

Draft summary of December 16, 2020 Proposal for the Sentencing Commission

AN ACT FACILITATING VOTING BY PERSONS WHO ARE INCARCERATED IN CONNECTICUT CORRECTIONAL FACILITIES AND RESTORING VOTING RIGHTS AND ELECTORAL PRIVILEGES FOR PERSONS WHO ARE INCARCERATED FOR FELONY CONVICTIONS.

The bill makes the following changes to Connecticut elections laws:

1. Eliminates restrictions on the right to vote for any person convicted of a felony.
2. Facilitates voter registration and absentee voting by persons incarcerated in Connecticut correctional facilities by:
 - a. Requiring the Commissioner of Correction to provide voter registration information and materials to each incarcerated person, not later than fourteen days after initial incarceration or transfer from another facility and at any other time upon request of an incarcerated person. *(Sec. 1)*
 - b. Authorizing the Commissioner of Correction to (i) provide electronic access to enable an incarcerated person to submit a voter registration application online and (ii) assist an incarcerated person in completing either a mail or online voter registration application. *(Sec. 1)*
 - c. Creating a new “presumptive absentee ballot status” to enable an eligible incarcerated person to receive an absentee ballot for each election, primary or referendum conducted in the person’s municipality, upon applying for such status. Such status would remain in effect until the person (i) is removed from the voter registration list, (ii) fails to confirm such status or residence address, (iii) requests removal, or (iv) is discharged from confinement. Presumptive absentee ballot status is modeled after the existing “permanent absentee ballot status” for permanently disabled persons. *(Sec. 2)*
 - d. Requiring the Commissioner of Correction to (i) inform each incarcerated person of the opportunity for incarcerated persons who are registered voters to vote by absentee ballot and the procedures for applying for presumptive absentee ballot status and an absentee ballot for the next election, primary or referendum and (ii) provide the person with an absentee ballot application (which may also be used to apply for presumptive absentee ballot status). Both requirements would apply not later than fourteen days after the person’s initial incarceration or transfer from another facility. Also require the Commissioner of Correction to

provide an absentee ballot application to an incarcerated person at any other time upon request of such person. (*Sec. 2*)

- e. Exempting the Commissioner of Correction from existing requirements that (i) a person distributing five or more absentee ballot applications for an election, primary or referendum register with the town clerk and (ii) a person who distributes absentee ballot applications maintain a list of applicants who receive such applications and file the list with the town clerk. The exemption would only apply to the provision of absentee ballot applications to incarcerated persons. (*Secs. 3 and 5*)
- f. Authorizing the Commissioner of Correction to download absentee ballot applications for incarcerated persons, from the Secretary of the State's website. (*Sec. 4*)
- g. Requiring the Commissioner of Correction and the Sentencing Commission to annually submit a joint report to the Government Administration and Elections Committee of the General Assembly on the implementation of the above voter registration and absentee ballot provisions. (*Sec. 6*)

Effective date: All provisions of the bill are effective July 1, 2021.