



General Assembly

February Session, 2022

Raised Bill No. 5379

LCO No. 2503



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

**AN ACT CONCERNING VARIOUS ELECTION ADMINISTRATION
PROCEDURES RELATED TO REGISTRARS OF VOTERS.**

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

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 Section 9-16 of the general statutes is repealed and the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

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

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 Section 9-17a of the general statutes is repealed and the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

12 As used in sections [9-17, 9-19b,] 9-19c, 9-20, [9-23a, 9-24,] 9-31a [, 9-
13 31b] and 9-31l, as amended by this act, unless otherwise provided, the

14 term "admitting official" means a town clerk, assistant town clerk,
15 registrar of voters, deputy registrar of voters or assistant registrar of
16 voters. [or the board for admission of electors.]

17 Sec. 3. Section 9-311 of the general statutes is repealed and the
18 following is substituted in lieu thereof (*Effective from passage*):

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

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

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

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

43 (b) (1) The person whose right to be or remain an elector is in dispute
44 may appeal the decision of the registrars [or the board for the admission

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

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

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

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

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

75 (6) The decision of the commission shall determine the person's right
76 to be or remain an elector. If any such decision is adverse to such

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

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

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

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

107 The decision [of the board for admission of electors or] of the
108 registrars or of a moderator, as to a person's right to be admitted to the
109 elector's oath, to registration or to cast his vote, shall, in no case, be a bar

110 to a criminal prosecution for procuring himself to be made an elector or
111 to be registered or for voting, without the qualifications required by law.

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

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

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

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

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

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

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

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

171 (a) In each municipality or political subdivision in which a special
172 election or referendum is to be held, the registrars of voters shall prepare
173 an updated list of the names and addresses of those persons who
174 acquired voting privileges after the completion of the revised registry

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

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

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

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

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

206 (3) Once certified, pursuant to subdivision (1) of this subsection, each

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

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

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

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

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

234 Sec. 14. Section 9-232n of the general statutes is repealed and the
235 following is substituted in lieu thereof (*Effective from passage*):

236 Immediately after the close of the polls, the moderator shall seal the
237 provisional ballot depository envelope and deliver such envelope to the

238 registrars of voters of the town. The registrars of voters shall forthwith
239 verify the information contained with each provisional ballot. If the
240 registrars of voters determine that the applicant is eligible to vote, they
241 shall note their decision on the outer envelope of the ballot and open
242 and count the provisional ballot in accordance with the provisions of
243 sections 9-232i to 9-232o, inclusive, and procedures prescribed by the
244 Secretary of the State. If the registrars of voters are unable to determine
245 that the applicant is eligible to vote or determine that the applicant is
246 not eligible to vote, the applicant's provisional ballot sealed envelope
247 shall be marked "rejected", along with the reason for such rejection, and
248 signed by the registrars of voters. The registrars of voters shall verify
249 and count all provisional ballots in their town not later than six days
250 after the election or primary. The registrars of voters shall forthwith
251 prepare and sign in duplicate a report showing the number of
252 provisional ballots received from electors, the number rejected and the
253 number counted, and showing the additional votes counted for each
254 candidate for federal office on the provisional ballots. The registrars of
255 voters shall file one report with the town clerk and shall seal one in the
256 depository envelope with the provisional ballots and file such
257 depository envelope with the town clerk. The depository envelope shall
258 be preserved by the town clerk for the period of time required to
259 preserve counted absentee ballots for federal elections. The head
260 moderator shall forthwith [file] electronically file with the Secretary of
261 the State, and deliver to the town clerk, a corrected return for federal
262 offices [with the town clerk and the Secretary] showing (1) the final
263 votes after any recanvass, pursuant to sections 9-311 to 9-311b, inclusive,
264 as amended by this act, the votes on provisional ballots and the totals,
265 and (2) the number of provisional ballots received from electors, the
266 number rejected and the number counted, as reported by the registrars
267 of voters.

268 Sec. 15. Subsection (c) of section 9-311 of the 2022 supplement to the
269 general statutes is repealed and the following is substituted in lieu
270 thereof (*Effective from passage*):

271 (c) (1) The votes shall be announced and recorded in the manner

272 prescribed in section 9-309 on return forms provided by the registrars of
273 voters and appended thereto shall be a statement signed by the
274 moderator indicating the time and place of the recanvass and the names,
275 addresses, titles and party affiliations of the recanvass officials. The
276 write-in ballots shall be replaced in a properly secured sealed package.
277 Upon the completion of such recanvass, any tabulator used in such
278 recanvass shall be locked and sealed, the keys thereof shall immediately
279 be returned to such registrars of voters and such tabulator shall remain
280 so locked until the expiration of fourteen days after such election or for
281 such longer period as is ordered by a court of competent jurisdiction.
282 The absentee ballots shall be replaced in their wrappers and be resealed
283 by the moderator in the presence of the recanvass officials. Upon the
284 completion of such recanvass, such moderator and at least two of the
285 recanvass officials of different political parties shall forthwith prepare
286 and sign such return forms which shall contain a written statement
287 giving the result of such recanvass for each tabulator and each package
288 of absentee ballots whose returns were so recanvassed, setting forth
289 whether or not the original canvass was correctly made and stating
290 whether or not the discrepancy still remains unaccounted for. Such
291 return forms containing such statement shall forthwith be filed by the
292 moderator in the office of such clerk. If such recanvass reveals that the
293 original canvass of returns was not correctly made, such return forms
294 containing such statement so filed with the clerk shall constitute a
295 corrected return. In the case of a state election, a recanvass return shall
296 be made in duplicate on a form prescribed and provided by the
297 Secretary of the State, and the moderator shall electronically file with
298 the Secretary, and deliver to the town clerk, one copy [with the Secretary
299 of the State and one copy with the town clerk] each of such recanvass
300 return not later than ten days after the election. Such recanvass return
301 shall be substituted for the original return and shall have the same force
302 and effect as an original return.

303 (2) Notwithstanding the provisions of subdivision (1) of this
304 subsection, for the state election in 2020, and any election held on or after
305 June 23, 2021, but prior to November 3, 2021, each copy of the recanvass
306 return required under said subdivision to be filed by the moderator with

307 the Secretary of the State and the town clerk shall be so filed not later
308 than twelve days after such election.

309 Sec. 16. Section 9-314 of the 2022 supplement to the general statutes
310 is repealed and the following is substituted in lieu thereof (*Effective from*
311 *passage*):

312 (a) As used in this subsection, "moderator" means the moderator of
313 each state election in each town not divided into voting districts and the
314 head moderator in each town divided into voting districts. The
315 moderator shall make a preliminary list of the votes given for each of
316 the following officers: Presidential electors, Governor, Lieutenant
317 Governor, Secretary of the State, Treasurer, Comptroller, Attorney
318 General, United States senator, representative in Congress, state
319 senator, judge of probate, state representative and registrars of voters
320 when said officers are to be chosen, as reported solely by the tabulator,
321 as provided in section 9-309, in the moderator's town and shall
322 immediately transmit such preliminary list to the Secretary of the State
323 by electronic means as prescribed by the Secretary not later than
324 midnight on election day. Once the preliminary list has been transmitted
325 to the Secretary, [of the State,] the moderator shall make a duplicate list
326 of the votes given in the moderator's town for each of the following
327 officers: Presidential electors, Governor, Lieutenant Governor, Secretary
328 of the State, Treasurer, Comptroller, Attorney General, United States
329 senator, representative in Congress, state senator, judge of probate, state
330 representative and registrars of voters when said officers are to be
331 chosen. Such duplicate list shall indicate the total number of names on
332 the official check list of such town and the total number of names
333 checked as having voted. The moderator shall transmit such duplicate
334 list to the Secretary [of the State] by electronic means as prescribed by
335 the Secretary [of the State] not later than forty-eight hours after the close
336 of the polls on election day. The moderator shall also seal and deliver
337 one of such duplicate lists to the [Secretary of the State] town clerk not
338 later than the third day after the election. Any such moderator who fails
339 to so transmit [or] to the Secretary, and deliver to the clerk, such
340 duplicate list [to the Secretary of the State] by the time required shall

341 pay a late filing fee of fifty dollars. [The moderator shall also deliver one
342 of such duplicate lists to the clerk of such town.] The Secretary of the
343 State shall enter the returns in tabular form in books kept by the
344 Secretary for that purpose and present a printed report of the same, with
345 the name of, and the total number of votes received by, each of the
346 candidates for said offices, to the General Assembly at its next session.

347 (b) As used in this subsection, "moderator" means the moderator of
348 each municipal election in each town not divided into voting districts,
349 and the head moderator in each town divided into voting districts. The
350 moderator shall make a preliminary list of the votes given for each
351 municipal office elected at such municipal election, as reported solely
352 by the tabulator, as provided in section 9-309, in the moderator's town
353 and shall immediately transmit such preliminary list to the Secretary of
354 the State by electronic means as prescribed by the Secretary not later
355 than midnight on election day. Once the preliminary list has been
356 transmitted to the Secretary, [of the State,] the moderator shall make a
357 duplicate list of the votes given in the moderator's town for each
358 municipal office elected at such municipal election. Such duplicate list
359 shall indicate the total number of names on the official check list of such
360 town and the total number of names checked as having voted and shall
361 be on a form prescribed by the Secretary, [of the State.] The moderator
362 shall transmit such duplicate list to the Secretary [of the State] by
363 electronic means as prescribed by the Secretary [of the State] not later
364 than forty-eight hours after the close of the polls on election day. The
365 moderator shall also seal and deliver one of such duplicate lists to the
366 [Secretary of the State] town clerk not later than the third day after the
367 election. Any such moderator who fails to so transmit [or] to the
368 Secretary, and deliver to the town clerk, such duplicate list [to the
369 Secretary of the State] by the time required shall pay a late filing fee of
370 fifty dollars. [The moderator shall also deliver one of such duplicate lists
371 to the clerk of such town.]

372 (c) Notwithstanding the provisions of subsections (a) and (b) of this
373 section, for the state election in 2020, and any election held on or after
374 June 23, 2021, but prior to November 3, 2021, (1) the duplicate list

375 required under said subsections to be transmitted by electronic means
376 to the Secretary by such moderator shall be so transmitted not later than
377 ninety-six hours after the close of the polls on such election day, and (2)
378 the duplicate list required under said subsections to be sealed and
379 delivered to the Secretary shall be so delivered not later than the fifth
380 day after such election.

381 Sec. 17. Subsection (a) of section 9-322a of the 2022 supplement to the
382 general statutes is repealed and the following is substituted in lieu
383 thereof (*Effective from passage*):

384 (a) (1) Not later than forty-eight hours following each regular
385 election, the registrars of voters shall provide the results of the votes cast
386 at such election to the town clerk. Not later than nine o'clock a.m. on the
387 third day following each regular election, the head moderator, registrars
388 of voters and town clerk for each town divided into voting districts shall
389 meet to identify any error in the returns. Not later than one o'clock p.m.
390 on the third day following each regular election, the head moderator
391 shall (A) correct any error identified, [and] (B) electronically file an
392 amended return with the Secretary of the State, and (C) deliver to the
393 town clerk and the registrars of voters each a duplicate of such amended
394 return.

395 (2) Notwithstanding the provisions of subdivision (1) of this
396 subsection, for the state election in 2020, and any regular election held
397 on or after June 23, 2021, but prior to November 3, 2021, (A) the results
398 of the votes cast at such election required under said subdivision to be
399 provided to the town clerk by the registrars of voters shall be so
400 provided not later than ninety-six hours following such election, (B) the
401 meeting to identify any error in the returns required under said
402 subdivision among the head moderator, registrars of voters and town
403 clerk for each town divided into voting districts shall occur not later
404 than nine o'clock a.m. on the fifth day following such election, and (C)
405 any identified error required under said subdivision to be corrected, and
406 any amended return required under said subdivision to be filed with
407 the Secretary of the State, the town clerk and the registrars of voters, by

408 the head moderator shall be so corrected or filed, as applicable, not later
409 than one o'clock p.m. on the fifth day following such election.

410 Sec. 18. Subsection (b) of section 9-1 of the 2022 supplement to the
411 general statutes and sections 9-15a and 9-192b of the general statutes are
412 repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-16
Sec. 2	<i>from passage</i>	9-17a
Sec. 3	<i>from passage</i>	9-311
Sec. 4	<i>from passage</i>	9-358
Sec. 5	<i>from passage</i>	9-362
Sec. 6	<i>from passage</i>	9-35(a) and (b)
Sec. 7	<i>from passage</i>	9-35a
Sec. 8	<i>from passage</i>	9-39
Sec. 9	<i>from passage</i>	9-172b
Sec. 10	<i>from passage</i>	9-192a(d)
Sec. 11	<i>from passage</i>	9-192a(a)(3)
Sec. 12	<i>from passage</i>	9-249(b)
Sec. 13	<i>from passage</i>	9-233
Sec. 14	<i>from passage</i>	9-232n
Sec. 15	<i>from passage</i>	9-311(c)
Sec. 16	<i>from passage</i>	9-314
Sec. 17	<i>from passage</i>	9-322a(a)
Sec. 18	<i>from passage</i>	Repealer section

Statement of Purpose:

To revise or repeal certain election administration statutes concerning (1) admission of electors and maintenance of registry list, (2) training of certain election officials, (3) residential status of tabulator tenders, and (4) delivery of election returns to the Secretary of the State, town clerks and registrars of voters.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]