



House of Representatives

General Assembly

File No. 694

January Session, 2025

Substitute House Bill No. 7229

House of Representatives, April 14, 2025

The Committee on Government Administration and Elections reported through REP. BLUMENTHAL of the 147th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING ACCESSIBILITY TO ABSENTEE BALLOTS FOR ELECTORS IN STATE CUSTODY.

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

1 Section 1. Section 9-139a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2026*):

3 (a) The Secretary of the State shall prescribe and furnish the following
4 materials to municipal clerks: The absentee ballot facsimile, the
5 application for absentee ballot authorized for use at each election or
6 primary, the inner envelope, the outer envelope provided for the return
7 of the ballot to the municipal clerk, the instructions for the use of the
8 absentee ballot and the envelope for mailing of such forms by the clerk
9 to the absentee ballot applicant.

10 (b) The application for absentee ballot shall be in the form of a
11 statement signed under the penalties of false statement in absentee
12 balloting. Each application shall contain (1) spaces for the signature

13 under the penalties of false statement in absentee balloting of any person
14 who assists the applicant in the completion of an application together
15 with the information required in section 9-140, as amended by this act,
16 (2) spaces for the signature and the printed or typed name of the
17 applicant, and (3) a clear and conspicuous notation of the year for which
18 such application's use is authorized.

19 (c) The Secretary of the State shall prescribe and furnish to the
20 Department of Correction an application for absentee ballot form for use
21 within Department of Correction facilities. Such form shall contain
22 spaces for all information required under subsection (b) of this section.
23 Each such form shall be consecutively numbered and shall indicate that
24 such form is only for use by an absentee ballot applicant who is
25 incarcerated in a Department of Correction facility and that such
26 applicant is required to provide in the appropriate space on such form
27 a mailing address at the Department of Correction facility in order for
28 an absentee ballot to be mailed to such applicant.

29 [(c)] (d) The instructions for the use of the absentee ballot shall be in
30 plain language and shall include the steps to be taken if a vote is to be
31 cancelled or changed, and shall also contain a simple and concise
32 restatement of the provisions of subsection (l) of section 9-150a and
33 section 9-159o concerning rejection of ballots marked in such manner as
34 to identify the voters casting them, and withdrawal of ballots by persons
35 who find they are able to vote at the polls.

36 [(d)] (e) A sufficient supply of such instructions and envelopes shall
37 be printed to supply the number which the municipal clerk requests or
38 the Secretary of the State deems sufficient.

39 Sec. 2. Subsection (g) of section 9-140 of the general statutes is
40 repealed and the following is substituted in lieu thereof (*Effective January*
41 *1, 2026*):

42 (g) On the first day of issuance of absentee voting sets the municipal
43 clerk shall mail an absentee voting set to each applicant whose
44 application was received by the clerk prior to that day. When the clerk

45 receives an application during the time period in which absentee voting
46 sets are to be issued he shall mail an absentee voting set to the applicant,
47 within twenty-four hours, unless the applicant submits his application
48 in person at the office of the clerk and asks to be given his absentee
49 voting set immediately, in which case the clerk shall comply with the
50 request. Any absentee voting set to be mailed to an applicant shall be
51 mailed to the bona fide personal mailing address shown on the
52 application. If an applicant has provided a mailing address at a
53 Department of Correction facility and such applicant is subsequently
54 transferred to another Department of Correction facility, the
55 Commissioner of Correction shall ensure delivery of the absentee voting
56 set to such applicant. Issuance of absentee voting sets shall also be
57 subject to the provisions of subsection (c) of this section, section 9-150c
58 and section 9-159q concerning persons designated to deliver or return
59 ballots in cases involving unforeseen illness or disability and supervised
60 voting at certain health care institutions.

61 Sec. 3. Subsection (k) of section 9-140 of the general statutes is
62 repealed and the following is substituted in lieu thereof (*Effective January*
63 *1, 2026*):

64 (k) (1) A person shall register with the [town] municipal clerk before
65 distributing five or more absentee ballot applications for an election,
66 primary or referendum, not including applications distributed to such
67 person's immediate family. Such requirement shall not apply to a person
68 who is the designee of an applicant or to any employee of the
69 Department of Correction who provides the application for absentee
70 ballot form prescribed under subsection (c) of section 9-139a, as
71 amended by this act, to incarcerated absentee ballot applicants.

72 (2) The municipal clerk shall reject the application of any absentee
73 ballot applicant made upon the form prescribed under subsection (c) of
74 section 9-139a, as amended by this act, if such form indicates any
75 address other than an address at a Department of Correction facility.
76 The municipal clerk shall maintain a log of all applications of
77 incarcerated absentee ballot applicants received by such municipal

78 clerk, which log shall indicate the name and address of each applicant,
 79 the date of receipt of each application and the date such municipal clerk
 80 mailed the absentee ballot to such applicant or the reason why such
 81 application was rejected.

82 [(2)] (3) Any person who distributes absentee ballot applications shall
 83 maintain a list of the names and addresses of prospective absentee ballot
 84 applicants who receive such applications, and shall file such list with
 85 the [town] municipal clerk prior to the date of the primary, election or
 86 referendum for which the applications were so distributed, except that
 87 such requirements shall not apply to any employee of the Department
 88 of Correction who provides the application for absentee ballot form
 89 prescribed under subsection (c) of section 9-139a, as amended by this
 90 act, to incarcerated absentee ballot applicants. Any person who
 91 distributes absentee ballot applications and receives an executed
 92 application shall forthwith file the application with the [town]
 93 municipal clerk.

94 Sec. 4. Section 9-14a of the general statutes is repealed and the
 95 following is substituted in lieu thereof (*Effective January 1, 2026*):

96 Any person in the custody of the state being held at a [community
 97 correctional center or a correctional institution] Department of
 98 Correction facility, whose voting rights have not been denied, shall be
 99 deemed to be absent from the town or city of which [he] such person is
 100 an inhabitant for purposes of voting, notwithstanding that such [center
 101 or institution] facility may be situated within such town or city.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2026</i>	9-139a
Sec. 2	<i>January 1, 2026</i>	9-140(g)
Sec. 3	<i>January 1, 2026</i>	9-140(k)
Sec. 4	<i>January 1, 2026</i>	9-14a

Section 1	<i>January 1, 2026</i>	9-139a
Sec. 2	<i>January 1, 2026</i>	9-140(g)
Sec. 3	<i>January 1, 2026</i>	9-140(k)
Sec. 4	<i>January 1, 2026</i>	9-14a

GAE *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill simplifies the existing process by which eligible incarcerated individuals vote and results in no fiscal impact to the state or municipalities.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 7229*****AN ACT CONCERNING ACCESSIBILITY TO ABSENTEE BALLOTS FOR ELECTORS IN STATE CUSTODY.*****SUMMARY**

This bill simplifies the process for people in state custody to vote by absentee ballot, if they retain their voting rights while in custody.

Generally, if a person is convicted of a felony, the person forfeits the right to vote for the duration of his or her incarceration. However, certain people may still be eligible to vote while incarcerated, such as those (1) serving a sentence for a misdemeanor or (2) confined in a community residence (such as a halfway house).

Under existing law, in order to apply for and cast an absentee ballot, a voter must be unable to appear at his or her designated polling place on election day due to, among other reasons, absence from their city or town during all voting hours. Current law specifies that an eligible voter being held in state custody at a community correctional center or a correctional institution is deemed absent from their town, even if the center or institution is in the voter's town. The bill explicitly extends this to eligible voters in state custody being held in any Department of Correction (DOC) facility.

This bill requires the secretary of the state to create absentee ballot application forms for use by eligible voters within DOC facilities and provide these forms to DOC. It also creates procedures for distributing and processing these applications. (Currently, incarcerated voters must apply in writing to the municipal clerk for an absentee ballot.)

The bill also makes technical and conforming changes.

EFFECTIVE DATE: January 1, 2026

ABSENTEE BALLOT FORM REQUIREMENTS

The bill specifies that the ballot application the secretary creates must include spaces for the following information:

1. the applicant's signature and printed or typed name;
2. the signature of any person who assisted the applicant in completing the application as well as their printed or typed name, residential address, and telephone number; and
3. a mailing address within a DOC facility.

The form must be signed by the applicant and, if applicable, any assistant under the penalty of false statement in absentee balloting. By law, false statement in absentee balloting is a class D felony, punishable by up to five years in prison, up to a \$5,000 fine, or both (CGS § 9-359a).

These forms must be consecutively numbered, clearly and conspicuously note the year the application is authorized for, and indicate they are only for the use of an applicant incarcerated in a DOC facility. Further, the bill specifies that the applicant must provide a mailing address within a DOC facility in order to receive an absentee ballot.

The bill's requirements for the DOC-specific form are similar to those for absentee ballots under existing law.

PROCESSING APPLICATIONS

Under existing law, absentee ballots and ballot applications must generally be submitted to the municipal clerk where the applicant is eligible to vote. Under the bill, any DOC employee who distributes applications must promptly file completed absentee ballot applications he or she receives with the municipal clerk. The same filing requirement applies under existing law to others who distribute ballots and receive completed ones.

The clerk must maintain a log of applications received from incarcerated applicants, including, for each, (1) the applicant's name

and address; (2) the date the application was received; and (3) as applicable, the date the clerk mailed the ballot or the reason for rejecting the application. The bill requires municipal clerks to reject any application made on the DOC-specific form that indicates an address other than a DOC facility.

If an applicant included a DOC facility mailing address but is subsequently transferred to another DOC facility, the correction commissioner must ensure the absentee ballot's delivery to the applicant.

CORRECTION EMPLOYEE EXEMPTIONS

Under existing law, a person distributing absentee ballot applications generally must comply with certain requirements. The bill exempts DOC employees from the following requirements when providing incarcerated voters with applications:

1. registering with the municipal clerk before distributing five or more applications for an election, primary, or referendum to individuals other than their immediate family; and
2. maintaining and filing with the municipal clerk a list of names and addresses of any individuals to which they distribute applications.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 14 Nay 5 (03/26/2025)