April 21, 1994
Winsted Voice

Protocol Column

Who is Entitled to Vote

By Community Lawyer Charlene LaVoie

Citizens of Winchester participate in two types of voting events - election of public officials and referendum issues. An election determines who will hold public office in the state and local government. A referendum is the process of submitting questions or proposals to the people for their approval or rejection.



An individual must meet certain requirements to be eligible to vote in elections or referenda. And, while the requirements for voting at an election are clear and straightforward, the qualifications for voting at a referendum are confusing. Many citizens may not vote in local referenda simply because they do not know whether they have a right to do so. This is especially the case if an individual does not reside locally or if an individual owns a business or is in a partnership.

State law and the Town of Winchester Charter define the qualifications for electors and govern who can vote in elections and referenda.

I. ELECTIONS

The election of office holders is governed by state law. To be a qualified elector under state law an individual must meet three requirements:

1. Be a citizen of the United States;
2. Be eighteen years of age;
3. Be a resident of the town in which admission as an elector is sought.

To vote in either a state or local election, you must register to vote at least 14 days before an election. However, if your qualifications as to age, citizenship or residence are attained after the last session for admission of electors (if you become qualified in the 14 days before the election) but before the election, you may register up to the day before the election.

II. REFERENDA

State law and Section 1308 of the Town of Winchester Charter define who can vote at a referendum. To be qualified to vote at a referendum you must either be:

1. An elector (defined above);

2. OR be 18 years of age and own property which is assessed at $1,000 or more and on which you are liable to the town for taxes.

In contrast to the state law requirement that an elector be a resident of the town to vote in an election, a nonresident of a town may vote at a referendum provided they own property in town assessed at not less than $1,000 and they are liable to the town for taxes on the property. The property may be real property (real estate) or personal property (motor vehicle or business equipment).

You may establish that you have a tax liability to the town in any one of the following ways:

1. Show that your name, as an owner of real property, appears on the last Grand List or supplemental list;

2. Present a tax bill receipt showing a payment on real property on the Grand List;

3. If the real property is owned by a partnership, you may present a copy of the partnership trade name certificate on file with

Continued on page 17

Protocol Column

Continued from page 7

the town clerk, which shows that you are a general partner (this demonstrates that you are liable for payment of taxes on the Grand List);

4. Present a certificate of title to a motor vehicle owned by you and which is assessed for $1,000 or more on the Grand List or supplemental list;

5. Present the personal property declaration of your business if the personal property is assessed at $1,000 or more (these declarations require the signature of at least one owner of the business, and any or all of the owners may sign and each who signs may vote);

6. As a property owner, sign an affidavit certifying to any of the foregoing facts before a notary.

III. SUMMARY

To vote in an election, you must qualify as an elector which means you must be a United States citizen, 18 years of age and a resident of the town.

To vote in a referendum, you must: be 18 years of age and a resident of the town OR 18 years of age and liable to the town for taxes on an assessment of real or personal property of at least $1,000.