670 a preliminary list from the vote totals produced by the tabulators and
671 shall prepare such preliminary list for transmission to the Secretary of
672 the State pursuant to section 9-314, as amended by this act. After such
673 preliminary list has been transmitted to the Secretary of the State, the
674 canvass may be temporarily interrupted, during which time the
675 moderator shall (1) return the keys for all tabulators to the registrars of
676 voters, (2) seal the tabulators against voting or being tampered with, (3)
677 prepare and seal individual envelopes for all (A) write-in ballots, (B)
678 absentee ballots, (C) moderators' returns, and (D) other notes,
679 worksheets or written materials used at the election, and (4) store all
680 such tabulators and envelopes in a secure place or places directed by the
681 registrars of voters. At the end of such temporary interruption, the
682 moderator shall receive such keys from the registrars and shall take
683 possession of and break the seal on all such tabulators and envelopes for
684 the purpose of completing the canvass. The result totals shall remain in
685 full public view until the statement of canvass and all other reports have
686 been fully completed and signed by the moderator, checkers and
687 registrars, or assistant registrars, as the case may be. Any other
688 remaining result of the votes cast shall be publicly announced by the
689 moderator not later than forty-eight hours after the close of the polls.
690 Such public announcement shall consist of reading both the name of
691 each candidate, with the designating number and letter on the ballot and
692 the absentee vote as furnished to the moderator by the absentee ballot
693 counters, and also the vote cast for and against each question submitted.
694 While such announcement is being made, ample opportunity shall be
695 given to any person lawfully present to compare the results so
696 announced with the result totals provided by the tabulator and any
697 necessary corrections shall then and there be made by the moderator,

698 checkers and registrars or assistant registrars, after which the
699 compartments of the voting tabulator shall be closed and locked. In
700 canvassing, recording and announcing the result, the election officials
701 shall be guided by any instructions furnished by the Secretary of the
702 State.

703 (b) Notwithstanding the provisions of subsection (a) of this section,
704 for [the state election in 2020, and] any election held on or after [June 23,
705 2021, but prior to November 3, 2021] the effective date of this section but
706 prior to November 9, 2022, after the preliminary list has been
707 transmitted to the Secretary of the State, any other remaining result of
708 the votes cast required under said subsection to be publicly announced
709 by the moderator shall be so announced not later than ninety-six hours
710 after the close of the polls at such election.

711 Sec. 17. Section 9-311 of the 2022 supplement to the general statutes
712 is repealed and the following is substituted in lieu thereof (*Effective from*
713 *passage*):

714 (a) (1) If, within three days after an election, it appears to the
715 moderator that there is a discrepancy in the returns of any voting
716 district, such moderator shall forthwith within said period summon, by
717 written notice delivered personally, the recanvass officials, consisting of
718 at least two checkers of different political parties and at least two
719 absentee ballot counters of different political parties who served at such
720 election, and the registrars of voters of the municipality in which the
721 election was held and such other officials as may be required to conduct
722 such recanvass. Such written notice shall require the clerk or registrars
723 of voters, as the case may be, to bring with them the depository
724 envelopes required by section 9-150a, the package of write-in ballots
725 provided for in section 9-310, the absentee ballot applications, the list of
726 absentee ballot applications, the registry list and the moderators' returns
727 and shall require such recanvass officials to meet at a specified time not
728 later than the fifth business day after such election to recanvass the
729 returns of a voting tabulator or voting tabulators or absentee ballots or
730 write-in ballots used in such district in such election. If any of such

731 recanvass officials are unavailable at the time of the recanvass, the
732 registrar of voters of the same political party as that of the recanvass
733 official unable to attend shall designate another elector having previous
734 training and experience in the conduct of elections to take his place.
735 Before such recanvass is made, such moderator shall give notice, in
736 writing, to the chairman of the town committee of each political party
737 which nominated candidates for the election, and, in the case of a state
738 election, not later than twenty-four hours after a determination is made
739 regarding the need for a recanvass to the Secretary of the State, of the
740 time and place where such recanvass is to be made; and each such
741 chairman may send representatives to be present at such recanvass.
742 Such representatives may observe, but no one other than a recanvass
743 official may take part in the recanvass. If any irregularity in the
744 recanvass procedure is noted by such a representative, he shall be
745 permitted to present evidence of such irregularity in any contest relating
746 to the election.

747 (2) Notwithstanding the provisions of subdivision (1) of this
748 subsection, for [the state election in 2020, and] any election held on or
749 after [June 23, 2021, but prior to November 3, 2021] the effective date of
750 this section but prior to November 9, 2022, (A) if, within five days after
751 such election, it appears to the moderator that there is a discrepancy in
752 the returns of any voting district, such moderator shall forthwith within
753 said period summon, by written notice delivered personally, the
754 recanvass officials to conduct such recanvass in accordance with the
755 provisions of said subdivision, and (B) such written notice shall require
756 such recanvass officials to meet not later than the seventh business day
757 after such election for such purpose.

758 (b) The moderator shall determine the place or places where the
759 recanvass shall be conducted and, if such recanvass is held before the
760 tabulators are boxed and collected in the manner required by section 9-
761 266, the moderator may either require that such recanvass of such
762 tabulators be conducted in each place where the tabulators are located,
763 or he may require that they be removed to one central place, where such
764 recanvass shall be conducted. All recanvassing procedures shall be open

765 to public observation. Such recanvass officials shall, in the presence of
766 such moderator and registrars of voters, make a record of the number
767 on the seal and the number on the protective counter, if one is provided,
768 on each voting tabulator specified by such moderator. Such registrars of
769 voters in the presence of such moderator shall turn over the keys of each
770 such tabulator to such recanvass officials, and such recanvass officials,
771 in the presence of such registrars of voters and moderator, shall
772 immediately proceed to recanvass the vote cast thereon, and shall then
773 open the package of absentee ballots and recanvass the vote cast
774 thereon. In the course of the recanvass of the absentee ballot vote the
775 recanvass officials shall check all outer envelopes for absentee ballots
776 against the inner envelopes for such ballots and against the registry list
777 to verify postmarks, addresses and registry list markings and also to
778 determine whether the number of envelopes from which absentee
779 ballots have been removed is the same as the number of persons checked
780 as having voted by absentee ballot. The write-in ballots shall also be
781 recanvassed at this time. All of the recanvass officials shall use the same
782 forms for tallies and returns as were used at the original canvass and the
783 absentee ballot counters shall also sign the tallies.

784 (c) (1) The votes shall be announced and recorded in the manner
785 prescribed in section 9-309, as amended by this act, on return forms
786 provided by the registrars of voters and appended thereto shall be a
787 statement signed by the moderator indicating the time and place of the
788 recanvass and the names, addresses, titles and party affiliations of the
789 recanvass officials. The write-in ballots shall be replaced in a properly
790 secured sealed package. Upon the completion of such recanvass, any
791 tabulator used in such recanvass shall be locked and sealed, the keys
792 thereof shall immediately be returned to such registrars of voters and
793 such tabulator shall remain so locked until the expiration of fourteen
794 days after such election or for such longer period as is ordered by a court
795 of competent jurisdiction. The absentee ballots shall be replaced in their
796 wrappers and be resealed by the moderator in the presence of the
797 recanvass officials. Upon the completion of such recanvass, such
798 moderator and at least two of the recanvass officials of different political
799 parties shall forthwith prepare and sign such return forms which shall

800 contain a written statement giving the result of such recanvass for each
801 tabulator and each package of absentee ballots whose returns were so
802 recanvassed, setting forth whether or not the original canvass was
803 correctly made and stating whether or not the discrepancy still remains
804 unaccounted for. Such return forms containing such statement shall
805 forthwith be filed by the moderator in the office of such clerk. If such
806 recanvass reveals that the original canvass of returns was not correctly
807 made, such return forms containing such statement so filed with the
808 clerk shall constitute a corrected return. In the case of a state election, a
809 recanvass return shall be made in duplicate on a form prescribed and
810 provided by the Secretary of the State, and the moderator shall file one
811 copy with the Secretary of the State and one copy with the town clerk
812 not later than ten days after the election. Such recanvass return shall be
813 substituted for the original return and shall have the same force and
814 effect as an original return.

815 (2) Notwithstanding the provisions of subdivision (1) of this
816 subsection, for [the state election in 2020, and] any election held on or
817 after [June 23, 2021, but prior to November 3, 2021] the effective date of
818 this section but prior to November 9, 2022, each copy of the recanvass
819 return required under said subdivision to be filed by the moderator with
820 the Secretary of the State and the town clerk shall be so filed not later
821 than twelve days after such election.

822 (d) As used in this section, (1) "moderator" means, in the case of
823 municipalities not divided into voting districts, the moderator of the
824 election and, in the case of municipalities divided into voting districts,
825 the head moderator of the election, and (2) "registrars of voters", in a
826 municipality where there are different registrars of voters for different
827 voting districts, means the registrars of voters in the voting district in
828 which, at the last-preceding election, the presiding officer for the
829 purpose of declaring the result of the vote of the whole municipality was
830 moderator.

831 Sec. 18. Section 9-314 of the 2022 supplement to the general statutes
832 is repealed and the following is substituted in lieu thereof (*Effective from*

833 *passage*):

834 (a) As used in this subsection, "moderator" means the moderator of
835 each state election in each town not divided into voting districts and the
836 head moderator in each town divided into voting districts. The
837 moderator shall make a preliminary list of the votes given for each of
838 the following officers: Presidential electors, Governor, Lieutenant
839 Governor, Secretary of the State, Treasurer, Comptroller, Attorney
840 General, United States senator, representative in Congress, state
841 senator, judge of probate, state representative and registrars of voters
842 when said officers are to be chosen, as reported solely by the tabulator,
843 as provided in section 9-309, as amended by this act, in the moderator's
844 town and shall immediately transmit such preliminary list to the
845 Secretary of the State not later than midnight on election day. Once the
846 preliminary list has been transmitted to the Secretary of the State, the
847 moderator shall make a duplicate list of the votes given in the
848 moderator's town for each of the following officers: Presidential
849 electors, Governor, Lieutenant Governor, Secretary of the State,
850 Treasurer, Comptroller, Attorney General, United States senator,
851 representative in Congress, state senator, judge of probate, state
852 representative and registrars of voters when said officers are to be
853 chosen. Such duplicate list shall indicate the total number of names on
854 the official check list of such town and the total number of names
855 checked as having voted. The moderator shall transmit such duplicate
856 list to the Secretary of the State by electronic means as prescribed by the
857 Secretary of the State not later than forty-eight hours after the close of
858 the polls on election day. The moderator shall also seal and deliver one
859 of such duplicate lists to the Secretary of the State not later than the third
860 day after the election. Any such moderator who fails to so transmit or
861 deliver such duplicate list to the Secretary of the State by the time
862 required shall pay a late filing fee of fifty dollars. The moderator shall
863 also deliver one of such duplicate lists to the clerk of such town. The
864 Secretary of the State shall enter the returns in tabular form in books
865 kept by the Secretary for that purpose and present a printed report of
866 the same, with the name of, and the total number of votes received by,
867 each of the candidates for said offices, to the General Assembly at its

868 next session.

869 (b) As used in this subsection, "moderator" means the moderator of
870 each municipal election in each town not divided into voting districts,
871 and the head moderator in each town divided into voting districts. The
872 moderator shall make a preliminary list of the votes given for each
873 municipal office elected at such municipal election, as reported solely
874 by the tabulator, as provided in section 9-309, as amended by this act, in
875 the moderator's town and shall immediately transmit such preliminary
876 list to the Secretary of the State not later than midnight on election day.
877 Once the preliminary list has been transmitted to the Secretary of the
878 State, the moderator shall make a duplicate list of the votes given in the
879 moderator's town for each municipal office elected at such municipal
880 election. Such duplicate list shall indicate the total number of names on
881 the official check list of such town and the total number of names
882 checked as having voted and shall be on a form prescribed by the
883 Secretary of the State. The moderator shall transmit such duplicate list
884 to the Secretary of the State by electronic means as prescribed by the
885 Secretary of the State not later than forty-eight hours after the close of
886 the polls on election day. The moderator shall also seal and deliver one
887 of such duplicate lists to the Secretary of the State not later than the third
888 day after the election. Any such moderator who fails to so transmit or
889 deliver such duplicate list to the Secretary of the State by the time
890 required shall pay a late filing fee of fifty dollars. The moderator shall
891 also deliver one of such duplicate lists to the clerk of such town.

892 (c) Notwithstanding the provisions of subsections (a) and (b) of this
893 section, for [the state election in 2020, and] any election held on or after
894 [June 23, 2021, but prior to November 3, 2021] the effective date of this
895 section but prior to November 9, 2022, (1) the duplicate list required
896 under said subsections to be transmitted by electronic means to the
897 Secretary by such moderator shall be so transmitted not later than
898 ninety-six hours after the close of the polls on such election day, and (2)
899 the duplicate list required under said subsections to be sealed and
900 delivered to the Secretary shall be so delivered not later than the fifth
901 day after such election.

902 Sec. 19. Subsection (a) of section 9-322a of the 2022 supplement to the
903 general statutes is repealed and the following is substituted in lieu
904 thereof (*Effective from passage*):

905 (a) (1) Not later than forty-eight hours following each regular
906 election, the registrars of voters shall provide the results of the votes cast
907 at such election to the town clerk. Not later than nine o'clock a.m. on the
908 third day following each regular election, the head moderator, registrars
909 of voters and town clerk for each town divided into voting districts shall
910 meet to identify any error in the returns. Not later than one o'clock p.m.
911 on the third day following each regular election, the head moderator
912 shall correct any error identified and file an amended return with the
913 Secretary of the State, the town clerk and the registrars of voters.

914 (2) Notwithstanding the provisions of subdivision (1) of this
915 subsection, for [the state election in 2020, and] any regular election held
916 on or after [June 23, 2021, but prior to November 3, 2021] the effective
917 date of this section but prior to November 9, 2022, (A) the results of the
918 votes cast at such election required under said subdivision to be
919 provided to the town clerk by the registrars of voters shall be so
920 provided not later than ninety-six hours following such election, (B) the
921 meeting to identify any error in the returns required under said
922 subdivision among the head moderator, registrars of voters and town
923 clerk for each town divided into voting districts shall occur not later
924 than nine o'clock a.m. on the fifth day following such election, and (C)
925 any identified error required under said subdivision to be corrected, and
926 any amended return required under said subdivision to be filed with
927 the Secretary of the State, the town clerk and the registrars of voters, by
928 the head moderator shall be so corrected or filed, as applicable, not later
929 than one o'clock p.m. on the fifth day following such election.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-225(a)
Sec. 2	<i>from passage</i>	9-226
Sec. 3	<i>from passage</i>	9-135

Sec. 4	<i>from passage</i>	9-137
Sec. 5	<i>from passage</i>	9-139b
Sec. 6	<i>from passage</i>	9-140(g)
Sec. 7	<i>from passage</i>	9-140c
Sec. 8	<i>from passage</i>	9-147a
Sec. 9	<i>from passage</i>	9-433
Sec. 10	<i>from passage</i>	9-435
Sec. 11	<i>from passage</i>	9-150e
Sec. 12	<i>from passage</i>	9-159r
Sec. 13	<i>from passage</i>	9-159o
Sec. 14	<i>from passage</i>	9-150b(g)
Sec. 15	<i>from passage</i>	9-307
Sec. 16	<i>from passage</i>	9-309
Sec. 17	<i>from passage</i>	9-311
Sec. 18	<i>from passage</i>	9-314
Sec. 19	<i>from passage</i>	9-322a(a)

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 23 \$	FY 24 \$
Resources of the General Fund	GF - Revenue Gain	Less than \$5,000	None

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 23 \$	FY 24 \$
Various Municipalities	Potential Cost	Minimal	None

Explanation

Sections 1, 2, 9 and 10 delay the period during which towns must publish a warning about a state or municipal election or primary occurring before November 9, 2022. No fiscal impact is anticipated as a result of these provisions.

Sections 3 and 4 expand the reasons for which an elector may vote by absentee ballot for any election, primary, or referendum occurring before November 9, 2022 to include the sickness of COVID-19. As a result of these provisions, certain municipalities may incur increased costs. Potential cost increases will vary by municipality and will depend on the number of additional absentee ballots printed and mailed.

These sections also modify the statutory reasons for which qualified voters may vote by absentee ballot to include: 1) illness, rather than their own illness as current law provides; and 2) absence from the town of their voting residence, rather than absence from the town of their voting residence during all hours as under current law. These changes are not

anticipated to have a fiscal impact on the state or municipalities.

Section 4 also expands violations that constitute a false statement which results in a potential minimal revenue gain of less than \$5,000 in FY 23.

Section 5 authorizes the Secretary of the State (SOS) to make changes to absentee voting forms and materials. No fiscal impact is anticipated as a result of this provision.

Section 6 allows the SOS to approve and select a third-party vendor for town clerks' use in mailing absentee voting sets for elections prior to November 9, 2022. It is expected the SOS will not be contracting with a third-party vendor for 2022 election absentee ballots. This provision has no fiscal impact on the SOS.

Section 7 allows town clerks to deliver sorted and checked absentee ballots to registrars before the day of an election, primary, or referendum to begin certain pre-counting procedures. No fiscal impact is anticipated as a result of this provision.

Sections 8 requires any municipality conducting pre-counting procedures to do so at a central location. This provision has no fiscal impact.

Section 11, which has no fiscal impact, requires municipalities that opt to use pre-counting procedures to follow certain prescribed steps.

Section 12 allows the SOS to waive any requirements under the mandatory supervised absentee voting law in recognition of a public health or civil preparedness emergency declared by the governor. This provision has no fiscal impact.

Section 13 moves up the deadline for when an elector who has submitted a completed absentee ballot can request to withdraw it if they later find they can vote in person. This has no fiscal impact.

Sections 14 - 19 extends numerous deadlines and timeframes

associated with processing absentee ballots and canvassing and reports the returns. No fiscal impact is anticipated as a result of these provisions.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 184*****AN ACT EXTENDING THROUGH NOVEMBER 8, 2022, SEVERAL CHANGES REGARDING ELECTION ADMINISTRATION AS A RESULT OF COVID-19 AND CONCERNING ELIGIBILITY TO VOTE BY ABSENTEE BALLOT.*****SUMMARY**

This bill reinstates certain changes affecting absentee voting eligibility and procedures and election returns in effect for the 2020 state election and certain elections, primaries, and referenda held in 2021. Specifically, for the 2022 state election and a state or municipal election, primary, or referendum occurring before November 9, 2022 (i.e., “covered election, primary, or referendum”), the bill does the following, among other things:

1. generally delays the period during which municipalities must publish the warning for an election or primary (§§ 1, 2, 9, & 10);
2. expands the reasons for which electors may vote by absentee ballot to include the COVID-19 sickness (§§ 3 & 4);
3. gives the secretary of the state broad authority to change absentee voting forms and materials to conform to the expanded eligibility (§ 5);
4. gives town clerks an additional 24 hours to mail an absentee voting set after receiving a completed application (§ 6);
5. authorizes town clerks to mail absentee voting sets using a third-party vendor that the secretary of the state approves and selects (§ 6);
6. moves up the time at which town clerks may begin sorting

- absentee ballots and checking voter names on the registry list (§ 7);
7. authorizes municipalities to conduct certain absentee ballot pre-counting procedures (§§ 7-8 & 11);
 8. moves up the deadline by which an elector who returned a completed absentee ballot but later finds he or she is able to vote in person must go to the town clerk's office to request that the ballot be withdrawn (§ 13); and
 9. extends, generally by 48 hours, numerous deadlines and timeframes associated with canvassing and reporting election returns (§§ 14-19).

The bill also authorizes the secretary of the state, for a covered election or primary and subject to certain conditions, to waive requirements under the mandatory supervised absentee voting law (§ 12). Existing law provides similar authority for elections and primaries generally.

Additionally, the bill authorizes qualified voters to vote by absentee ballot in any election, primary, or referendum if they are unable to appear at their polling place during the hours of voting because of (1) illness, rather than because of their own illness as current law provides, or (2) absence from the town of their voting residence, rather than absence from the town of their voting residence during all voting hours as under current law (§§ 3 & 4).

Lastly, the bill makes several technical and conforming changes.

EFFECTIVE DATE: Upon passage

§§ 1, 2, 9 & 10 — PUBLIC NOTICE OF COVERED ELECTIONS AND PRIMARIES

By law, the town clerk must notify the town's electors about a state or municipal election or primary by publishing the warning in a general circulation newspaper. (For elections, they must also post the notice on

the town’s website.) The bill generally delays the period during which towns must publish these warnings, as shown in Table 1 below.

Table 1: Election and Primary Notice Requirements

<i>Bill §</i>	<i>Requirement</i>	<i>Deadline or Timeframe Under Current Law</i>	<i>Deadline or Timeframe for Covered Election or Primary Under the Bill</i>
§ 1	Town clerk or assistant town clerk must notify electors of the 2022 state election and a vacancy election for member of Congress, probate judge, or state legislator	From five to 15 days before the election	From four to seven days before the election
§ 2	Town clerk or assistant town clerk must notify electors of a municipal election	From five to 15 days before the election	From four to seven days before the election
§ 9	Town clerk must notify electors of a primary for state or district office	Upon receiving notice from the secretary of the state that a primary will be held	From four to seven days before the primary
§ 10	Town clerk must notify electors of a primary for municipal office, or for election as town committee member	Upon receiving notice from the registrar of voters that a primary will be held	From four to seven days before the election or primary

§§ 3-5 — EXPANDED ABSENTEE VOTING AUTHORIZATION AND UPDATED FORMS

COVID-19 Sickness (§§ 3 & 4)

For a covered election, primary, or referendum, the bill expands the reasons for which qualified voters (i.e., electors and people eligible to vote in a referendum) may vote by absentee ballot to include the COVID-19 sickness (see BACKGROUND).

The bill requires that absentee ballots be updated for a covered election, primary, or referendum by inserting on the inner envelope’s statement “the sickness of COVID-19” as a reason for which electors may vote absentee. As with other types of absentee voters, those who vote by absentee ballot due to the COVID-19 sickness must sign the ballot under penalties of false statement in absentee balloting, which is a class D felony punishable by up to five years in prison, a fine of up to \$5,000, or both (CGS § 9-359a).

Illness and Absence from Town (§§ 3 & 4)

The bill authorizes qualified voters to vote by absentee ballot in any election, primary, or referendum if they are unable to appear at their polling place during voting hours because of (1) illness, rather than because of their own illness as current law provides, or (2) absence from the town of their voting residence, rather than absence from the town of their voting residence during all voting hours as under current law. This authority applies to elections, primaries, and referenda generally (i.e., it does not expire November 9, 2022).

The bill requires revisions to the statement printed on the face of absentee ballots' inner envelope to show the revised reasons for which electors may vote absentee.

Changes to Forms and Materials (§ 5)

The bill gives the secretary of the state broad authority to change absentee voting forms and materials for a covered election, primary, or referendum when, in her opinion, changes are necessary to conform to law. The authorization applies to prescribed absentee voting forms and printed, recorded, or electronic materials.

§ 6 — DELIVERY OF ABSENTEE BALLOTS TO VOTERS

The bill, with certain exceptions, authorizes town clerks to mail absentee voting sets for a covered election, primary, or referendum using a third-party vendor that the secretary of the state approves and selects. It also requires (1) town clerks to mail the absentee voting sets within 48 hours, rather than within 24 hours, after receiving an application and (2) that any contract between the secretary and a third-party vendor require the vendor to mail each set within 72 hours after receiving the application from the clerk.

The bill's provisions on mailing absentee ballot sets do not apply when a referendum is held with fewer than three weeks' notice since, by law, town clerks may provide absentee ballots for these referenda only to people who apply in person (CGS § 9-369c(a)).

§ 7 — DELIVERY OF RETURNED ABSENTEE BALLOTS TO REGISTRARS

By law, town clerks must sort into voting districts any absentee ballots received by the day before an election, primary, or referendum. For ballots received by 11:00 a.m. on this day, registrars of voters must check the names of applicants returning absentee ballots on the official registry list with "A" or "absentee." This sorting and checking must be completed before, and the clerk must deliver the sorted and checked ballots to the registrars on, the day of the election, primary, or referendum.

For a covered election, primary, or referendum, the bill authorizes clerks to begin sorting ballots 14 days beforehand, rather than seven days beforehand as current law provides. It requires the town clerk to deliver these ballots at 6:00 a.m. unless a later time is mutually agreed upon, rather than between 10:00 a.m. and noon (unless a later time is mutually agreed upon) as under current law.

The bill also allows town clerks to deliver sorted and checked ballots to the registrars before the day of a covered election, primary, or referendum to begin certain pre-counting procedures (see below). Specifically, it allows any ballots received, sorted, and checked by 5:00 p.m. on the fourth day before the election, primary, or referendum to be delivered to the registrars at that time. It similarly allows ballots received, sorted, and checked by 5:00 p.m. on the third and second days before the election, primary, or referendum to be delivered to the registrars at those times.

In each case, the bill also allows the clerk to deliver the ballots at a later time that he or she mutually agrees upon with the registrars, but no later than 8:00 p.m. on the day of the election, primary, or referendum. The bill also requires the (1) clerk to include with the ballots an up-to-date copy of the duplicate checklist and (2) clerk and registrars to execute an affidavit of delivery and receipt stating the number of ballots delivered. Existing law applies these requirements to ballots delivered on the day of an election, primary, or referendum.

§ 8 — REQUIREMENTS FOR OPTING IN TO PRE-COUNTING

Under the bill, any municipality conducting pre-counting procedures for a covered election, primary, or referendum must do so at a central location. The registrars of voters must designate the location in writing to their respective town clerks at least 10 days before the election, primary, or referendum, and it must be published in the warning for the election, primary, or referendum.

If a municipality uses the pre-counting procedures, the bill requires the registrars of voters and town clerk to jointly certify this decision to the secretary of the state, in writing, at least 10 days before the election, primary, or referendum. The certification must include the (1) name, street address, and relevant contact information for the designated central location and (2) name and address of each absentee ballot counter.

The secretary must approve or disapprove the certification within two days after receiving it. The bill also allows her to require the municipality to appoint one or more additional absentee ballot counters.

By law, municipalities must count absentee ballots at a central location unless the registrars of voters agree to count them in each polling place. The bill specifies that any ballots delivered to the registrars on the day of a covered election, primary, or referendum (i.e., those not delivered for pre-counting procedures) may still be counted in the polling places.

§ 11 — AUTHORIZED PRE-COUNTING PROCEDURES

By law, absentee ballot sets consist of an outer envelope, which contains information about the elector (e.g., name and address), and an inner envelope, which has the elector's marked ballot and a statement signed by the elector under penalty of false statement in absentee balloting. Current law sets out numerous absentee ballot counting steps, which are generally completed by absentee ballot counters or moderators. It requires that these steps be completed beginning on election day (CGS § 9-150a).

For municipalities that opt to use pre-counting procedures, the bill authorizes them to complete the following steps, beginning at 5:00 p.m. on the fourth day before the covered election, primary, or referendum:

1. remove the inner envelopes from the outer envelopes;
2. report to the moderator separately the total number of absentee, presidential, and overseas ballots received; and
3. reject ballots for which the inner envelope statement is improperly executed.

Under the bill, once the above steps are completed, the absentee ballots must be counted beginning on the election, primary, or referendum day in accordance with existing law.

Securing the Absentee Ballots Until Election Day

The bill requires that absentee ballots be secured throughout any pre-counting process. Specifically, the ballots must be secured according to (1) instructions from the secretary of the state and (2) existing statutory requirements on securing absentee ballots and related materials. Under the bill, the secretary must issue these instructions at least 10 days before the covered election, primary, or referendum.

§ 12 — MANDATORY SUPERVISED ABSENTEE VOTING

The bill authorizes the secretary of the state to waive any requirements under the mandatory supervised absentee voting law for a covered election or primary (see BACKGROUND). To waive a requirement, she must do so in recognition of a public health or civil preparedness emergency declared by the governor.

Before a waiver, the secretary must do the following:

1. consult with the public health commissioner, or the commissioner's designee,
2. give written notice to the town clerk and registrars of voters in each affected municipality, and

3. submit a report to the Government Administration and Elections (GAE) Committee about the waiver and specifying alternative actions that will be taken to provide affected electors with absentee voting opportunities.

Existing law authorizes the secretary of the state to suspend supervised absentee voting that happens upon request, or mandatory supervised absentee voting, if she does so for a public health or civil preparedness emergency declared by the governor (CGS § 9-159q, as amended by PA 21-2, June Special Session, § 108). This authority does not expire November 9, 2022.

§ 13 — DEADLINE TO WITHDRAW A SUBMITTED ABSENTEE BALLOT

By law, electors who submit an absentee ballot must go to the town clerk’s office and request to withdraw it if they later find they can vote in person. For a covered election, primary, or referendum, the bill moves up this deadline from 10:00 a.m. on the election, primary, or referendum day to 5:00 p.m. on the fourth day before it, which is the same time that municipalities may begin pre-counting procedures.

§§ 14-19 — EXTENSION OF CERTAIN DEADLINES & TIMEFRAMES

The bill extends, generally by 48 hours, numerous deadlines and timeframes associated with canvassing and reporting returns for a covered election, primary, or referendum (see CGS §§ 9-369c(f) and 9-381a) (see BACKGROUND). The changes also generally apply to a referendum held in conjunction with a covered election.

Table 2 lists, in chronological order, the deadlines and timeframes under current law and the bill.

Table 2: Changes to Canvassing and Election Returns Deadlines

<i>Bill §</i>	<i>Requirement</i>	<i>Deadline or Timeframe Under Current Law</i>	<i>Deadline or Timeframe for Covered Election, Primary, or Referendum in 2022</i>
§ 16	After submitting the preliminary list of returns, moderator completes the canvass, which includes announcing (1)	48 hours after the polls close	96 hours after the polls close

Bill §	Requirement	Deadline or Timeframe Under Current Law	Deadline or Timeframe for Covered Election, Primary, or Referendum in 2022
	each candidate's name and absentee vote count and (2) the results for any ballot questions		
§ 18	Moderator submits to the secretary of the state the duplicate list of returns (1) by electronic means and (2) in sealed, hard copy	<ul style="list-style-type: none"> • 48 hours after the polls close for the electronic submission • Three days after the election, primary, or referendum for the sealed, hard copy 	<ul style="list-style-type: none"> • 96 hours after the polls close for the electronic submission • Five days after the election, primary, or referendum for the sealed, hard copy
§ 15	Moderator deposits certificate (from the official checkers) with town clerk indicating the total number of names on the official checklist and the number checked as having voted	48 hours after the polls close	96 hours after the polls close
§ 15	Registrars deposit signed registry list with town clerk	48 hours after the polls close	96 hours after the polls close
§ 19	Registrars provide town clerk with results of votes cast	48 hours after the polls close	96 hours after the polls close
§ 19	For municipalities divided into voting districts, the (1) head moderators, town clerk, and registrars meet to identify any errors in the election or primary night returns and (2) moderators correct any errors and file an amended return with the secretary of the state, town clerk, and registrars	<ul style="list-style-type: none"> • 9:00 a.m. on the third day after the election, primary, or referendum for the meeting • 1:00 p.m. on the third day after the election, primary, or referendum for any amended return 	<ul style="list-style-type: none"> • 9:00 a.m. on the fifth day after the election, primary, or referendum for the meeting • 1:00 p.m. on the fifth day after the election, primary, or referendum for any amended return
§ 17	If there appears to be a discrepancy, tie vote, or close vote, including a close vote in a referendum, the head moderator calls for a recanvass (CGS §§ 9-311a, -311b, & -370a)	Three days after the election, primary, or referendum	Five days after the election, primary, or referendum
§ 17	When a recanvass is required due to a discrepancy, tie vote, or close vote, including a close vote in a referendum, the recanvass officials meet to recanvass the returns (CGS §§ 9-311a, -311b, & -370a)	Five business days after the election, primary, or referendum	Seven business days after the election, primary, or referendum
§ 14	In a recanvass, absentee ballot depository envelopes may be unsealed by court order or State Elections Enforcement Commission subpoena	Five business days after the election, primary, or referendum	Seven business days after the election, primary, or referendum

Bill §	Requirement	Deadline or Timeframe Under Current Law	Deadline or Timeframe for Covered Election, Primary, or Referendum in 2022
§ 17	If a discrepancy, close vote, or tie vote canvass results in a correction to the original returns, the moderator files one copy of the corrected canvass return with the secretary of the state and another with the town clerk	10 days after the election, primary, or referendum	12 days after the election, primary, or referendum

BACKGROUND

Related Bill

sHB 5262, reported favorably by the GAE Committee, makes (1) similar changes concerning absentee voting due to illness and absence from the town of residence and (2) an additional change about absentee voting due to physical disability.

Permitted Reasons for Voting by Absentee Ballot

The state constitution authorizes the General Assembly to pass a law allowing eligible voters to cast their votes by absentee ballot if they are unable to appear at a polling place on election day because of (1) absence from their city or town, (2) sickness or physical disability, or (3) the tenets of their religion prohibiting secular activity (Art. VI, § 7). The General Assembly exercised this authority and passed laws codified at CGS § 9-135.

Issuing Absentee Ballot Sets

By law, town clerks begin issuing absentee voting sets 31 days before an election and 21 days before a primary, or if that day falls on a weekend or holiday, the next preceding business day. Generally, clerks begin issuing the sets 19 days before a referendum or when an elector applies for an absentee ballot, whichever is later. However, when a referendum is held with fewer than three weeks’ notice, clerks must make the sets available no later than four business days after the question is finalized (CGS §§ 9-140(f) and 9-369c(a) & (e)).

Mandatory Supervised Absentee Voting

Under the mandatory supervised absentee voting law, registrars of

voters or their designees must supervise absentee voting at “institutions” (e.g., nursing homes and other residential care and mental health facilities) in which at least 20 patients are registered voters (including patients who are registered in a municipality other than the one where the institution is located). During these voting sessions, registrars or their designees deliver absentee ballots to the institution and jointly supervise voters while they fill out the ballots. Voters have the right to complete their ballots in secret, but registrars observe the process and are available to assist upon request.

Application of Election Procedures to Primaries and Referenda

By law, unless otherwise provided, procedures for regular elections apply to primaries as nearly as possible (CGS § 9-381a). Similarly, absentee ballot procedures for elections (e.g., issuing and returning the ballots and declaring the count) also apply to referenda as nearly as possible (CGS § 9-369c(f)).

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13 Nay 6 (03/09/2022)