



General Assembly

**Amendment**

January Session, 2023

LCO No. 8700



Offered by:  
SEN. SAMPSON, 16<sup>th</sup> 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      After the last section, add the following and renumber sections and  
2      internal references accordingly:

3      "Sec. 501. 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] will not

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

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

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

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

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

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

71 RESOLVED: That the foregoing proposed amendment to the  
72 Constitution be continued to the next session of the General Assembly  
73 elected at the general election to be held on November 5, 2024, and  
74 published with the laws passed at the present session, or be presented  
75 to the electors at the general election to be held on November 5, 2024,  
76 whichever the case may be, according to article sixth of the amendments  
77 to the Constitution. The designation of said proposed amendment to be  
78 used on the ballots at such election shall be "Shall the Constitution of the  
79 State be amended to permit a person to vote without appearing at a

80 polling place on the day of an election if such person's signature on the  
81 materials used to vote can be verified?""