
OLR Bill Analysis

sHB 7228

AN ACT CONCERNING VARIOUS REFORMS TO THE ADMINISTRATION OF ELECTIONS IN THIS STATE.

SUMMARY

This bill makes various changes to the state's election laws. Primarily, the bill establishes provisions for pre-counting absentee ballots for elections, primaries, and referenda. It also adjusts various timelines and procedures related to the processing and counting of absentee ballots, including requiring registrars to make their best efforts to notify absentee ballot applicants if their ballot has been rejected for specific reasons (§§ 1-7).

The bill also makes the following changes:

1. requires certain petition forms to be supplied by the secretary of the state instead of registrars and for these forms to include space for the date an individual signs the petition (§§ 8-10);
2. authorizes the interruption of a canvass of votes due to certain emergencies and limits other reasons for interruptions (§ 11);
3. expands the scope of discrepancy recanvasses (§ 12);
4. modifies procedures for communicating with elections officials during a recanvass (§ 13);
5. requires tests and demonstrations of the state's election management system prior to each primary or election (§ 14); and
6. establishes requirements for posting information on voting districts at certain early voting locations (§ 15).

Finally, the bill appropriates \$1,320,000 in FY 26 and FY 27 from the General Fund to the secretary of the state's office for early voting

administration purposes (§ 16). The bill also makes minor, technical, and conforming changes.

EFFECTIVE DATE: January 1, 2026, except that the appropriation for early voting administration is effective July 1, 2025.

§§ 1 & 5-7 — DELIVERY OF ABSENTEE BALLOTS

By law, town clerks must sort into voting districts any absentee ballots received by the day before an election, primary, or referendum. For ballots received by 11:00 a.m. on this day, registrars of voters must check the names of applicants returning absentee ballots on the official registry list with “A” or “absentee.” Currently, this sorting and checking must be completed before, and the clerk must deliver the sorted and checked ballots to the registrars on, the day of the election, primary, or referendum.

The bill authorizes clerks to begin sorting ballots 14 days beforehand, rather than seven days before as current law provides.

The bill also allows town clerks to deliver sorted and checked ballots to the registrars before the day of an election, primary, or referendum to begin certain pre-counting procedures (see below).

Specifically, it allows any ballots received, sorted, and checked by 5:00 p.m. on the fourth day before the election, primary, or referendum to be delivered to the registrars at that time. It also allows ballots received, sorted, and checked by 5:00 p.m. on the third and second days before the election, primary, or referendum to be delivered to the registrars at those times. Ballots received at or before 11:00 a.m. on the day before an election or primary which have not been delivered earlier must be delivered at 8:00 a.m., instead of between 10:00 a.m. and noon, on the day of an election or primary. Ballots for a referendum must still be delivered by noon on the day of the referendum, as required by existing law.

By law, ballots received after 11:00 a.m. on the day before an election contest and before 6:00 p.m. on the day of the contest must be delivered by 6:00 p.m. Any remaining ballots received by the clerk before the close

of the polls must be delivered when the polls close. The bill eliminates the option for absentee ballots to be delivered at a time agreed upon by the clerk and registrars (that must be before the polls close) instead of these statutory deadlines.

Unless absentee ballots are to be counted in the respective polling places, current law also requires that when sorted ballots are delivered, the clerk must include with the ballots a duplicate official checklist. The bill instead specifies that it must be an up-to-date copy of the checklist.

Deadline to Withdraw a Submitted Absentee Ballot (§ 5)

By law, electors who submit an absentee ballot must visit the town clerk's office to request withdrawal if they later determine they can vote in person. The bill moves up this deadline from 10:00 a.m. on the election, primary, or referendum day to 5:00 p.m. on the fourth day before it, the same time municipalities may begin pre-counting procedures (see below).

Early Voting and SDR Ballot Delivery (§ 7)

The bill requires early voting and same-day election registration (SDR) ballots received by the clerk before the day of an election or primary to be delivered to the registrars by 8:00 a.m. on the day of the contest, instead of 10:00 a.m. as under current law.

Reporting for Duty (§§ 6 & 7)

Under current law, absentee ballot counters must report for duty at the time designated by the registrars of voters, and ballot counters for early voting and SDR ballots must report by 10:00 a.m. The bill instead requires these counters to report to their designated location by 8:00 a.m. on the day of the contest.

§§ 1-3 — PRE-COUNTING OF ABSENTEE BALLOTS

Location (§ 2)

If a municipality uses the pre-counting procedures, it must be done at a central location designated by the registrars in writing to their respective town clerks at least 10 days before the election, primary, or referendum. As under current law, the location must be published in

the election warning, which must be published from 5 to 15 days before the election.

The bill requires the registrars of voters and the town clerk to jointly certify this decision to the secretary of the state, in writing, at least 10 days before the election, primary, or referendum. The certification must include the (1) name, street address, and relevant contact information for the designated location and (2) name and address of each appointed absentee ballot counter. The secretary must approve or disapprove the certification within two days of receiving it. She also may require the appointment of one or more additional ballot counters.

By law, municipalities must count absentee ballots at a central location unless the registrars of voters agree to count them in each polling place. The bill specifies that any ballots delivered to the registrars on the day of an election, primary, or referendum (i.e. those not delivered for pre-counting procedures) may still be counted in the polling places.

Pre-Counting Procedures (§§ 1 & 3)

By law, absentee ballot sets consist of an outer envelope, which contains information about the elector (e.g., name and address), and an inner envelope, which has the elector's marked ballot and a statement signed by the elector under penalty of false statement in absentee balloting. Current law sets out numerous absentee ballot counting steps, which absentee ballot counters or moderators generally complete beginning on election day.

Under the bill, the pre-counting may begin as early as 5:00 p.m. on the fourth day before the contest (that is the earliest town clerks may release completed absentee ballots to registrars of voters as provided above). For municipalities that opt to use pre-counting procedures, the bill authorizes them to complete the following steps for absentee ballots not already marked as rejected:

1. remove the inner envelopes from the outer envelopes;
2. report to the moderator separately the total number of absentee,

presidential, and overseas ballots received; and

3. reject ballots for which the inner envelope statement is improperly executed.

Under the bill, once the above steps are completed, the absentee ballots must be counted beginning on the election, primary, or referendum day in accordance with existing law. Relatedly, the bill eliminates a requirement that absentee ballots only be counted at a single time each day.

Securing the Absentee Ballots Until Election Day

The bill requires that absentee ballots be secured throughout the entire pre-counting process until they are counted. Specifically, the ballots must be secured according to (1) instructions from the secretary of the state and (2) existing statutory requirements on securing absentee ballots and related materials. Under the bill, the secretary must issue these instructions at least 10 days before an election, primary, or referendum.

§§ 3 & 4 — ABSENTEE BALLOT REJECTION NOTIFICATIONS

By law, if a voter registers to vote by mail and does not meet federal identification requirements at the time of registration, the voter must give sufficient identification the first time they seek to vote absentee. If a voter fails to do so, the absentee ballot cannot be counted. Acceptable forms of identification include certain documents with the voter's name and address (such as bank statements or utility bills) or valid photo identification with the voter's name and address.

If an absentee ballot was rejected due to insufficient identification or for failing to include the signed statement on the inner envelope as discussed above, the bill requires registrars of voters to use best efforts to notify applicants that (1) their ballot was rejected and (2) they may still be able to vote in person. This includes ballots that are pre-counted and rejected under the bill's provisions. (The bill does not define best efforts.)

§§ 8-10 — PETITION FORMS

Under existing law, the secretary of the state must include spaces for certain information on the petition form for candidates seeking a major party's nomination for state, district, and municipal offices as well as for town committee members. State law requires candidates to get a certain number of signatures to qualify. The bill requires the secretary to also include space on the form for the date each signature was obtained.

The bill also requires that the secretary, rather than the registrars of voters, supply the petition forms for nominations for district or municipal offices, including town committee members. In doing so, she must fulfill the duties in connection to these forms previously fulfilled by the registrar (e.g., she must make them available 77 days before a primary, type or print the candidate's information on the petition form, and provide a certain number of petition pages to indigent candidates).

The bill also makes conforming changes.

§ 11 — TEMPORARY CANVASS INTERRUPTIONS

After the polls close, moderators are required to produce and announce the election results produced by the tabulators for each candidate and question on the ballot. These results must be recorded, and the moderator must make a preliminary list of the tabulator results and transmit it to the secretary of the state. Current law does not explicitly allow an interruption of this process until the list is transmitted.

The bill specifies an interruption may occur before the list is transmitted due to (1) a power loss, (2) a fire or fire alarm, (3) voting machine malfunctions, (4) a weather or other natural disaster, (5) the need to remove and replace an election or primary official, (6) disorder in and around the polling place or early voting location, or (7) an emergency declaration by the governor or president. (In practice, temporary interruptions do occur before the list is transmitted, as many municipalities may start this process on election night, but complete it the day following the election. The bill appears to prohibit temporary interruptions from occurring except for the above reasons.)

Under existing law and the bill, during a temporary interruption, certain procedures must be followed to secure the tabulators and the ballots, such as returning the tabulator keys to the registrars, sealing the tabulators against voting or tampering, sealing certain election documentation, and storing all tabulators and envelopes in a designated location.

§§ 12 & 13 — RECANVASS PROCEDURES

Under current law, within three days of an election, a moderator must initiate a recanvass (i.e. a recount) if it appears there are discrepancies in the returns of a voting district. The bill requires that the returns of all voting tabulators and absentee and write-in ballots be recanvassed, not just the returns within the voting district where the discrepancy occurred.

Additionally, during any recanvass, the law permits a moderator to order the removal of a person if disorder arises that interferes with the recanvass and the person refuses to submit to the moderator's lawful authority. This currently includes if the person is attempting to communicate with a recanvass official other than the moderator.

The bill expands the reasons for possible removal to include attempting to communicate with the moderator. However, the bill permits one party representative from each political party with a nominated candidate in the election to communicate directly with the moderator during the recanvass.

§ 14 — TEST OF ELECTION MANAGEMENT SYSTEM

At least 30 days before a primary or election, the bill requires the secretary of the state to (1) conduct a test of the election management system that will be used and (2) demonstrate the system's use to registrars, including entering early voting results after the polls close. The bill requires at least one registrar from each municipality to attend the test and demonstration.

§ 15 — POSTER FOR DETERMINING CORRECT VOTING DISTRICT

Beginning in 2026, for municipalities with multiple voting districts,

the bill requires registrars to display a poster at early voting locations during early voting periods explaining how electors can look up their proper voting district in the online voter registration system. The bill specifies that the poster's purpose is to ensure a voter is provided a ballot from the correct district.

BACKGROUND

Related Bills

sSB 1535, favorably reported by the Government Administration and Elections (GAE) Committee, makes various changes to the state's early voting procedures, including the designation of early voting and SDR locations.

sHB 7229, favorably reported by the GAE Committee, creates absentee balloting procedures for incarcerated voters.

sHB 7241, favorably reported by the GAE Committee, authorizes no-excuse absentee voting.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13 Nay 6 (03/26/2025)