

Government Administration and Elections Committee
JOINT FAVORABLE REPORT

Bill No.: HB-5262

Title: AN ACT REVISING CERTAIN ABSENTEE VOTING ELIGIBILITY STATUTES.

Vote Date: 3/9/2022

Vote Action: Joint Favorable Substitute

PH Date: 3/4/2022

File No.: 5

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SPONSORS OF BILL:

Government Administration and Elections Committee

REASONS FOR BILL:

To revise certain absentee voting statutes to align with state constitutional provisions. HB 5262 allows qualified voters to vote by absentee ballot if during the hours of voting they are unable to appear because of sickness or physical disability other than a voter's own sickness or physical disability. Additionally, the bill authorizes qualified voters to vote by absentee ballot on a primary election, general election, or a referendum if the voter will be absent from the town of their voting residence. HB 5262 also makes technical corrections regarding expired provisions of absentee ballot voting during the 2020 and 2021 elections.

RESPONSE FROM ADMINISTRATION/AGENCY:

Denise Merrill, Secretary of the State:

Secretary Merrill supports the bill. HB 5262 would conform related statutes to the Connecticut Constitution which currently allows absentee ballot voting due to sickness and absence from the town or city a voter inhabits. She notes, however, that this does not give access to universal absentee ballot voting and voters must still provide an excuse when using an absentee ballot.

NATURE AND SOURCES OF SUPPORT:

Patricia Rossi, Advocacy Vice President, League of Women Voters of Connecticut:

The League supports the statute change because it will increase voter turnout and make it easier to vote. The League believes the increase in voter turnout during the 2020 elections was due to expanded access to absentee voting.

Kathleen Callahan, Chair of National Association of Social Workers, CT Chapter:

Ms. Callahan supports HB 5262. Expanded absentee ballot voting is important due to uncertainties of health and the schedules of voters. She considers failure of allowing the use of COVID-19 as an excuse to vote by absentee ballot as a restriction on voting.

Jennifer Dayton, Vice President of Advocacy, League of Women Voters of Greenwich:

Ms. Dayton believes current statutory language regarding absentee ballot voting is exclusionary. Although current language includes sickness, it only applies to a voter's personal health and not those caring for a sick individual. Additionally, current language does not apply to those caring for children full time because they may be in town during voting hours.

John Erlingheuser, Associate State Director, AARP Connecticut:

Mr. Erlingheuser and AARP remain concerned about the health risks COVID-19 poses, especially to older adults with health conditions. Conforming absentee ballot voting statutes to the State Constitution would make the statute only as restrictive as the constitution, not more.

Ann Gadwah, Advocacy and Outreach Organizer, Sierra Club Connecticut:

Ms. Gadwah and the Sierra Club support the bill. Ms. Gadwah believes individuals that are still concerned about contracting COVID-19 should be able to vote by absentee ballot. Additionally, the ability to vote determines the future of Connecticut regarding not only health issues but environmental issues as well. Expanded absentee ballot voting allows more people to have a voice in how health and environmental issues are resolved.

Karen Healy, Member, Keep the Promise Coalition and Disability Rights Connecticut:

Ms. Healy is a registered voter with multiple physical disabilities. The expanded eligibility to vote by absentee ballot during the past two years has removed barriers on her ability to vote, such as not having to stand in line at a polling location.

Jonathan Perloe, Co-founder, Voter Choice Connecticut:

Mr. Perloe supports the bill because it allows people to protect their health during a COVID-19 surge. Mr. Perloe notes that risk of fraud regarding absentee ballot voting is baseless. He references a State Elections and Enforcement Commission report which found zero incidences of absentee ballot voter fraud during the 2020 general elections.

Anna Posniak, Co-Chair Legislative Committee, Connecticut Town Clerks Association:

Ms. Posniak and the Association support HB 5262. The Association has previously voiced concerns regarding caregivers not being deemed eligible to use absentee ballot voting. The Association also supports the additional flexibility the bill would provide for individuals with a long commute.

The following individuals submitted testimony in support of HB-5262. They cited reasons similar to those stated in the aforementioned testimonies:

Karen Edwards, MD
Ed Hawthorne, President, Connecticut AFL-CIO
Callie Heilmann, Co-Director, Bridgeport Generation Now Votes
Cheri Quickmire, Executive Director, Common Cause in Connecticut
Travis Woodward, President, CSEA SEIU Local 2001
Ann Speyer, Secretary, League of Women Voters
Bernard Thomas, Executive Director, Hartford Knights Youth Organization
Universal Health Care Foundation

NATURE AND SOURCES OF OPPOSITION:

Anne Manusky, President, CT Republican Assembly:

Ms. Manusky and the CT Republican Assembly oppose the bill. Ms. Manusky believes that the Connecticut Constitution should not be modified to expand the definition of sickness. She references 12 complaints submitted to the State Elections Enforcement Commission regarding absentee ballot application matters. Additionally, Ms. Manusky in her argument references the federal indictment of Michael DeFillipo of Bridgeport for tampering with absentee ballot applications.

Jennifer Albert:

Ms. Albert opposes HB 5262 and states that voting absentee has always been an option for individuals that are unable to vote in person. She expresses concerns regarding unvetted mass ballot programs that have not been fully investigated. Additionally, Ms. Albert states that nobody has ever been denied the ability to vote and does not believe COVID-19 is a legitimate excuse to vote by absentee ballot.

Julie Bordier:

Ms. Bordier opposes the bill because it would allow individuals to vote by absentee ballot essentially without an excuse. Her concerns include mass mailing with outdated voter rolls and the financial cost to the State. She believes there is insufficient security built into mass mailing.

Michele Chamberlain:

Ms. Chamberlain believes there was an increase in widespread voter fraud during the 2020 general election and calls for an audit of the results. She states the bill serves as a means to continue the voter fraud.

Amanda DosSantos:

Ms. DosSantos opposes the bill because Connecticut is no longer in a pandemic. She believes that absentee ballot voting needs to be reserved for individuals physically unable to vote in person due to being severely incapacitated as documented by a medical professional, and those who are not in Connecticut during election hours.

The following individuals submitted testimony in opposition of HB-5262. They cited reasons similar to those stated in the aforementioned testimonies.

Michele Burby
Jay Cicchetti
Eugene Cunningham II
Alicia Duncanson
Barbara Fairbanks
Jacqueline Flynn
Kathryn Farnsworth

Reported by: Val Mehmeti

Date: 3/9/2022