



Senate

General Assembly

File No. 531

January Session, 2025

Substitute Senate Bill No. 1163

Senate, April 7, 2025

The Committee on Government Administration and Elections reported through SEN. FLEXER of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

**AN ACT CONCERNING QUALIFICATIONS OF INDIVIDUALS
APPOINTED TO SERVE AS MODERATORS AT ELECTIONS AND
PRIMARIES.**

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

1 Section 1. Subsection (d) of section 9-229 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective January*
3 *1, 2026*):

4 (d) If the person designated as moderator is unable to serve for any
5 reason, a certified alternate moderator shall serve as moderator. If such
6 certified alternate moderator is not called upon to serve as moderator,
7 he shall serve in another capacity as an election official on election or
8 primary day. If any town or voting district lacks a moderator due to the
9 death, disability or withdrawal of a certified moderator or alternate
10 moderator, or due to the disqualification of a moderator for any reason,
11 including failure to attend an instructional session as required by this
12 section, the registrars of voters shall appoint a new moderator for such

13 town or voting district in the manner provided in this section, except
14 that the registrars shall not appoint as moderator any person who has,
15 in a court of competent jurisdiction, been convicted of or pled guilty or
16 nolo contendere to any (1) felony involving fraud, forgery, larceny,
17 embezzlement or bribery, or (2) criminal offense under this title. Such
18 new moderator shall attend an instructional session and a certification
19 session conducted in accordance with the provisions of this section. If
20 all such sessions have been conducted at the time of appointment of the
21 new moderator, the new moderator shall receive instruction from the
22 registrars who appointed the new moderator.

23 Sec. 2. Section 9-169 of the general statutes is repealed and the
24 following is substituted in lieu thereof (*Effective January 1, 2026*):

25 The legislative body of any town, consolidated town and city or
26 consolidated town and borough may divide and, from time to time,
27 redive such municipality into voting districts. The registrars of voters
28 of any municipality taking such action shall provide a suitable polling
29 place in each district but, if the registrars fail to agree as to the location
30 of any polling place or places, the legislative body shall determine the
31 location thereof. Polling places to be used in an election shall be
32 determined at least thirty-one days before such election, and such
33 polling places shall not be changed within said period of thirty-one days
34 except that, if the municipal clerk and registrars of voters of a
35 municipality unanimously find that any such polling place within such
36 municipality has been rendered unusable within such period, they shall
37 forthwith designate another polling place to be used in place of the one
38 so rendered unusable and shall give adequate notice that such polling
39 place has been so changed. The registrars of voters shall keep separate
40 lists of the electors residing in each district and shall appoint for each
41 district a moderator in accordance with the provisions of section 9-229,
42 as amended by this act, and such other election officials as are required
43 by law, and shall designate one of the moderators so appointed or any
44 other elector of such town to be the head moderator for the purpose of
45 declaring the results of elections in the whole municipality, except that
46 the registrars shall not appoint as moderator any person who has, in a

47 court of competent jurisdiction, been convicted of or pled guilty or nolo
 48 contendere to any (1) felony involving fraud, forgery, larceny,
 49 embezzlement or bribery, or (2) criminal offense under this title. The
 50 registrars may also designate a deputy head moderator to assist the
 51 head moderator in the performance of his duties provided the deputy
 52 head moderator and the head moderator shall not be enrolled in the
 53 same major party, as defined in subdivision (5) of section 9-372. The
 54 selectmen, town clerk, registrars of voters and all other officers of the
 55 municipality shall perform the duties required of them by law with
 56 respect to elections in each voting district established in accordance with
 57 this section. Voting district lines shall not be drawn by a municipality so
 58 as to conflict with the lines of congressional districts, senate districts or
 59 assembly districts as established by law, except [(1)] (A) as provided in
 60 section 9-169d, and [(2)] (B) that as to municipal elections, any part of a
 61 split voting district containing less than two hundred electors may be
 62 combined with another voting district adjacent thereto from which all
 63 and the same officers are elected at such municipal election. Any change
 64 in the boundaries of voting districts made within ninety days prior to
 65 any election or primary shall not apply with respect to such election or
 66 primary. The provisions of this section shall prevail over any contrary
 67 provision of any charter or special act.

This act shall take effect as follows and shall amend the following sections:

| | | |
|-----------|-----------------|----------|
| Section 1 | January 1, 2026 | 9-229(d) |
| Sec. 2 | January 1, 2026 | 9-169 |

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 prevents individuals found guilty, or who have pled nolo contendere to certain offenses, from being able to serve as moderators, resulting in no fiscal impact to the state or municipalities.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 1163*****AN ACT CONCERNING QUALIFICATIONS OF INDIVIDUALS APPOINTED TO SERVE AS MODERATORS AT ELECTIONS AND PRIMARIES.*****SUMMARY**

This bill prohibits registrars of voters from designating or appointing a person as a moderator if the person has been convicted of, or pleaded guilty or no contest to, any offense under the state's election laws, or felonies involving fraud, forgery, larceny, embezzlement, or bribery. Under existing law, moderators are generally required to be certified by the secretary of the state before serving at an election or primary (see BACKGROUND), and in order to receive their certification, they are subject to the same disqualifiers the bill imposes.

A moderator is the chief public official at each polling place responsible for impartially presiding over the polling place in accordance with the state's election laws. If a moderator is unable to serve, a certified alternate moderator must serve as moderator. Registrars of voters are responsible for designating a moderator for each polling place, including early voting and central counting locations.

By law, if a town or voting district lacks a moderator, the registrars of voters must appoint a new moderator. The new moderator must become certified if possible. If all instructional and certification sessions have already been conducted at the time of the moderator's appointment, he or she must receive instruction from the registrars.

EFFECTIVE DATE: Upon passage

BACKGROUND***Moderator Certification Requirements***

State law requires the secretary to provide instructional and certification sessions for moderator training each year, subject to certain geographical and frequency requirements. At a minimum, the curriculum must include (1) procedures for counting and recording absentee ballots, (2) hands-on training for using voting tabulators, and (3) the moderator's duties in conducting a primary or election.

The secretary must generally certify anyone who successfully completes an instructional session or regional instructional session (i.e. a session conducted by a regional election advisor) and passes an exam she administers. A person cannot be certified if he or she has been convicted of, or pleaded guilty or no contest to, any felony involving fraud, forgery, larceny, embezzlement, or bribery, or any criminal offense under the state's election laws.

The secretary's certification is valid for four years. Before it expires, a certified moderator may undergo an abridged recertification process the secretary administers. Once completed, the certification must be renewed for another four years.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/19/2025)