U.S. ELECTION ASSISTANCE COMMISSION

2016 Election Administration & Voting Survey

Statutory Overview

In order to better understand state laws governing Federal elections, the U.S. Election Assistance Commission, as part of its biennial Election Administration and Voting Survey, is collecting information on state election laws and procedures. These answers will help EAC to better understand the quantitative data relating to the 2016 general election that we are collecting from all U.S. states and territories.

EAC understands that responding to this Statutory Overview may require significant staff time on the part of your office. Please be assured that we have attempted to minimize the burden, and we appreciate your cooperation in this very important project.

Information Supplied By	
Name	Theodore Bromley
Title	Staff Attorney
Office/Agency Name	Office of the Secretary of the State
Address 1	30 Trinity Street
Address 2	
City	Hartford
State	CT
Zip Code	06106
E-mail Address	ted.bromley@ct.gov
Telephone (area Code and number)	860-509-6100
Fax Number (area code and number)	

DIRECTIONS AND EXAMPLE

As appropriate, please provide your state's legal citation for the responses to the questions beginning on the following page.

Please answer each question to the best of your ability. If a term or concept is ambiguous, please explain why. If a question is not applicable to your state, please explain why. If a definition or term lacks statutory reference in your state but is widely used in practice, please explain. If election procedures vary at the local level within your state, please explain these variations to the best of your ability.

The Statutory Overview data collection document has two columns below each question.

- On the left, we have provided you with the answer your state provided for the 2014 Statutory Overview. If there has not been a change in your state's laws or legal citation in the response to a question, please mark the box labeled **No Change since 2014** at the top of the left column.

- If the response has changed since 2014 – or your state has not answered this question previously for some reason— please mark the box labeled **Changed since 2014** at the top of the right column and then provide the new answer in the text box provided. If your response is too long to fit in the box, please make a note in the text box and place your response in the "Notes" page at the end of the document. Additionally, if a law was repealed in full, please answer "repealed in full" in the box.

If any of your state laws are currently enjoined or otherwise blocked from enforcement by a state or federal court or by executive decision, please specify.

Example:

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

State code 1.11 - An attempt to vote for a larger number of candidates than is allowed.

b) Under-vote

☐ **No Change since 2014** ☒ **Changed since 2014**

This term has no legal definition.

State code 1.12 - An attempt to vote for a smaller number of candidates than is allowed.

SECTION A: GENERAL

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

An overvote occurs when a voter votes for more candidates for an office than they are entitled to.

2016 Response:

b) Under-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

An under-vote occurs when a voter votes for fewer candidates for an office than they are entitled to vote for.

2016 Response:

c) Blank ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A blank or unreadable ballot is one on which the tabulator cannot read a single vote for any office. It might occur if someone submitted a ballot and intentionally did not vote for anyone; however, it is much more likely that the voter has incorrectly recorded every one of their votes on the ballot (e.g., circled the names, used X's or checks that the tabulator could not pick up, or used the wrong kind of pen or pencil). (Regs. 9-242a-16, 9-242a-19)

2016 Response:

d) Void/Spoiled ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

In order to obtain a new ballot (spoiled ballot), any elector may request a new ballot at any time prior to the acceptance of their ballot by the marksense tabulator. No reason need be given. To obtain a replacement ballot, an elector must return with their old ballot to the Ballot Clerk. Whenever practical, an elector seeking a replacement ballot shall be escorted back to the Ballot Clerks by an available election official. An elector seeking to obtain a replacement ballot need NOT go to the end of the line of electors entering the polling place. Before a replacement ballot is issued the elector MUST give their old ballot to the Ballot Clerk, holding it in such a way that the markings are not visible. Without looking at the markings, the Ballot Clerk shall mark the word "SPOILED" on the old ballot, draw a line through the “timing marks” on the edge of the ballot and place it in a depository envelope, or other suitable container reserved for SPOILED BALLOTS. After the Ballot Clerk has placed the spoiled ballot in the envelope, the Ballot Clerk shall issue a new ballot to the elector. The Ballot Clerk shall then direct the elector to an available voting booth to mark their new ballot. (Regs. 9-242a-20)

2016 Response:

e) Provisional/Challenged ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

See Appendix A

2016 Response:

f) Absentee

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

An absentee ballot is used when an elector is unable to appear at his polling place during the hours of voting because of 1) absence from town, 2) illness, 3) physical disability, 4) tenants of religion prohibit secular activity or 5) service as an election official at a polling place other than his own.

2016 Response:

g) Early voting

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

N/A

2016 Response:

h) Active Voter

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Any voter who possesses the qualification to vote of US Citizenship, 18 years of age or older, bona fide resident of a town in CT and not convicted of a disfranchising felony.

2016 Response:

i) Inactive Voter

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Any voter who is removed from the active registry list because of a failure to respond to an annual canvass conducted by local election officials.

2016 Response:

j) Other terms (please specify) _____

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Address Confidentiality Program:
The Office of the Secretary adopted an address confidentiality program in 2004. Individuals who are registered under this program will provide identification cards at the polls indicating their enrollment in the program. Their names will appear at the bottom of the official voter list without an address. These individuals are entitled to full voting privileges, HOWEVER, HAVA will apply if they are a first-time mail-in registrant. IMPORTANT: The identification card issued by the Secretary of State in accordance with this program shall be sufficient for the purposes of HAVA. Under no circumstances should any individual displaying this identification card be asked to provide a residence address nor should a residence address be recorded.

Presidential Ballots:
To be eligible for a Presidential Ballot in Connecticut the individual must: (1) be a United States citizen, (2) be at least 18 years old, (3) be a former resident of Connecticut, and (4) not have had their electoral privileges forfeited because of a disfranchising crime. To be a former resident of Connecticut the individual must have had a bona fide residence of a town

2016 Response:

A2. Please provide the legal citation for any *significant* changes to election laws or procedures that have been enacted or adopted since the previous Federal election. "Significant" does not include routine or technical changes (such as changes to election district boundaries or polling place changes). However, EAC would like to learn about any new identification requirements for voters or registrants; changes in eligibility for voting or registering; adoption of alternative voting methods; and other changes that you believe represent a significant change in the way your state runs its elections.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Election Day Registration (EDR) was enacted by the General Assembly in Connecticut Public Act 12-56 "An Act Concerning Voting Rights". Specifically, this act created an EDR process by: (1) allowing eligible people to register to vote and cast a ballot on Election Day, (2) establishing specific EDR procedures, and (3) eliminating the use of presidential ballots by current state residents since they may instead vote under the act's EDR provisions. The EDR provisions of this act became effective on July 1, 2013. EDR applies only to the General Election Day and does not apply to a primary, special election, town committee primary or referendum.

2016 Response:

SECTION B: VOTER REGISTRATION

B1. Is your state's voter registration database system best described as a bottom-up, a top-down, or a hybrid? (Note: A bottom-up system generally uploads information retained at the local level and compiled at regular intervals to form the statewide voter registration list. A top-down system is hosted on a single, central platform/mainframe and is generally maintained by the state with information supplied by local jurisdictions. A hybrid is some combination of both systems described above.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Connecticut has a top-down system.

2016 Response:

If your state uses a bottom-up or hybrid system, how often do local jurisdictions transmit registration information to the state list?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

N/A

2016 Response:

B2. Please describe the process used in your state to move voters from the active list to the inactive list, and from the inactive list to the active list. Is a different process used for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Individuals are removed from the active list to the inactive list for two reasons: 1) failure to respond to a canvass notice generated pursuant to NVRA or 2) when a notice of acceptance generated pursuant to a voter registration application is returned as "undeliverable" by the post office. An individual can be removed from the inactive status to active status by filing a restoration form with local officials on or before Election Day or by signing a petition.

2016 Response:

B3. Please describe your state's process for removing voters from the voter registration rolls (not merely moving them from active to inactive). Please include information regarding notices and confirmations. Are these procedures the same for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Individuals are removed for the following reasons: 1) voter request, 2) death, 3) failure to respond to notice generated pursuant to NVRA in annual canvass and then not voting or signing a petition for two consecutive general elections (4 years) and 4) convicted of a felony after proper notice and opportunity to respond has been provided.

2016 Response:

B4. Can your state's voter registration database (or equivalent) share information electronically with your state's driver's license agency (for example, to match records or trace changes in address)? Can your voter registration database be similarly linked with databases in any other state or Federal agencies? Please describe these links, including any use of database matching to verify voter registration applications.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

The CVRS is linked to the State DMV and the Federal Social Security Administration. Database matching is with the Department of Public Health and the Department of Corrections. The matching only provides the local officials with names. The registrars of voters then contact each person by mail before removal.

2016 Response:

The CVRS system also electronically transfers new voter registrations and changes of address made with DMV to the local registrars of voters for action.

B5. Please describe how your state uses National Change of Address (NCOA). What has been your state's experience with NCOA?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The State uses NCOA for the annual canvass. Each town individually contacts NCOA for a list of possible matches. Then each match is contacted my mail before a second notice as required by NVRA is sent. NCOA is one of four methods that towns can use for the canvass. In person, mail and phone are the other methods.

2016 Response:

B6. Please describe your state's voting eligibility requirements as they relate to individuals with a felony conviction. (For example, are convicted felons allowed to vote while in prison or while on parole or probation? Are voting rights automatically restored or does the individual have to apply for a pardon, certificate of eligibility or other similar certificate? Does an individual whose voting rights have been restored have to produce documentation of his/her status when registering to vote?)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

See Appendix A

2016 Response:

B7. Does your state currently use the Internet in any way to facilitate voter registration? If yes, please describe how your state allows voters to use the Internet in the registration process (e.g., entire registration completed online; completed online but then must be printed, signed, and mailed by voter, etc.).

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Connecticut law allows for on-line voter registration as long as the applicant has a current and active record with the DMV. The Secretary of the State's Office also posts on its website (www.sots.ct.us) in both English & Spanish 1) a voter registration card, 2) voter registration identification requirements and other registration information, 3) information about voter registration drives. 4) contact information for local Registrars of Voters to facilitate registration at the town hall where registration occurs, and 5) an on-line voter registration look-up tool.

2016 Response:

SECTION C: ELECTION ADMINISTRATION

C1. Please describe how all votes cast at a place other than the voter's precinct of registration are tabulated (for example, please include descriptions of such votes as absentee ballots, mail-in ballots, votes cast at vote centers, provisional ballots, early voting locations, etc.).

a. Are the votes counted centrally or at the precincts?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Votes are counted at the precincts.

2016 Response:

b. If centrally tabulated, are the votes redirected to the appropriate precinct for reporting in the canvass?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

N/A

2016 Response:

c. Are the absentee, mail, etc., votes reported separately for each precinct, or are they added to the in-precinct results and reported as just a single number?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The absentee ballots are reported separately for each precinct.

2016 Response:

d. How are UOCAVA ballots counted and reported?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The UOCAVA ballots are reported separately for each precinct.

2016 Response:

C2. Does your state require a reason for voting absentee, or does your state allow no-excuse absentee voting? (If a reason is required, please provide the legal citation.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Any qualified Connecticut registered voter unable to vote due to the following reasons may vote by Absentee Ballot: illness or physical disability, absence from town during all election hours, religious beliefs forbidding secular activity on election day, serving as an election official at a polling place other than your own and active service in the Armed Forces.

2016 Response:

C3. Does your state provide for in-person early voting? If so, how is early voting defined? When early voting is used, are the ballots counted at the precinct or at a central location? How are these votes reported?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

NO

2016 Response:

C4. Do any jurisdictions in your state use a vote-by-mail system to replace (and not merely supplement) at-the-precinct voting in any elections?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

NO

2016 Response:

C5. Please list each of the situations that require a provisional ballot in your state. Please provide the relevant legal citation for each situation.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

See Appendix A

2016 Response:

C6. Does your state count provisional ballots of voters who are registered in different precincts, or are those ballots automatically rejected? Please describe the process used by local election officials in determining whether to count a provisional ballot.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Only provisional ballots cast in the proper polling place are counted. Depending on the reason for a provisional ballot, a local official will review files to identify the person and eligibility. If such evidence is located, the ballot will be counted.

2016 Response:

C7. Please describe your state's laws regarding post-election audits, if any. A post-election audit refers to hand-counting votes on paper records and comparing those counts to the corresponding vote counts originally reported, as a check on the accuracy of election results, and resolving discrepancies using accurate hand counts of the paper records as the benchmark.

If your state has post-election auditing, consider including in your response information such as the unit being audited (e.g., precincts, machines); the sampling method (e.g., fixed percentages); whether there is a specific trigger for the audit; the location of the random selection (e.g., state, county); and the races that can be audited.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:	2016 Response:
See Appendix A	Appendix A is still accurate except only 5% as opposed to 10% of the precincts are not subject to audit based upon a recent change in PA 16-76.

C8. Please describe any state requirements for poll worker training.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Before each election or primary, all election officials must attend an instructional session, conducted by the Registrars of Voters and certified Moderators. The purpose of this meeting is to receive instruction on the use and duties associated with the voting tabulator. This instruction is in addition to the instructions given by the Secretary of the State relating to the certification of Moderators. The instructors are required to file a report without delay in the Municipal Clerk's and Secretary of State's office stating that they have instructed the election officials and given the officials' names and the time and place of instruction. Each election official who serves in the election is to be paid not less than one dollar for the time spent attending the instructional session.(§9-249, Regs.9-242-12,9-242-13, 9-242a-7)

2016 Response:

SECTION D: ELECTION DAY ACTIVITIES

D1. Please describe your state's process for capturing "over-vote" and "under-vote" counts.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The optical scan tabulator is programmed to count under-votes and provide the total of missed opportunities at the end of the night. Over-votes are rejected by the machine and hand counted if any legitimate votes can be counted on the ballot.

2016 Response:

D2. What identification does your state require from voters in the following situations:

a. registering to vote;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

If you registered to vote by mail on or after 1/1/2003, a municipality shall (in a uniform and nondiscriminatory manner), require you to meet the identification requirements if: you registered to vote in said municipality by mail, and have not previously voted in an election for federal office in Connecticut; or you have not previously voted in such an election in this municipality, and said municipality is not utilizing the State of Connecticut Centralized Voter Registration System (CVRS). If you are a first-time voter who registered by mail on or after January 1, 2003, and you have a "mark" next to your name on the official registry list, to VOTE IN PERSON you MUST: present to the checkers either a current and valid photo identification that shows your name and address; or present a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows your name and address; or If you want to vote in person, but do not meet the

2016 Response:

b. casting an in-person ballot;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The elector announces their street number, address and name in a loud voice to the checkers. Each elector must present one of the following forms of identification to the checkers: Their social security card, or any pre-printed form of identification which shows their name and address, or any pre-printed form of identification which shows their name and signature, or any pre-printed form of identification which shows their name and photograph, or sign a statement under penalty of false statement on Form ED-681 entitled, "Signatures of Electors Who Did Not Present ID", provided by the Secretary of the State (see Form 3 in this Handbook) that the elector whose name appears on the official check list is the elector signing the form. (§9-261)
NOTE: INDIVIDUAL VOTERS SUBJECT TO THE ADDITIONAL HAVA IDENTIFICATION REQUIREMENTS WILL HAVE AN ASTERISK (*) NEXT TO THEIR NAME ON THE OFFICIAL VOTER LIST.
Please note, that in addition to the above procedures, those first time voters who register by mail after January 1, 2003, and vote for the first time in a federal election after January 1, 2004 are subject to the following additional requirements under the Help America Vote Act (HAVA): The voter must present identification with their mail-in registration or at the

2016 Response:

c. casting a mail-in or absentee vote;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

To VOTE BY ABSENTEE BALLOT you MUST submit with your ballot in the outer envelope only: • a copy of a current and valid photo identification; or • a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows your name and address. Note: Do not include the information in the same envelope with your ballot as your ballot will be rejected. If, as a first-time voter, you do not meet the above-listed requirements, your absentee ballot will be counted as a provisional ballot in accordance with Sec 302(a) of the Help America Vote Act of 2002.
Note: This does not apply to first-time voters who registered under the National Voter Registration Act of 1993 (NVRA) and submitted as part of such registration either a copy of a current and valid photo identification; or a copy of a current utility bill, bank statement, government check, paycheck, or government document that shows their name and address; or a driver's license number; or at least the last four digits of their social security number; and the local election official verified the information submitted with existing state identification records bearing the same numbers, name and date of birth as provided in such registration; or has in

2016 Response:

d. casting a ballot under UOCAVA;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

No additional ID is required other than being a registered voter or eligible to cast an "overseas" ballot under UOCAVA.

2016 Response:

e. any other stage in registration or voting process in which identification is required (please specify).

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A voter may apply for and be issued a provisional ballot if the voter:
a) Appears at the polling place and declares that he or she is a voter in the municipality, and is eligible to vote in the primary or election for federal office in the polling place, but his or her name does not appear on the official registry list for the polling place; and
b) The Registrars determine that the voter's name cannot be restored to the voting list under section 9-42 or transferred from another polling place under section 9-35 of the Connecticut general statutes; or
c) The Moderator decides that the voter's name appears on the registry list and the voter has been challenged pursuant to sections 9-232 to 9-232(f), inclusive, of the general statutes and the voter is not eligible to vote in the primary or election for federal office; or
d) Any first-time voter required to produce identification, who is unable to do so; and
e) Individuals who vote after the polls close in an election for federal office as a result of a federal or state court order, or any other order extending the time established for closing the polls by a state law in effect 10 days before the

2016 Response:

D3. Please describe your state's laws regarding access to the polling place for election observers. Election observers are people allowed inside the polling place who are not poll workers, election officials or voters. If decisions on access to observers are left to local jurisdictions, please explain.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
Public Act #11-173 eliminated the ability of candidates to request observers. Public Act #11-46 allows the Secretary of the State or her designee access to each polling place to review it for compliance with state and federal law.	

SECTION E: OTHER

E1. Under HAVA, Section 402, states are required to establish and maintain administrative complaint procedures to remedy grievances. Has your state revised its administrative complaint procedures since they were first implemented? If so, how?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The State of Connecticut first implemented its administrative complaint procedures in 2003 as outlined in Connecticut General Statutes Section 9-7b(18) and has not revised them since they were first implemented:
Sec. 9-7b. (Formerly Sec. 9-368b). State Elections Enforcement Commission's duties and powers. (a) The State Elections Enforcement Commission shall have the following duties and powers:
(18) To receive and determine complaints filed under the Help America Vote Act, P.L. 107-252, as amended from time to time, by any person who believes there is a violation of any provision of Title III of P.L. 107-252, as amended. Any

2016 Response:

E2. Please add any additional comments or information about your state's election administration processes that would help to inform the EAC's interpretation of your data.

☐ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

2016 Response:

* The information collection associated with the Election Administration and Voting Survey is required for the EAC to meet its statutory requirements under the Help America Vote Act (HAVA) of 2002 (42 U.S.C. 15301), the National Voter Registration Act (NVRA) (42 U.S.C. 1973gg-1 et seq.), and the Uniformed and Overseas Citizens Absentee Voters Act (UOCAVA) (42 U.S.C. 1973ff-1). Respondent's obligation to reply to this information collection is mandatory as required under NVRA (42 U.S.C. 1973gg-1 et seq.) and UOCAVA (42 U.S.C. 1973ff-1). This part of the information collection is being requested to help the EAC to better understand state laws governing Federal elections. Respondents include the fifty states, the District of Columbia, and the U.S. Territories. This information will be made publicly available on the EAC website (www.eac.gov). According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is OMB Control No. 3265-0006 (expires 04/30/2017). The time required to complete this information collection is estimated to average 59 hours per state response. This estimate includes the time for reviewing the instructions, gathering information, and completing the form. Comments regarding this burden estimate should be sent the U.S. Election Assistance Commission – 2014 Election Administration and Voting Survey, 1335 East West Highway, Suite 4300, Silver Spring MD, 20910.

NOTES – please place longer responses below

Appendix A – Connecticut 2014 Responses

A1e. Provisional/Challenged ballot

Challenges may be made by challengers and by any other election official or elector lawfully within the polling place. The challenge procedure is to be used ONLY for persons whose names appear on the official check list; an elector whose name is not on the official check list may not be challenged. Challenges may be made on the following grounds only: want of identity (the elector is not who he says he is); disfranchisement for conviction of a felony; or lack of bona fide residence in a town and political subdivision holding the election or primary

Challenges may not be made indiscriminately and may only be made if the challenger knows, suspects or reasonably believes such a person not to be qualified and entitled to vote. (§§9-170, 9-171, 9-172, 9-232, 9-431)

Provisional ballots are issued ONLY for elections and primaries for federal office and are required pursuant to HAVA. A PROVISIONAL BALLOT IS ISSUED IN THREE DIFFERENT SITUATIONS AND ONLY WHEN THERE IS A FEDERAL OFFICE ON THE BALLOT:

1) An individual may apply for and be issued a provisional ballot if (1) the individual appears at the polling place and declares that such individual is an elector in the town in which the individual desires to vote and that the individual is eligible to vote in the primary or election for federal office in the polling place, but the name of the individual does not appear on the official checklist for such polling place, and (2) the Registrars of Voters determine that such name cannot be restored or transferred from another polling place.

If an individual appears at the polling place during a primary and declares that such individual is an enrolled party member but does not appear on the enrollment list, the Moderator should issue a provisional ballot.

2) If the Moderator decides that an elector, whose name appears on the official checklist and who has been challenged pursuant to sections 9-232 to 9-232f, inclusive, of the Connecticut General Statutes is not eligible to vote in the primary or election for federal office, such elector may apply for and cast a provisional ballot upon the execution of a written affirmation by the elector at the polling place affirming that the elector is qualified to vote in the election or primary for federal office in the polling place and has neither offered himself to vote nor voted in person or by absentee ballot at said election or primary for federal office at the polling place.

NOTE: When using this procedure, a voter may have the ability to vote by both provisional ballot (for federal office only) and challenge ballot (state and federal office). However, if a court counts the challenge ballot, the votes for federal office on the challenge ballot will not be counted.

3) An individual is required to but does not submit the identification prescribed in the Help America Vote Act either with their application for voter registration or when they appear to vote for the first time at a polling place. (P.A. 03-6) EXCEPTION: If a town is having a primary and FEDERAL OFFICES will be on the ballot in November but no FEDERAL OFFICES will appear on the ballot for the primary (i.e. only have a primary for state representative) the town will not issue or use provisional ballots for the primary. The town will be required to issue provisional ballots for the November election.

B6. If Convicted Out of State / Federal Court, a person shall forfeit their right to remain a voter or to become a voter if they have been convicted of a felony and committed to confinement in a federal

correctional institution or facility, or committed to the custody of the chief correctional official of any other state or a county of any other state for confinement in a correctional institution or facility or a community residence in such state or county. If Convicted in the State of Connecticut, a person shall forfeit their right to remain a voter or to become a voter if they have been convicted of a felony and committed to the custody of the Commissioner Correction in the State of Connecticut for confinement in a correctional institution or facility or a community residence. Note: If a person has lost their voting rights in the past because of a felony conviction only, he or she can follow the instructions below to have your voting rights restored. If Convicted Out of State / Federal Court, a person who has been convicted of a felony and committed to confinement in a federal or out of state correctional institution or facility or community residence shall be eligible to have such person's voting privileges restored upon the payment of all fines in conjunction with the conviction and upon release from confinement, and, if applicable, parole. IMPORTANT EXCEPTION: If convicted of a felony and committed for confinement for a violation of Title 9 of Connecticut Election statutes, his or her electoral privileges cannot be restored until that person has fulfilled all of the requirements set forth above and has been discharged from probation.

Conn. Gen. Stats. Secs. 9-45, 9-46 and 9-46a, as amended by Public Act 06-137

Sec. 9-45. Removal of convicted felons from registry list. (a) The Commissioner of Correction shall, on or before the fifteenth day of each month, transmit to the Secretary of the State a list of all persons who, during the preceding calendar month, have been convicted in the Superior Court of a felony and committed to the custody of the Commissioner of Correction for confinement in a correctional institution or facility or a community residence. Such lists shall include the names, birth dates and addresses of such persons, with the dates of their conviction and the crimes of which such persons have been convicted. The Secretary of the State shall transmit such lists to the registrars of the towns in which such convicted persons resided at the time of their conviction and to the registrars of any towns where the secretary believes such persons may be electors. The registrars of such towns shall compare the same with the list of electors upon their registry lists and, after written notice mailed by certified mail to each of the persons named at the last-known place of address of such person, shall erase such names from the registry lists in their respective towns or voting districts. (b) Any person who procures such person or another to be registered after having been disfranchised by reason of conviction of crime and committed to the custody of the Commissioner of Correction for confinement in a correctional institution or facility or a community residence, and any person who votes at any election after having forfeited such privileges by reason of conviction of crime and confinement, shall be fined not more than five hundred dollars and imprisoned not more than one year.

Sec. 9-46. Forfeiture of electoral rights. (a) A person shall forfeit such person's right to become an elector and such person's privileges as an elector upon conviction of a felony and committal to the custody of the Commissioner of Correction for confinement in a correctional institution or facility or a community residence, committal to confinement in a federal correctional institution or facility, or committal to the custody of the chief correctional official of any other state or a county of any other state for confinement in a correctional institution or facility or a community residence in such state or county. (b) No person who has forfeited and not regained such person's privileges as an elector, as provided in section 9-46a, may be a candidate for or hold public office.

Sec. 9-46a. Restoration of electoral privileges. (a) A person who has been convicted of a felony and committed to confinement in a federal or other state correctional institution or facility or community residence shall have such person's electoral privileges restored upon the payment of all fines in conjunction with the conviction and such person has been discharged from confinement, and, if applicable, parole. (b) Upon the release from confinement in a correctional institution or facility or a community residence of a person who has been convicted of a felony and committed to the custody of the Commissioner of Correction and, if applicable, the discharge of such person from parole, (1) the person shall have the right to become an elector, (2) the Commissioner of Correction shall give the person a document certifying that the person has been released from such confinement and, if applicable, has been

discharged from parole, (3) if the person was an elector at the time of such felony conviction and, after such release and any such discharge, is residing in the same municipality in which the person resided at the time of such felony conviction, the person's electoral privileges shall be restored, and (4) if the person was an elector at the time of such felony conviction and, after such release and any such discharge, is residing in a different municipality or if the person was not an elector at the time of such felony conviction, the person's electoral privileges shall be restored or granted upon submitting to an admitting official satisfactory proof of the person's qualifications to be admitted as an elector. The provisions of subdivisions (1) to (4), inclusive, of this subsection shall not apply to any person convicted of a felony for a violation of any provision of title 9 until such person has been discharged from any parole or probation for such felony. (c) The registrars of voters of the municipality in which a person is admitted as an elector pursuant to subsection (a) or (b) of this section, within thirty days after the date on which such person is admitted, shall notify the registrars of voters of the municipality wherein such person resided at the time of such person's conviction that such person's electoral rights have been so restored to him. (d) The Commissioner of Correction shall establish procedures to inform those persons who have been convicted of a felony and committed to the custody of said commissioner for confinement in a correctional institution or facility or a community residence, and are eligible to have their electoral privileges restored or granted pursuant to subsection (b) of this section, of the right and procedures to have such privileges restored. The Office of Adult Probation shall, within available appropriations, inform such persons who are on probation on the effective date of this section of their right to become electors and procedures to have their electoral privileges restored, which shall be in accordance with subsections (b) and (c) of this section. (e) The Commissioner of Correction shall, on or before the fifteenth day of each month, transmit to the Secretary of the State a list of all persons convicted of a felony and committed to the custody of said commissioner and who, during the preceding calendar month, have been released from confinement in a correctional institution or facility or a community residence and, if applicable, discharged from parole. Such lists shall include the names, birth dates and addresses of such persons, with the dates of their convictions and the crimes of which such persons have been convicted. The Secretary of the State shall transmit such lists to the registrars of the municipalities in which such convicted persons resided at the time of their convictions and to the registrars of any municipalities where the secretary believes such persons may be electors.

C5. A provisional ballot can be used for:

I. The individual declares that they should be on the official registry list for the polling location and they are not. An individual may apply for and be issued a provisional ballot if: (1) the individual appears at the polling place and declares that such individual is an elector in the town in which the individual desires to vote and that the individual is eligible to vote in the primary or election for federal office in the polling place, but the name of the individual does not appear on the official registry list for such polling place, and (2) *the registrars determine that such name cannot be restored or transferred from another polling place pursuant to C.G.S. 9-42.* If an individual appears at the polling place during a primary and declares that such individual is an enrolled party member but does not appear on the enrollment list, the moderator should issue a provisional ballot to such individual.

II. The individual is challenged as to want of identity, disfranchisement or lack of bona fide residence.

If the moderator decides that an elector, whose name appears on the registry list and who has been challenged pursuant to section 9-232 to 9-232f, inclusive, of the Connecticut General Statutes is not eligible to vote in the election or primary for federal office, such elector may apply for and cast a provisional ballot. The elector must execute a written affirmation at the polling place affirming that the elector is qualified to vote in the election or primary for federal office in the polling place and has neither offered himself to vote nor voted in person or by absentee ballot at said election or primary for federal

office at the polling place. When using this procedure, a voter may have the ability to vote by both provisional ballot (for federal offices only) and challenge ballot (for state and federal office). The provisional ballots for federal office will be reviewed by the registrar of voters after the election and counted in accordance with any decision made by the registrar of voters. The challenge ballots will not be counted except by court order. However, if a court counts the challenge ballot, the votes for federal office on the challenge ballot will not be counted as prescribed by law.

III. The individual is required to present identification at the polling place. In addition to the normal identification procedures set fourth in C.G.S. 9-261, the Help America Vote Act imposes additional identification procedures on those individuals who register to vote by mail for the first time in Connecticut on or after January 1, 2003. Individuals subject to this additional requirement will be required to either: (1) Present identification when they appear at the polls to vote for the first time. Voters subject to the additional identification requirements of the Help America Vote Act will have an asterisk (*) next to their name on the official registry list and will not be allowed to sign the affidavit in lieu of identification at the polls. Acceptable forms of identification include: a copy of a current and valid photo identification, utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the voter. (or) (2) Present identification with their application for voter registration. The voter can satisfy this requirement by providing a copy of a current and valid photo identification, utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the voter. Or, the voter can provide a valid Connecticut motor vehicle operator's license number or the last four digits of the individual's Social Security Number on the application for voter registration. If the applicant provides a valid Connecticut motor vehicle operator's license number or the last four digits of the individual's Social Security Number on the application for voter registration, the registrar of voters must be able to then independently verify that information prior to the election in order for the voter to have satisfied the additional identification requirements of the Help America Vote Act. Please Note: Even if the voter has satisfied the additional identification requirements of the Help America Vote Act, the voter will still remain subject to the remaining identification requirements of the Connecticut General Statutes. If the individual voter, who is subject to the above identification requirements of the Help America Vote Act, does not fulfill any of the above requirements (does not submit identification with their application for voter registration or when they appear at the polls to vote), the voter will not be allowed to sign the affidavit in lieu of identification (Form IV located in the Moderator's Handbook) and will be required to vote by provisional ballot. Important Exception: Members of the armed forces and persons entitled to use the federal post card application under section 9-153a of the general statutes are not required to provide identification when registering by mail.

C7. Public Act # 07-194 requires ten-percent of all precincts used in the election to be subject to an audit. Such audits consist of hand counts of all paper ballots for selected races and then a comparison of those results with the tally from the optical scan machines. Audits are conducted in public with representatives from all parties invited. Results are analyzed by the University of Connecticut, made available to the public, and sent to the State Elections Enforcement Commission. Public Act 07-194: Section 1. (NEW) (Effective from passage) (a) Not earlier than the fifteenth day after any election or primary and not later than two business days before the canvass of votes by the Secretary of the State, Treasurer and Comptroller, for any federal or state election or primary, or by the town clerk for any municipal election or primary, the registrars of voters shall conduct a manual audit of the votes recorded in not less than ten per cent of the voting districts in the state, district or municipality, whichever is applicable. Such manual audit shall be noticed in advance and be open to public observation. Any election official who participates in the administration and conduct of an audit pursuant to this section shall be compensated by the municipality at the standard rate of pay established by such municipality for elections or primaries, as the case may be.

(b) The voting districts subject to the audit described in subsection (a) of this section shall be selected in a random drawing by the Secretary of the State and such selection process shall be open to the public. The offices subject to the audit pursuant to this section shall be, (1) in the case of an election where the office of presidential elector is on the ballot, all offices required to be audited by federal law, plus one additional office selected in a random drawing by the Secretary of the State, but in no case less than three offices, (2) in the case of an election where the office of Governor is on the ballot, all offices required to be audited by federal law, plus one additional office selected in a random drawing by the Secretary of the State, but in no case less than three offices, (3) in the case of a municipal election, three offices or twenty per cent of the number of offices on the ballot, whichever is greater, selected at random by the municipal clerk, and (4) in the case of a primary election, all offices required to be audited by federal law, plus one additional office, if any, but in no event less than twenty per cent of the offices on the ballot, selected in a random drawing by the municipal clerk.

(c) If a selected voting district has an office that is subject to recanvass or an election or primary contest pursuant to the general statutes, the Secretary shall select an alternative district, pursuant to the process described in subsection (b) of this section. (d) The manual audit described in subsection (a) of this section shall consist of the manual tabulation of the paper ballots cast and counted by each voting machine subject to such audit. Once complete, the vote totals established pursuant to the manual tabulation shall be compared to the results reported by the voting machine on the day of the election or primary. The results of the manual tabulation shall be reported on a form prescribed by the Secretary of the State which shall include the total number of ballots counted, the total votes received by each candidate in question, the total votes received by each candidate in question on ballots that were properly completed by each voter and the total votes received by each candidate in question on ballots that were not properly completed by each voter. Such report shall be filed with the Secretary of the State who shall immediately forward such report to The University of Connecticut for analysis. The University of Connecticut shall file a written report with the Secretary of the State regarding such analysis that describes any discrepancies identified. After receipt of such report, the Secretary of the State shall file such report with the State Elections Enforcement Commission.

(e) For the purposes of this section, a ballot that has not been properly completed will be deemed to be a ballot on which (1) votes have been marked by the voter outside the vote targets, (2) votes have been marked by the voter using a manual marking device that cannot be read by the voting machine, or (3) in the judgment of the registrars of voters, the voter marked the ballot in such a manner that the voting machine may not have read the marks as votes cast.

(f) Notwithstanding the provisions of section 9-311 of the general statutes, the Secretary of the State shall order a discrepancy recanvass of the returns of an election or primary for any office if a discrepancy, as defined in subsection (o) of this section, exists where the margin of victory in the race for such office is less than the amount of the discrepancy multiplied by the total number of voting districts where such race appeared on the ballot, provided in a year in which the Secretary of the State is a candidate for an office on the ballot and that office is subject to an audit as provided by this section, the State Elections Enforcement Commission shall order a discrepancy recanvass if a discrepancy, as defined by subsection (o) of this section, has occurred that could affect the outcome of the election or primary for such office.

(g) If The University of Connecticut report described in subsection (d) of this section indicates that a voting machine failed to record votes accurately and in the manner provided by the general statutes, the Secretary of the State shall require that the voting machine be examined and recertified by the Secretary of the State, or the secretary's designee. Nothing in this subsection shall be construed to prohibit the Secretary of the State from requiring that a voting machine be examined and recertified.

(h) The audit report filed pursuant to subsection (d) of this section shall be open to public inspection and may be used as prima facie evidence of a discrepancy in any contest arising pursuant to chapter 149 of the general statutes or for any other cause of action arising from such election or primary.

(i) If the audit officials are unable to reconcile the manual count with the electronic vote tabulation and discrepancies, the Secretary of the State shall conduct such further investigation of the voting machine or tabulator malfunction as may be necessary for the purpose of reviewing whether or not to decertify the voting machine or machines in question or to order the voting machine to be examined and recertified pursuant to subsection (g) of this section. Any report produced by the Secretary of the State as a result of such investigation shall be filed with the State Elections Enforcement Commission and the commission may initiate such further investigation in accordance with subdivision (1) of subsection (a) of section 9-7b of the general statutes, as may be required to determine if any violations of the general statutes concerning election law have been committed.

(j) The individual paper ballots used at an election or primary shall be carefully preserved and returned in their designated receptacle in accordance with the requirements of section 9-266, 9-302 or 9-310 of the general statutes, whichever is applicable.

(k) Nothing in this section shall be construed to preclude any candidate or elector from seeking additional remedies pursuant to chapter 149 of the general statutes.

(l) After an election or primary, any voting machine may be kept locked for a period longer than that prescribed by sections 9-266, 9-310 and 9-447 of the general statutes, if such an extended period is ordered by either a court of competent jurisdiction, the Secretary of the State or the State Elections Enforcement Commission. Either the court or the Secretary of the State may order an audit of such voting machine to be conducted by such persons as the court or the Secretary of the State may designate, provided the State Elections Enforcement Commission may order such an audit under the circumstances prescribed in subsection (f) of this section. If the machine utilized in such election or primary is an optical scan voting system, such order to lock such machine shall include the tabulator, memory card and all other components and processes utilized in the programming of such machine.

(m) The Secretary of the State may adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, as may be necessary for the conduct of the manual tabulation of the paper ballots described in subsection (a) of this section and to establish guidelines for expanded audits when there are differences between the manual and machine counts.

(n) Notwithstanding any provision of the general statutes, the Secretary of the State shall have access to the code in any voting machine whenever any problem is discovered as a result of the audit described in subsection (a) of this section.

(o) As used in this section, "discrepancy" means any difference in vote totals between machine and manual counts in a voting district that exceeds one-half of one per cent of the lesser amount of the vote totals between machine and manual counts where such differences cannot be resolved through an accounting of ballots that were not marked properly in accordance with subsection (e) of this section, "state election" means "state election", as defined in section 9-1 of the general statutes, and "municipal election" means a municipal election held pursuant to section 9-164 of the general statutes.