



SECRETARY OF THE STATE
30 TRINITY STREET
HARTFORD, CT 06106

To: Registrars of Voters and Town Clerks
From: Legislation and Elections Administration Division
Date: April 11, 2013
Re: Implementation of Election Day Registration

INTRODUCTION

The purpose of this handbook is to provide you with detailed guidance regarding the implementation of Election Day Registration (“EDR”) in your municipality. This memorandum was prepared with the assistance of an EDR working group comprised of representatives of the registrars of voter’s and town clerk’s associations. The intent of the working group was to create a workable framework for EDR that was consistent with Connecticut Public Act 12-56. We would like to thank the working group for all of their time and effort¹.

EDR was enacted by the General Assembly in Connecticut Public Act 12-56 “An Act Concerning Voting Rights”. This act changed various election laws affecting voter registration, voting, and the statewide centralized voter registration system (CVRS). Specifically, it 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 become effective on July 1, 2013. **EDR applies only to the General Election Day (November and May) and does not apply to a primary, special election, town committee primary or referendum.**

LOCATION AND OFFICIALS

The act requires registrars of voters to designate a location for completing and processing EDR applications. This location cannot be within a polling place within your municipality although it can be in the same building, provided there is adequate physical separation from the polling place. The location must be one where registrars can access the statewide CVRS system. Access to CVRS can be achieved by placement of the state owned CVRS router onto the municipal owned network. The act does not require that CVRS be access by a “hard wire” connection from the computer at the EDR location to the state owned CVRS router. Any connection to CVRS must be in real-time and cannot be a static version of the information

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contained in CVRS such as a spreadsheet of information obtained by a download of data from CVRS.

The act prohibits the same activities in or near the EDR location as current law prohibits in or near a polling place. This means no one can be within 75 feet of the entrance to the EDR location or in any hallway or other approach to it to solicit support for, or opposition to, a candidate or ballot question; loiter; peddle; or offer advertising material or circulars. The EDR location is not considered a polling place, however. As such, it does not need to contain an IVS Vote-By-Phone System nor are members of the public prohibited from entering the building to report to work or to conduct other town business.

The act authorizes the registrars of voters to appoint election officials to serve at the alternate EDR location and to delegate to them any of their responsibilities. The registrars of voters must train and supervise the officials appointed by them.

RECOMMENDATIONS

- (1) The alternate location selected should be able to accommodate all voters that are anticipated to use EDR on Election Day. Turnout may increase in your municipality by 2.5% to 5% depending on the make-up of your municipality and type of election.
- (2) The additional staff appointed should be veteran election officials who are familiar and competent on the use of CVRS.
- (3) For voters who are already registered: The EDR official who searches for the person on CVRS must ask the person for their CURRENT address. If this address does not match the address on the official registry list, the EDR official must send the elector to their NEW polling place. The officials at the NEW polling place will handle the elector as a transfer and Election Day addition.
- (4) The EDR staff appointed should include at least two assistant registrars of voters or special assistant registrars who are capable of registering voters in your municipality.
- (5) You should consider a minimum staffing level of one staff member for each 100 EDR applicants anticipated to appear on Election Day.
- (6) You can estimate your increase in turnout by completing the formula below. We anticipate that EDR turnout may vary depending on the population of your municipality. However, other states who currently have EDR have estimated an increase in turnout between 2.5% to 5% historically.

	Description	Number	Additional Instructions
A.	Previous election turnout		
B.	Possible EDR percentage increase		2.5% to 5%
C.	Likely EDR voters		Multiply A x B
D.	People likely to appear for EDR who are already registered to vote (See (3)).		Estimate using Town Clerk's history for Presidential Ballot applicants
E.	Total number of applicants expected		Add C + D

- (7) Before finalizing a location, registrars should determine whether the location chosen can accommodate parking for voter turnout as determined in (6) above.

ELIGIBILITY

The act permits anyone to register and vote in person on Election Day if he or she meets the eligibility requirements for voting in this state and is either: (1) not already an elector or (2) is registered in one municipality but wants to change his or her registration because he or she currently resides in another municipality. By law, a person is eligible to register and vote if he or she is (1) a U. S. citizen, (2) age 18 or older, and (3) a bona fide resident of the municipality in which he or she applies for admission as an elector.

APPLICATION AND IDENTIFICATION REQUIREMENTS

Under the act, applicants must appear in person at the designated EDR location and declare under oath (by signing a certification provided with the EDR envelope) that they have not previously voted in the election. They must complete the application for voter registration and provide the same information CGS §9-20 currently requires from anyone seeking to become an elector in person in the state. This means they must provide their birth certificate, driver's license, or Social Security card. If the person does not have any of these forms of identification the applicant can prove their *identity* under the testimony of another elector or by the presentation of other satisfactory proof to the registrar of voters. The act also allows college and university students to present a current photo identification (ID) issued by their higher education institution in lieu of a birth certificate, driver's license, or Social Security card.

Under the act, if an applicant's identification does not also include *proof of their residential address*, he or she must also submit another form of identification showing their residential address in the municipality. The additional identification may include, but is not limited to a motor vehicle learner's permit, utility bill due no later than 30 days after the election, for a college or university student, a current college or university registration or fee statement, a lease, library card with residential address, paycheck, property tax bill, naturalization documents, passport (assuming it is recent and includes residential address).

CHECKING ELIGIBILITY

Registrars of voters must check CVRS before admitting an applicant as an elector. If they determine an applicant is qualified to register and is either (1) not listed in CVRS as being registered to vote in another municipality or (2) is listed in CVRS as being registered to vote in another municipality and has not already voted, they must admit him or her. The person's electoral privileges attach immediately.

Applicant not listed in CVRS

If the registrars of voters determine that the applicant is not listed in CVRS as being registered to vote in another municipality they shall admit the applicant. The applicant shall become an elector in the municipality immediately.

Applicant listed in CVRS

If the registrars determine that the applicant is registered in another municipality but he or she wants to change his or her registration location, they must immediately notify the registrars in the municipality where the applicant is currently registered and request that they remove the elector's name from their official registry list. The election officials in that municipality must cross through the elector's name on the list and mark "off" next to it.

Best Efforts to Communicate

The registrars shall use their best efforts to contact the previous municipality of registration. This includes making at least two telephone inquiries to the previous municipality within a five to ten minute period. The registrars shall keep a log of all EDR ballots issued and track each telephone inquiry using the enclosed **Election Day Ballot Log**. If the registrars receive information back from the previous municipality indicating that the applicant has not already voted, the EDR process will continue accordingly as outlined in the "Voting Procedures" section below. If the registrars receive two busy signals or are unable to contact the previous municipality within the two telephone call (five to ten minute) timeframe, the EDR process will also continue as outlined in the "Voting Procedures" section below.

Once the registrars have confirmed that the applicant is qualified to register to vote (by confirmation received from another municipality or through the use of best efforts), the applicant will be processed in CVRS. The applicant will become an elector in the municipality in which the applicant now resides.

Delay in Communication

In addition, if the registrars are able to contact the previous municipality and the previous municipality states that they will attempt to reach the relevant polling place but cannot guarantee a timely response, the applicant is not required to wait for a response and should be provided a ballot. The registrars shall ensure that the ballot is not transmitted to the counting moderator until they receive communication from the previous town or complete best efforts procedures. The registrar shall hold the ballot in question until they receive communication from the previous town or until after 8 pm, whichever is earlier, before they deliver the ballot for counting.

In order to improve the communication between the registrars of voters of each municipality, the municipality "call-back" requirement will be limited to circumstances when it is discovered that an EDR applicant has actually cast a vote in the previous municipality. If a previous municipality removes an EDR applicant from their registry list and is certain the EDR applicant has not voted in their municipality, no return phone call to the EDR municipality is required. When the EDR registrar receives no communication regarding the ballot in question, the ballot shall be delivered for counting.

Applicant Previously Voted

If the applicant has already voted in the other municipality, the registrars of that municipality must immediately notify the registrars of the municipality where the elector wants to register. The registrars must deny the applicant a ballot (or reject the ballot, as the case may be), cease the registration process, and review the matter. If the matter cannot be resolved on review, the registrars must report the situation to the SEEC for investigation.

RECOMMENDATIONS

- (1) Each municipality should provide a dedicated telephone (or mobile phone) to each moderator at each polling place that will be used solely for the purpose of communicating information regarding EDR.
- (2) Each municipality should consider dedicating a single poll worker (assistant registrar) in each polling place and appointing additional staff at each EDR location for the purpose of communicating information to and from the registrars of voters to the polling place regarding EDR.
- (3) Each municipality should consider providing assistance to applicants who are in line for EDR to ensure they are not already registered to vote in the municipality.
- (4) Each municipality should consider dividing the EDR process among various staff and the EDR location. Processing individuals who have never been registered to vote will be quicker because there will be no obligation to contact another municipality during the registration or voting process. Processing individuals who may have been registered to vote in another municipality in the state will take longer because it requires communication with another municipality and will be more time consuming for the EDR official.
- (5) Each municipality should keep Election Day Ballot Log (attached) to ensure that each EDR applicant and communication to other municipalities can be accounted for and recreated if necessary.
- (6) Each EDR location should also have a copy of the Inactive list for the municipality. Any person attempting to vote using the EDR process who is on the Inactive registry list for the town should be directed to their appropriate polling place and restored.
- (7) Secretary of the State will update the "on-line" voter look-up tool on the State of Connecticut's website so that municipalities can use this system to pre-check voter status, if they so choose, and to act as a substitute for CVRS if the system should fail on Election Day.

VOTING PROCEDURES

Registrars of voters must give an EDR ballot and envelope to an applicant whom they admit as an elector and record its issuance. The elector must (1) declare under oath that he or she did not previously vote in the election and (2) sign an affirmation that is printed on the back of the security envelope and is substantially similar to the following:

AFFIRMATION: I, the undersigned, do hereby state, under penalty of false statement, (perjury) that:

1. I am the person admitted here as an elector in the town indicated.
2. I am eligible to vote in the election indicated for today in the town indicated.
3. The information on my voter registration card is correct and complete.
4. I reside at the address that I have given to the registrars of voters.
5. If previously registered at another location, I have provided such address to the registrars of voters and hereby request cancellation of such prior registration.
6. I have not voted in person or by absentee ballot and I will not vote otherwise than by this ballot at this election.
7. I completed an application for an Election Day registration ballot and received an Election Day registration ballot.

The newly admitted elector must secretly mark the ballot in the presence of the registrars or their designees, place it in the EDR envelope, and deposit the envelope in a secured EDR ballot depository receptacle.

COUNTING PROCEDURES

Under the act, the law's procedures relating to the custody, control, and counting of EDR ballots must apply as nearly as possible to the custody, control, and counting of absentee ballots. Among other things, this means that at the time designated by registrars and noticed to election officials, registrars must have two individuals of opposing political parties transport the ballots for counting to the same area (district or central location) where absentee ballots are counted. The delivery of the ballots shall be documented by using the **AFFIDAVIT OF DELIVERY AND RECEIPT OF EDR BALLOTS** included with this handbook.

In addition, counting procedures shall also include the following:

1. The election officials present at the absentee ballot counting location count the EDR ballots;
2. A section of the head moderator's return must show the number of EDR ballots cast;
3. The registrars must seal a copy of the **EDR Tally Sheet** (included with this handbook) in the depository envelope with the ballots and store the envelope with the other election results materials;
4. The registrars must preserve the EDR envelope for 180 days after the election, the same period of time the law requires other counted ballots to be preserved.

5. The registrars must account for all EDR applications received and ballots issued to ensure those totals balance. Registrars can accomplish this by using the enclosed Election Day Ballot Log, CVRS – Monthly Change Detail Report or by counting the actual ballots and applications by hand. However, in the end the number of applications received and ballots issued must match.

6. If counting at a central location, a separate tabulator can be used for the EDR process.

Included with this handbook are the following forms: (1) **EDR Tally Sheet**, (2) **Write-In Votes Tally Sheet**, (3) **Certificate for EDR Ballots**, (4) **Election Day Ballot Log**, (5) **SEEC Referral Form**, (6) **Affidavit of Delivery and Receipt of EDR Ballots**, and (7) **EDR Suggested Envelope**. These forms have been provided to you for the following reasons:

- (1) EDR Tally Sheet (one per district) – to separately account for the candidate and question vote totals cast on the EDR ballots;
- (2) Write-In Votes Tally Sheet (one per district) – to separately account for the registered write-in candidate vote totals cast on the EDR ballots;
- (3) Certificate for EDR Ballots (one per district) – to account for the total number of EDR applications, applications denied, ballots cast and ballots rejected to ensure those numbers balance at the close of the polls on Election Day;
- (4) Election Day Ballot Log – to account for all EDR applications received and EDR ballots cast and to keep other statistical information necessary for the administration of EDR;
- (5) SEEC Referral Form – to provide you with a simply and efficient form to use if you need to refer an EDR matter to SEEC; and
- (6) EDR Suggested Envelope – this is a sample of the text that will be printed on the outside of the EDR envelope that will be used on Election Day.

In addition, your official registry lists, moderator's tally sheet totals, election statistics and vote totals must be supplemented with the information received from the EDR location by the head moderator.

CONFIRMATION PROCEDURES

Registrars of voters must immediately send a letter of acceptance by first-class mail to the residential address of each EDR applicant they admit. The envelope must have instructions for returning any confirmation notice that cannot be delivered to the address shown. If the confirmation is returned as undelivered, registrars shall immediately send a confirmation of voting residence. Registrars need not wait until the May 1st deadline that otherwise applies to a canvass of the registry list. If the address cannot be verified, registrars must place the elector's name on the inactive list. This procedure is the same procedure used currently if a letter of acceptance is returned as undeliverable.

REPORT

The Secretary of the State must report to the GAE Committee by February 1, 2014 on any issues or concerns that arise during the November 2013 municipal election with respect to EDR

administration, including ballot security and privacy. In consultation with the SEEC, the Secretary must interview registrars of voters, poll workers, and candidates from municipalities with small, medium, and large populations to determine the efficacy of EDR. The report must include observations, results, and ways to enhance ballot security and privacy.

PRESIDENTIAL BALLOTS

The law permits certain U. S. citizens who are at least 18 years old to apply for and vote a presidential ballot to cast a vote for president and vice president, but not any other office. The person must apply to the town clerk no sooner than 45 days before the election, and can do so up until the polls close on Election Day. The clerk must be satisfied that the applicant is eligible for the ballot, and the applicant must sign a statement under penalty of false statement that the information he or she provides is true.

Prior law allowed unregistered Connecticut residents and former state residents who moved to another state after its registration deadline to apply for a presidential ballot. The act eliminates provisions allowing current Connecticut residents to vote by presidential ballot, leaving the procedure in place for former state residents only. Under the act, unregistered state residents would instead follow EDR procedures.

BALLOT TYPES

It is important to be able to separately report and tally the vote totals cast on the EDR ballots. Although the act does not require the registrars of voters to separately report the results to the Secretary of the State, it does require that a separate return be sealed with the EDR ballots for the required retention period. In an effort to avoid additional costs we have developed the following suggestions regarding EDR ballots:

- (1) A municipality can order a totally unique EDR ballot that will be separately accounted for by the optical scan voting tabulator either at the central AB counting location or at the polls depending on the municipality;
- (2) A municipality can use polling place ballots that will be counted at a CENTRAL location so the tabulator will separately account for the EDR ballots;
- (3) A municipality can use regular absentee ballots and tally them on a completely SEPARATE tabulator;
- (4) A municipality can use regular polling place ballots for EDR and hand count the ballots.

DATA COLLECTION

We have provided an Election Day Ballot Log with this handbook. In addition to assisting you with accounting for EDR applicants and municipal inquiries, the data you provide on this log will assist our office with the required report that must be filed after the 2013 general election as well as assist our working group regarding potential changes to the EDR process in the future.

CLOSING OF THE EDR LOCATION

The act requires that in order to cast a ballot on Election Day, the applicant must be registered to vote no later than 8 o'clock p.m. If you have applicants who continue to be in line after 8 o'clock p.m. they will not be able to participate in the election. All applicants must have completed the EDR process before 8 o'clock p.m. in order to cast a ballot on Election Day.

ELECTION DAY REGISTRATION
STATE ELECTIONS ENFORCEMENT COMMISSION REFERRAL FORM

Date: _____

Town Name: _____

Referring Official's Name: _____

Referring Official's Address: _____

Referring Official's Telephone Number: _____

Referring Official's E-Mail Address: _____

Alleged Violations: _____

Certification: I solemnly swear (or affirm) that the above statement is true and accurate to the best of my knowledge and belief.

Referring Official's Signature: _____

Date: _____

Suggested EDR Envelope

Name of Applicant: _____ Voting District: _____

Date of Birth: _____

Bona Fide Residence Address: _____

AFFIRMATION: I, the undersigned, do hereby state, under penalty of false statement, (perjury) that:

1. I am the person admitted here as an elector in the town indicated.
2. I am eligible to vote in the election indicated for today in the town indicated.
3. The information on my voter registration card is correct and complete.
4. I reside at the address that I have given to the registrars of voters.
5. If previously registered at another location, I have provided such address to the registrars of voters and hereby request cancellation of such prior registration.
6. I have not voted in person or by absentee ballot and I will not vote otherwise than by this ballot at this election.
7. I completed an application for an Election Day registration ballot and received an Election Day registration ballot.

Signature of Elector: _____ Date: _____

Warning: If you sign this statement even though you know it is untrue, you can be convicted of a class D felony and disfranchised.

Use (1) form per district

Use this form for EDR Ballots Only

Town: _____ Date: _____ Voting District: _____

Certificate for EDR Ballots

=====
I hereby certify that this report along with the tabulator tape of EDR ballots are correct and that the following numbers are true and accurate.

EDR Ballots	.....
EDR Ballot Applications	.....
EDR Applications Denied Due To ID	.....
EDR Applications Denied Due To Residency	.....
EDR Applications & Ballots Denied Due To Previous Voting	.....

Attest: _____
EDR Location Official

=====

Total EDR Ballots to Be Counted	.....
Total EDR Ballots Counted By Machine	.....
Total DR Ballots Counted By Hand	.....
Total EDR Ballots Counted	.....
Total EDR Ballots Rejected	.....

Attest: _____
EDR Counting Official (Moderator)

AFFIDAVIT OF DELIVERY AND RECEIPT OF
EDR BALLOTS

Election: _____

FOR: _____

Date: _____

Time: _____

We, _____ & _____, the undersigned
EDR Officials of the Town of _____, being duly sworn, depose and say that
we counted and delivered to _____ (Moderator), _____ EDR ballots.

Signed

Print EDR Official

Signed

Print EDR Official

Subscribed and sworn to before me at _____, Connecticut this _____ day of _____,
20____.

Title and Signature of Person
Administering Oath

I, _____, the undersigned EDR Counting Official (Moderator) being duly
sworn, depose and say that I received from _____ & _____,
EDR Officials of the Town of _____, _____ EDR ballots.

EDR Counting Official (Moderator)

Subscribed and sworn to before me at _____, Connecticut this _____ day of
_____, 20____.

Title and Signature of Person
Administering Oath