



General Assembly

Amendment

January Session, 2023

LCO No. 8699



Offered by:
SEN. SAMPSON, 16th Dist.

To: House Joint Resolution No. 1 File No. 288 Cal. No. 506

**"RESOLUTION APPROVING A STATE CONSTITUTIONAL
AMENDMENT TO ALLOW NO-EXCUSE ABSENTEE VOTING."**

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

3 "Section 1. That the following be proposed as an amendment to the
4 Constitution of the State, which, when approved and adopted in the
5 manner provided by the Constitution, shall, to all intents and purposes,
6 become a part thereof:

7 Article thirty-fourth of the amendments to the Constitution is
8 amended to read as follows:

9 Section 7 of article sixth of the Constitution is amended to read as
10 follows:

11 Sec. 7. The general assembly may provide by law for voting in the
12 choice of any officer to be elected or upon any question to be voted on
13 at an election by qualified voters of the state who are unable to appear

14 at the polling place on the day of election because of absence from the
15 city or town of which they are inhabitants or because of their sickness
16 or physical disability or because the tenets of their religion forbid
17 secular activity. The general assembly may further provide by law for
18 voting in person prior to the day of election in the choice of any officer
19 to be elected or upon any question to be voted on at an election by
20 qualified voters of the state.

21 Section 9 of article third of the Constitution is amended to read as
22 follows:

23 Sec. 9. At all elections for members of the general assembly the
24 presiding officers in the several towns shall count and declare the votes
25 of the electors in open meeting. The presiding officers shall make and
26 certify duplicate lists of the persons voted for, and of the number of
27 votes for each. One list shall be delivered within three days to the town
28 clerk, and within ten days after such meeting, the other shall be
29 delivered to the secretary of the state.

30 Section 4 of article fourth of the Constitution is amended to read as
31 follows:

32 Sec. 4. The votes at the election of state officers shall be counted and
33 declared in open meeting by the presiding officers in the several towns.
34 The presiding officers shall make and certify duplicate lists of the
35 persons voted for, and of the number of votes for each. One list shall be
36 delivered within three days to the town clerk, and within ten days after
37 such meeting, the other shall be delivered to the secretary of the state.
38 The votes so delivered shall be counted, canvassed and declared by the
39 treasurer, secretary, and comptroller, within the month of November.
40 The vote for treasurer shall be counted, canvassed and declared by the
41 secretary and comptroller only; the vote for secretary shall be counted,
42 canvassed and declared by the treasurer and comptroller only; and the
43 vote for comptroller shall be counted, canvassed and declared by the
44 treasurer and secretary only. A fair list of the persons and number of
45 votes given for each, together with the returns of the presiding officers,

46 shall be, by the treasurer, secretary and comptroller, made and laid
47 before the general assembly, then next to be held, on the first day of the
48 session thereof. In the election of governor, lieutenant-governor,
49 secretary, treasurer, comptroller and attorney general, the person found
50 upon the count by the treasurer, secretary and comptroller in the
51 manner herein provided, to be made and announced before December
52 fifteenth of the year of the election, to have received the greatest number
53 of votes for each of such offices, respectively, shall be elected thereto;
54 provided, if the election of any of them shall be contested as provided
55 by statute, and if such a contest shall proceed to final judgment, the
56 person found by the court to have received the greatest number of votes
57 shall be elected. If two or more persons shall be found upon the count
58 of the treasurer, secretary and comptroller to have received an equal and
59 the greatest number of votes for any of said offices, and the election is
60 not contested, the general assembly on the second day of its session shall
61 hold a joint convention of both houses, at which, without debate, a ballot
62 shall be taken to choose such officer from those persons who received
63 such a vote; and the balloting shall continue on that or subsequent days
64 until one of such persons is chosen by a majority vote of those present
65 and voting. The general assembly shall have power to enact laws
66 regulating and prescribing the order and manner of voting for such
67 officers. The general assembly shall by law prescribe the manner in
68 which all questions concerning the election of a governor or lieutenant-
69 governor shall be determined.

70 RESOLVED: That the foregoing proposed amendment to the
71 Constitution be continued to the next session of the General Assembly
72 elected at the general election to be held on November 5, 2024, and
73 published with the laws passed at the present session, or be presented
74 to the electors at the general election to be held on November 5, 2024,
75 whichever the case may be, according to article sixth of the amendments
76 to the Constitution. The designation of said proposed amendment to be
77 used on the ballots at such election shall be "Shall the Constitution of the
78 State be amended to specify that a person is eligible to vote by absentee
79 ballot for reason of sickness or physical disability only if such sickness

80 or physical disability is individual to such person?"