



General Assembly

Amendment

January Session, 2023

LCO No. 8704



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] 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] except that no ballot used by any such qualified
18 voter to so vote shall be submitted for counting by the presiding officers
19 through use of a drop box. The general assembly may further provide
20 by law for voting in person prior to the day of election in the choice of
21 any officer to be elected or upon any question to be voted on at an
22 election by qualified voters of the state.

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

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

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

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

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

72 RESOLVED: That the foregoing proposed amendment to the
73 Constitution be continued to the next session of the General Assembly
74 elected at the general election to be held on November 5, 2024, and
75 published with the laws passed at the present session, or be presented
76 to the electors at the general election to be held on November 5, 2024,
77 whichever the case may be, according to article sixth of the amendments
78 to the Constitution. The designation of said proposed amendment to be
79 used on the ballots at such election shall be "Shall the Constitution of the

80 State be amended to permit a person to vote without appearing at a
81 polling place on the day of an election, but prohibit such person from
82 returning an absentee ballot through the use of a drop box?""