
OLR Bill Analysis

SB 1516

AN ACT CONCERNING THE SECRETARY OF THE STATE'S RECOMMENDATIONS RELATED TO VOTING AND ELECTIONS IN THIS STATE.

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SUMMARY

This bill makes a variety of changes to the state's election laws as described in the section-by-section analysis below.

EFFECTIVE DATE: Various; see below.

§ 1 — AMENDING AND REPORTING ELECTION RETURNS

Requires officials in all municipalities, instead of those in municipalities with multiple voting districts, to meet to amend errors in election night returns and submit an amended return if necessary

For towns with more than one voting district, the law requires (1) head moderators, town clerks, and registrars to meet by 9:00 a.m. on the third day after a regular election to identify any errors in the election night returns and (2) head moderators to file an amended return, if necessary, by 1:00 p.m. on that day with the secretary of the state, town clerk, and registrars. The bill conforms the law to existing practice by requiring all towns to do so, instead of just those with multiple voting districts.

Additionally, the law requires the town clerk of a municipality with multiple voting districts to submit a consolidated listing of the official voting returns to the secretary of the state within 21 days after state elections. The returns must be broken down by voting district with the total number of (1) votes cast for each candidate, (2) names on the registry list, and (3) names checked off as having voted. As above, the bill explicitly requires all town clerks to submit these returns.

As under existing law, a clerk in a multi-voting district town must

certify to the secretary that he or she examined these returns for discrepancies between the total number of votes cast for a candidate and the sum of the votes cast for that candidate in all voting districts.

EFFECTIVE DATE: Upon passage

Background — Related Bill

sHB 7228, favorably reported by the Government Administration and Elections Committee, among other provisions, changes the recanvass requirements for multi-voting district municipalities and makes the secretary of the state responsible for the petition process instead of municipal registrars of voters.

§ 2 — NOTIFICATION OF MUNICIPAL ELECTION-RELATED CASES

Requires certain entities to notify the secretary of the state about certain election-related actions and violations

The bill requires a court (presumably only state courts) to notify the secretary if an action before it alleges a violation of certain laws on the right to vote or a pattern, practice, or policy of discrimination against any protected class (i.e. a class based on race, color, or language minority group, as referenced in the federal Voting Rights Act (VRA)). This applies to violations of the state’s Voting Rights Act, the federal VRA, state or federal civil rights laws, or the U.S. Constitution’s 14th or 15th Amendment.

The bill also requires a municipality’s corporation counsel to notify the secretary of the state if it has been the subject of any court order or government enforcement action due to violations as described above within one month from the bill’s passage, an order’s issuance, or an action’s commencement, whichever is latest.

Under the bill, a “government enforcement action” is any denial of administrative or judicial preclearance by the state or federal government, pending litigation filed by a state or federal entity, final judgment or adjudication, consent decree, or other similar formal action.

EFFECTIVE DATE: Upon passage

§§ 3 & 4 — CURBSIDE VOTING

Makes various changes to the curbside voting requirements including (1) allowing curbside voting for all voters with an incapacity, not just those with a temporary one; (2) designating an official space; (3) establishing certain prohibitions to protect a voter's privacy and rights; and (4) requiring the secretary to adopt related regulations

Under current law, if a voter cannot access his or her polling place due to a temporary incapacity, the registrars of voters or the assistant registrars of voters must take a ballot out to the voter. After showing any required identification, the voter may mark their ballot and return it to the registrars to be cast. The bill (1) eliminates the requirement that the voter's incapacity be temporary in order to use curbside voting and (2) requires the registrars of voters to designate a specific area for curbside voting to occur.

Separately, the bill prohibits any person within a marked radius of 20 feet of an elector being brought a ballot curbside from (1) soliciting on behalf of or in opposition to any candidate or any question on the ballot or (2) loitering, peddling, or offering any advertising matter, ballot, or circular. (Unlike a similar exemption for conducting these activities 75 feet from a polling place entrance, the bill does not specify how this radius should be marked. Further, in practice, this radius would change depending on how many voters are using curbside voting (e.g., no voters, one voter, or multiple voters) or where the voters position themselves within the designated area.)

Additionally, no person may be in a vehicle being used by a person casting a ballot in the designated area unless they are casting a vote or driving the voter. Further, a candidate may never be in the vehicle unless he or she is casting his or her own vote.

The bill requires the secretary of the state to adopt any regulations she deems necessary to implement these provisions. She must include a model plan that municipalities may adopt.

A violation of these provisions, including the removal of or injury to any marker the bill requires, is a class C misdemeanor, punishable by up to three months in prison, up to a \$500 fine, or both.

As with similar prohibitions under state law, these provisions do not prohibit (1) certain school-connected organizations from holding bake sales or other fundraising activities on election day other than where the election booths are located in a school; (2) election officials from distributing “I Voted Today” stickers; or (3) registrars from jointly permitting nonpartisan activities in a room other than where the election booths are located.

EFFECTIVE DATE: January 1, 2026

Background — Related Bills

SB 1514, favorably reported by the Government Administration and Elections Committee, implements identical curbside voting provisions.

§§ 5-8 — ENDORSEMENT AND NOMINATION PETITION CORRECTION PROCESS

Creates a process for candidates to correct endorsement certificates and certificates of candidacies for nomination; authorizes the secretary of the state to make corrections and keep a record of them

Existing law requires candidates who are endorsed by a party to file a signed certificate with the secretary of the state stating he or she was endorsed, among other information. Individuals who seek endorsement as the party’s candidate in a primary must also file a certificate with the secretary that they qualify to run in the primary, among other things.

The bill generally allows candidates to correct endorsement certificates and certificates of candidacies for nomination. Specifically, if a timely-filed certificate contains an error or omission that would invalidate it, the candidate, or an individual authorized to act on his or her behalf, generally may correct the issue by appearing in person at the secretary of the state’s office by 4:00 p.m. on the 19th day after he or she was endorsed (or by 4:00 p.m. on the 57th day before an election for minor party nominations). Certificates may not be corrected if they are not timely filed or, for certificates of candidacies for nomination, not properly attested or signed as required by law.

If the candidate or individual does not correct the certificate, it is deemed invalid and the party is deemed to have neither made nor

certified the endorsement or candidacy for nomination, whichever applies.

The bill (1) authorizes the secretary to amend certificates in order to correct errors or omissions and (2) requires her to maintain a record of any amendment she makes. The bill specifies that it does not require the secretary to affirmatively attempt to identify errors or omissions.

EFFECTIVE DATE: January 1, 2026

§§ 9-13 — PETITION CIRCULATOR INELIGIBILITY

Specifies that a person may not circulate certain petitions or absentee ballots for a certain period if convicted of an election crime

The bill prohibits people from circulating certain petitions or applications for a certain period of time if they have been convicted of an election crime. The prohibition lasts (1) while the person is on probation or parole and (2) for 12 years after a person's release from confinement, probation, or parole. The secretary of the state or town clerk, as appropriate, must reject any petition page filed by an ineligible person under these provisions.

An ineligible person may not (1) distribute absentee ballot applications; (2) circulate nominating petitions on behalf of petitioning candidates seeking congressional, statewide, legislative, or municipal office at a regular or special election; or (3) circulate primary petitions on behalf of major party candidates for congressional, statewide, legislative, or municipal office or president (in a presidential preference primary). For nominating petitions, the bill adds this stipulation to the statement that the circulator must sign on each petition page.

EFFECTIVE DATE: Upon passage

§§ 14 & 15 — ELECTION-RELATED TRANSLATIONS

Establishes the Translation Advisory Committee to evaluate translated municipal election-related materials and sets membership and eligibility requirements

Translation Advisory Committee (§ 14)

The bill creates a Translation Advisory Committee within the secretary of the state's office for (1) validating the translation of election-

related materials for accuracy, (2) ensuring they meet the intended audience's needs in a culturally responsive and linguistically appropriate way, and (3) making recommendations to the secretary and municipal officials on related matters. The secretary may adopt regulations to carry out these purposes.

The secretary must appoint its members by August 1, 2025, from those who apply and submit a writing sample. The committee's members must:

1. be state residents,
2. have experience in municipalities served by translated election-related materials (see below),
3. be proficient in reading and writing in English and at least one other language dialect spoken in Connecticut that federal or state law requires election-related materials to be translated to, and
4. have experience in either (a) election administration (such as serving as a poll worker) or (b) bilingual educational settings or community assistance programs.

Under the bill, members serve a four-year term, or until their successor is appointed and has qualified, and may not be compensated or receive mileage reimbursement. The committee must meet (1) at least quarterly and (2) as frequently as needed to timely approve translated election-related materials before elections, primaries, and referenda.

Starting by January 15, 2027, the committee must biennially submit a report on its proceedings to the secretary, including any recommendations for improving its performance.

Submission of Election-Related Materials (§ 15)

The bill requires each municipality required by law to make election-related materials available in non-English languages to (1) use professional translators when translating these materials and (2) submit these materials to the Translation Advisory Committee as soon as

practicable, but no later than 65 days before an election, primary, or referendum. Under the bill, a “professional translator” means a person with (1) an academic certificate or degree in translation from an accredited higher education institution or (2) certification as a translator from a professional association or other accrediting organization.

EFFECTIVE DATE: January 1, 2026, except provisions creating the committee are effective July 1, 2025.

Background — Language Translation Under the Voting Rights Act

The federal Voting Rights Act generally requires certain municipalities to provide language assistance during elections for certain language minority groups based on specified English proficiency population thresholds. In Connecticut, 10 municipalities are currently federally required to provide this assistance (in Spanish).

The state’s voting rights act also requires municipalities to provide language-related assistance based on specified population metrics. According to the secretary of the state’s website, under the law, an additional 23 municipalities are currently required to provide language-related assistance (in Spanish).

§§ 16-20 — BALLOT FILING WITH THE SECRETARY OF THE STATE

Adjusts the requirements for filing ballots with the secretary of the state for review

Current law requires municipalities to file with the secretary (1) a sample election ballot 10 days before an early voting period and (2) an absentee ballot after they are printed. Current law allows the secretary to order the reprinting of corrected ballots or absentee ballots.

The bill requires registrars to file all official election and primary ballots with the secretary of the state for her approval at least 10 days before the early voting period begins. It prohibits using any of these ballots unless they have been approved.

The bill also requires this filing by the clerk for absentee ballots before they are printed. Further, the absentee ballots may not be printed unless they have been approved.

As under current law, these provisions do not prohibit her from ordering actions she deems appropriate for election or absentee ballots in case of any ballot errors or omissions.

EFFECTIVE DATE: January 1, 2026

§ 21 — TECHNICAL CHANGE

Makes technical changes to an absentee voting statute

The bill makes technical changes to an absentee voting statute.

EFFECTIVE DATE: Upon passage

§ 22 — BRIDGEPORT ELECTION MONITOR

Requires the secretary of the state to hire and install an election monitor for Bridgeport and conduct a town-wide bilingual public awareness campaign to educate the public on their rights under the state's election laws

The bill requires the secretary of the state to hire and install an election monitor in Bridgeport as well as develop and conduct a town-wide bilingual public awareness campaign to educate the public on their rights under state election law. (The bill requires the secretary to use funds appropriated under the bill to conduct the campaign, but it does not appropriate any funds.)

Specifically, the secretary must contract with at least one individual to serve as an election monitor in any municipality with a population of at least 140,000, according to the most recent State Register and Manual (i.e. Bridgeport). The election monitor's purpose is to detect and prevent irregularity and impropriety in how the municipality manages the election administration procedures and conducts the elections. The elections covered under the bill include the 2025 municipal primary and election, the 2026 state primary and general election, and any special election in 2025 and 2026.

The monitor must (1) oversee the covered elections, including absentee ballots, early voting, election day registration, and election and primary day polling place voting; (2) conduct inspections, inquiries, and investigations of any duty or responsibility required by state election law and carried out by a municipal official or his or her appointee; (3)

issue periodic reports to the secretary of the state; and (4) immediately report any irregularity or impropriety discovered to the secretary. Toward that end, the bill also requires that the monitor have access to all records, data, and material maintained by or available to the municipal officials or appointees.

The bill requires the secretary of the state to contract with the election monitor until December 31, 2026, unless the secretary terminates the contract for any reason before then. Under the bill, the election monitor must not be considered a state employee, but must be compensated as required by the contract and reimbursed for necessary expenses.

The municipality must provide the election monitor with office space, supplies, equipment, and services necessary to properly carry out his or her duties. Costs related to the monitor's service must be paid from the funds appropriated to the secretary for the position. (The bill does not appropriate funds for this purpose.)

The bill specifies that these provisions do not prohibit the State Elections Enforcement Commission (SEEC) from exercising its authority. By law, SEEC, among other things, investigates alleged election law violations, inspects campaign finance records and reports, refers evidence of violations to the chief state's attorney or the attorney general, and levies civil penalties for election violations.

EFFECTIVE DATE: Upon passage

§ 23 — PROHIBITED VOTER INFORMATION DISCLOSURES

Restricts the disclosure of voter information for certain uses and authorizes the secretary of the state to adopt regulations

The secretary of the state and registrars of voters collect and maintain voter registration information for various purposes, including voters' names, addresses, birthdates, and certain identification numbers. The bill limits disclosure of this information to uses for election-related, scholarly, journalistic, political, or governmental purposes. It specifically prohibits disclosure for personal, private, or commercial purposes (such as voter harassment; advertising or marketing; or reproduction via print or audio or visual display, including the

internet). (The bill is silent on how to determine the intended use.) The bill also authorizes the secretary to adopt regulations on the use of voter registration information.

Under existing law, unchanged by the bill, driver's license numbers, identity card numbers, and Social Security numbers are always confidential and prohibited from disclosure. Also, voters may submit a signed statement requesting that certain information not be disclosed to protect the safety of the voter or his or her family.

EFFECTIVE DATE: October 1, 2025

§ 24 — DECLARATORY JUDGMENTS FOR AGGRIEVED ELECTORS

Authorizes the secretary of the state to initiate declaratory judgment actions on behalf of aggrieved electors if within 90 days of an election or primary

The bill allows the secretary to commence a declaratory judgment action in court in certain circumstances if an elector or electors have been aggrieved under the state's election laws. The action must seek an order to ensure election administration procedures are properly executed, and the electors' rights are adequately protected under the state's election laws. The action may be initiated if one or more electors have made a complaint within 90 days of an election or primary.

EFFECTIVE DATE: Upon passage

Background — Related Bill

sHB 7230, favorably reported by the Government Administration and Elections Committee, requires generally all election-related complaints be brought in the judicial districts of Hartford or Bridgeport.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 14 Nay 5 (03/26/2025)