

# Permanent Absentee Ballots



**TOWN CLERK'S ASSOCIATION  
SPRING CONFERENCE  
APRIL 4, 2013**

# Public Act 12-57 An Act Concerning Permanent Absentee Ballot Status for the Permanently Disabled



- **Sec. 9-140e. Permanently physically disabled elector. Status for receipt of absentee ballot applications.** (a) Any elector who is permanently physically disabled and who files an application for an absentee ballot with a certification from a primary care provider, indicating that such elector is permanently physically disabled and unable to appear in person at such elector's designated polling location, shall be eligible for permanent absentee ballot status and shall receive an absentee ballot for each election, primary or referendum conducted in such elector's municipality for which such elector is eligible to vote. Such elector's permanent absentee ballot status shall remain in effect until such elector: (1) Is removed from the official registry list of the municipality, (2) is removed from permanent absentee ballot status pursuant to the provisions of this section, or (3) requests that he or she no longer receive such permanent absentee ballot status.

# Public Act 12-57 (effective January 1, 2013)



- (b) The registrars of voters shall send written notice to each such elector with permanent absentee ballot status in January of each year, on a form prescribed by the Secretary of the State, for the purpose of determining if such elector continues to reside at the address indicated on the elector's permanent absentee ballot application. If (1) such written notice is returned as undeliverable, or (2) not later than thirty days after such notice is sent to the elector, the elector fails to return such notice to the registrars of voters, as directed on the form, the elector in question shall be removed from permanent absentee ballot status. If such elector indicates on such notice that the elector no longer resides at such address and the elector's new address is within the same municipality, the registrars of voters shall change the elector's address pursuant to section 9-35 and such elector shall retain permanent absentee ballot status.

# Public Act 12-57 (effective January 1, 2013)



- If the elector indicates on such notice that the elector no longer resides in the municipality, the registrars of voters shall remove such individual from the registry list of the municipality and send such individual an application for voter registration. Failure to return such written notice shall not result in the removal of an elector from the official registry list of the municipality.

# Who is Eligible?



- An elector who is unable to appear at the polls on Election Day because of a disability AND
- Has a letter from a doctor indicating that the elector has a disability that precludes the voter from appearing in person at the polls.

# Procedure



- Elector files an absentee ballot application along with a doctor's note. An informal opinion from the FOIC indicated that the doctor's note should not be subject to disclosure.
- The Town Clerk should forward a copy of such application to the registrars of voters so that they can indicate the permanent status of the elector on the CVRS.
- The Town Clerk will send an absentee ballot throughout the year for each election/primary/referendum as soon as absentee ballots become available.

# Annual Notice to Determine Eligibility



- The Registrars of Voters send annual written notice in January on a prescribed form.
- The elector will confirm that his/her address remains the same OR
- The elector has moved within town at a new address OR
- The elector has moved out of town in which case the elector will be taken off the official voter list and the registrars will send a voter registration application.
- The elector may also request that he/she be removed from permanent absentee ballot status.

# Annual Notice to Determine Eligibility



- If the notice is not returned within 30 days or if the notice is returned as undeliverable, the registrars shall remove the elector from permanent absentee ballot status. However, the registrars cannot remove the elector from the official registry list simply because they fail to return the notice.