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State of Connecticut

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**Connecticut General Assembly
Government Administration and Elections Committee
Public Hearing**

February 22, 2023

**TESTIMONY OF
SECRETARY OF THE STATE STEPHANIE THOMAS REGARDING:**

Thank you Co-Chairs Flexer and Blumenthal, Ranking Members Sampson and Mastrofrancesco, and members of the committee for the opportunity to testify on several pieces of legislation.

- ⊙ S.B. No. 1057, **AN ACT CONCERNING THE SECRETARY OF THE STATE AND EARLY VOTING.**
- ✿ S.B. No. 1064, **AN ACT CONCERNING THE IMPLEMENTATION OF EARLY VOTING.**
- ✿ H.B. No. 5004, **AN ACT IMPLEMENTING EARLY VOTING.**

The Office of the Secretary of the State supports the general implementation framework utilized by all of the proposed early voting legislation. We are grateful for the inclusion of many of the logistical considerations and policy proposals proffered by our elections staff, which will help to create a program that can be instituted seamlessly while providing voters with greatly increased access to the ballot box.

These bills provide authority to the Office of the Secretary of the State to approve or disapprove certain factors such as the location of a town's early voting site. Since the majority of municipalities will contain only one early voting location, our office will weigh a number of factors when considering site approval including a location's compliance with the requirements of the Americans with Disabilities Act (ADA), the level of adequate parking for voters, and the accessibility to public transportation, among other factors. Furthermore, these bills allow municipalities with populations greater than 45,000 to apply for additional early voting locations to accommodate a high volume of voters that may be expected to participate.

The framework provided by these bills also include procedures that abide by the best practices for election administration security and ballot chain of custody. Rather than transporting and

securing tabulators for each day of the voting period, voters will instead secure their filled-out ballots into early voting ballot envelopes which will then be deposited into a secure ballot receptacle. At the end of each day, the ballot receptacle will be transmitted to the municipal clerk who will retain the ballot envelopes, utilizing existing vaults used for absentee ballots, until they are to be opened and counted following the close of the election. These practices are tried, tested, and rely on existing officials trained in proper ballot custody procedures.

Lastly, these bills all include an ample time frame for voters to cast a ballot. They require early voting locations to remain open from 10 a.m. to 6 p.m. every day of the early voting period, except for the Wednesday and Thursday preceding Election Day where the hours would be expanded to 8 a.m. to 8 p.m. These hours include both early mornings and late evenings, allowing voters of a variety of availability. Additionally, voters who are in line by the closing hour may remain in line and cast a ballot.

It is my hope that the aforementioned provisions remain in the legislation that passes.

The primary discrepancy between the legislation at hand relates to the number of days in which early voting would be available. S.B. No. 1057 proposes ten days, H.B. No. 5004, offers fourteen, and S.B. No. 1064 includes an eighteen day early voting period. I am supporting a ten-day period of early voting for the following reasons:

First, long term data from other states suggest that a longer period of early voting does not lead to increased turnout. Voters generally utilize early voting during two high-traffic periods, the first couple of days it is available and again as the election closes in.

Also, while it would be nice to provide voters with an extended number of days, other considerations exist, including not only the financial cost, but the physical toll on the election workers tasked with on-the-ground administration.

A ten-day period strikes the best balance. This time frame includes two full weekends, where voters would have an eight-hour window each day to cast a ballot. Leading up to the passage of the early voting constitutional amendment, many voters requested time on the weekend to vote. Additionally, these weekends fall during the high-traffic periods as previously mentioned, giving voters access to the ballot box when they are both most available and most interested.

The second difference among these proposals is the scope of elections in which early voting applies. I am supporting early voting for general and primary elections, but not specials or referendums. Conducting early voting for referendums would be extremely difficult, and in some cases impossible. Town charters and ordinances delineate specific timeframes to conduct referendums and additionally if the voters reject the referendum proposal, many towns require additional referendum every two weeks until the budget, or other matter, passes. This, of course, would not leave time to conduct 10, 14 or 18 days of early voting. As for special elections, our office believes any of the proposed windows for early voting are too long to realistically include in the brief special election schedules without burdening the municipalities. Additionally, including a lengthy period of early voting for special elections would add additional unplanned costs and duties to municipalities for these elections with historically low

turnout. We look forward to working with the legislature to craft a workable solution on this matter.

Lastly, I again would like to reiterate my request that you provide adequate funding for municipalities to implement the program seamlessly. It is imperative that any program be fully funded by the state to cover the costs of staff time, training materials, ballots and envelopes, chain of custody storage equipment, municipal technological upgrades, and any other incurred expenses. I will also reiterate our office's request that this legislation be passed by March 31 to allow for off-year implementation in the 2023 municipal elections.

- ✿ S.J. No. 29, **RESOLUTION APPROVING AN AMENDMENT TO THE STATE CONSTITUTION TO ALLOW NO-EXCUSE ABSENTEE VOTING.**
- ✿ H.J. No. 1, **RESOLUTION APPROVING A STATE CONSTITUTIONAL AMENDMENT TO ALLOW NO-EXCUSE ABSENTEE VOTING.**

Both S.J. No. 29, **RESOLUTION APPROVING AN AMENDMENT TO THE STATE CONSTITUTION TO ALLOW NO-EXCUSE ABSENTEE VOTING**, and H.J. No. 1, **RESOLUTION APPROVING A STATE CONSTITUTIONAL AMENDMENT TO ALLOW NO-EXCUSE ABSENTEE VOTING**, would propose a state constitutional amendment to the voters to allow for no-excuse absentee voting. Currently the Constitution of the State of Connecticut narrowly restricts the reasons for which a voter may be eligible to utilize an absentee ballot.

During the pandemic more than 650,000 Connecticut voters chose to vote by absentee ballot – 35% of total votes cast. These voters came to appreciate the ease and convenience absentee ballots provided and are still wondering why can't they choose to vote this way in every election. After voters overwhelmingly approved the constitutional amendment to allow for early voting to make voting easier and more accessible, it is time we give them the opportunity to further reduce the burden of voting by having access to no-excuse absentee ballots.

Allowing voters greater access to absentee ballots is not unique or partisan. Red states, purple states, and blue states alike all allow their voters to conveniently vote via absentee ballot without having to jump through complicated hoops. Expanded access to absentee ballots without an excuse is a common sense, voter-centric reform that has wide support across the country among members of all demographic groups and political parties.

Furthermore, recent public polling in Connecticut shows that 73% of Connecticut voters support expanding access to absentee ballots to all voters without requiring an excuse. I support these proposals and urge the legislature to pass this legislation overwhelmingly so that the voters of Connecticut can make their voices heard in 2024.

- ✿ H.B. No. 6693, **AN ACT CONCERNING ABSENTEE VOTING.**

There are some striking issues with this legislation that must be examined in more detail before passage can be considered.

As currently written, this legislation requires election officials on Election Day to notify voters to their best efforts of their defective absentee ballot and give them the opportunity to remedy it. First, the language of "best efforts" will create inequity among towns in the level of effort officials will exercise. Larger or more well-funded municipalities may have the time and resources to adequately notify voters, while voters in small or less-funded towns may not have the same opportunity. Additionally, election officials are often so busy on Election Day that they cannot even answer the phones in their office. The idea that there exists a surplus of officials currently available to notify voters on the day of the election is disconnected from reality. But more concerning here is the implication of this bill - to have voters remedy their absentee ballots on Election Day. Given the current laws governing absentee ballots, a voter has sworn in an affidavit that they are unable to appear in the town in which they are registered on the day of the election and thus are eligible to vote absentee. By encouraging voters to remedy their absentee ballots on Election Day, election officials would be inducing voters into committing a crime by appearing in the town they are registered.

A better method to achieve a similar goal would mirror procedures used in other states. Successful programs either start curing procedures prior to or extending past Election Day. To do that here, a change to the statute would be required to allow election officials to open the outer envelopes of absentee ballots prior to Election Day. Additionally, any legislation seeking to establish curing procedures must address the cascading changes to the election calendar that would ensue.

The proposal to provide prepaid envelopes would place an administrative burden on the already stretched-thin town election workers. Every municipality would have to establish and manage a complicated system of prepaid postage accounts with the Postal Service to provide every applicant, whether they need it or not, with a prepaid envelope, costing the municipalities unknown dollars each year. However, I do support a program that would allow voters to indicate on their application that they require prepaid postage in order to return their ballot. In this case, a smaller percentage of voters, those who actually need this assistance, would be provided with postage.

Thank you for your time and I look forward to any questions you may have.

Thank you,



Stephanie Thomas
Secretary of the State of Connecticut