PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF CONNECTICUT

BALLOT QUESTION

Shall the Constitution of the State be amended to permit the General Assembly to provide for early voting?

CONTENT AND PURPOSE OF THE PROPOSED AMENDMENT

Currently, the Connecticut Constitution does not permit in-person, early voting. If this amendment is approved, it would allow the General Assembly to pass legislation establishing in-person voting before the day of an election.

Additionally, approval of the amendment would eliminate the constitutional requirement that certain copies of election results, when sent to the Secretary of the State, be under seal. It would not change the statutory requirement that these copies be sent under seal.

Further Explanation

The state constitution contains several provisions about the time, place, and manner of elections in Connecticut. These provisions currently require voters to cast their ballots at their polling place on the day of an election unless they qualify to vote by absentee ballot. Because these are constitutional requirements, the General Assembly cannot pass legislation establishing a form of voting that conflicts with them.

If this amendment is approved, it would specifically allow the General Assembly to pass legislation establishing in-person, early voting. This authority would apply both to choosing candidates for office and to voting on referendum questions at an election. Relatedly, the amendment would eliminate a requirement that town election officials receive the votes at elections for state officers and state legislators only on the day of the election.

The preceding explanatory text was prepared by the nonpartisan Office of Legislative Research and approved by the General Assembly's joint standing Committee on Government Administration and Elections in accordance with Section 2-30a of the Connecticut General Statutes.

TEXT OF THE PROPOSED CONSTITUTIONAL AMENDMENT

(As set forth in H.J.R. No. 59 of 2021)

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

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

Sec. 7. The general assembly may provide by law for voting in the choice of any officer to be elected or upon any question to be voted on at an election by qualified voters of the state who are unable to appear at the polling place on the day of election because of absence from the city or town of which they are inhabitants or because of sickness or physical disability or because the tenets of their religion forbid secular activity. The general assembly may further provide by law for voting in person prior to the day of election in the choice of any officer to be elected or upon any question to be voted on at an election by qualified voters of the state.

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

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

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

Sec. 4. The votes at the election of state officers shall be counted and declared in open meeting by the presiding officers in the several towns. The presiding officers shall make and certify duplicate lists of the persons voted for, and of the number of votes for each. One list shall be delivered within three days to the town clerk, and within ten days after such meeting, the other shall be delivered [under seal] to the secretary of the state. The votes so delivered shall be counted, canvassed and declared by the treasurer, secretary, and comptroller, within the month of November. The vote for treasurer shall be counted, canvassed and declared by the secretary and comptroller only; the vote for secretary shall be counted, canvassed and declared by the treasurer and comptroller only; and the vote for comptroller shall be counted, canvassed and declared by the treasurer and secretary only. A fair list of the persons and number of votes given for each, together with the returns of the presiding officers, shall be, by the treasurer, secretary and comptroller, made and laid before the general assembly, then next to be held, on the first day of the session thereof. In the election of governor, lieutenant-governor, secretary, treasurer, comptroller and attorney general, the person found upon the count by the treasurer, secretary and comptroller in the manner herein provided, to be made and announced before December fifteenth of the year of the election, to have received the greatest number of votes for each of such offices, respectively, shall be elected thereto; provided, if the election of any of them shall be contested as provided by statute, and if such a contest shall proceed to final judgment, the person found by the court to have received the greatest number of votes shall be elected. If two or more persons shall be found upon the count of the treasurer, secretary and comptroller to have received an equal and the greatest number of votes for any of said offices, and the election is not contested, the general assembly on the second day of its session shall hold a joint convention of both houses, at which, without debate, a ballot shall be taken to choose such officer from those persons who received such a vote; and the balloting shall continue on that or subsequent days until one of such persons is chosen by a majority vote of those present and voting. The general assembly shall have power to enact laws regulating and prescribing the order and manner of voting for such officers. The general assembly shall by law prescribe the manner in which all questions concerning the election of a governor or lieutenant-governor shall be determined.

Adopted May 27, 2021

CONSTITUTIONAL AMENDMENT PROCESS

In accordance with Article Sixth of the amendments to the Connecticut State Constitution, this proposed amendment was approved by the General Assembly and is to be voted upon by the electors of each town at the state election on Tuesday, November 8, 2022.

If a majority of the electors voting on the proposed amendment approve it, the amendment will become part of the state constitution.