



# House of Representatives

## File No. 793

General Assembly

January Session, 2003

**(Reprint of File No. 35)**

Substitute House Bill No. 6372  
As Amended by House Amendment  
Schedules "A", "B" and "D"

Approved by the Legislative Commissioner  
May 30, 2003

### **AN ACT CONCERNING DIRECT PRIMARIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective January 1, 2004, and applicable to primaries*  
2 *and elections held on or after January 1, 2004*) Petition forms for  
3 candidacies for nomination by a political party to a state office, as  
4 defined in section 9-372 of the general statutes, as amended by this act,  
5 or the district office of representative in Congress shall be available  
6 from the Secretary of the State beginning on the one hundred fifth day  
7 preceding the day of the primary for such state and district offices.  
8 Petition forms for candidacies for nomination by a political party to the  
9 district office of judge of probate, state senator or state representative  
10 shall be available from the Secretary of the State beginning on the day  
11 following the close of the district convention held for the purpose of  
12 nominating such party's candidate for such office. Any person who  
13 requests a petition form shall give the person's name and address and  
14 the name, address and office sought of each candidate for whom the  
15 petition is being obtained and shall file a statement signed by each  
16 such candidate that such candidate consents to be a candidate for such

17 office. Each such candidate shall include on the statement of consent  
18 the candidate's name as the candidate authorizes it to appear on the  
19 ballot. Upon receiving such information and statement, the Secretary  
20 shall type or print on a petition form the name and address of each  
21 such candidate, the office sought and the political party holding the  
22 primary. The Secretary shall give to any person requesting such form  
23 one or more petition pages, suitable for duplication, as the Secretary  
24 deems necessary. If the person is requesting the form on behalf of an  
25 indigent candidate or a group of indigent candidates listed on the  
26 same petition, the Secretary shall give the person the number of  
27 original pages that the person requests or the number which the  
28 Secretary deems sufficient. An original petition page filled in by the  
29 Secretary may be duplicated by or on behalf of the candidate or  
30 candidates listed on the page and signatures may be obtained on such  
31 duplicates. The duplicates may be filed in the same manner and shall  
32 be subject to the same requirements as original petition pages. All  
33 information relative to primary petitions shall be a public record.

34 Sec. 2. (NEW) (*Effective January 1, 2004, and applicable to primaries and*  
35 *elections held on or after January 1, 2004*) (a) The petition form for  
36 candidacies for nomination to state or district office shall be prescribed  
37 and provided by the Secretary of the State, and signatures shall be  
38 obtained only on such form or on duplicate petition pages produced in  
39 accordance with the provisions of section 1 of this act. The form shall  
40 include a statement of instructions to persons using the form and shall  
41 indicate the date and time by which it shall be filed and the person  
42 with whom it shall be filed. The form shall provide spaces for the  
43 names and addresses of the candidates, the offices to which  
44 nomination is sought and the political party holding the primary, and  
45 shall provide lines for the signatures, street addresses, dates of birth  
46 and the printing of the names of enrolled party members supporting  
47 the person or persons on behalf of whose candidacy the petition is  
48 used.

49 (b) Only as many candidates may be proposed in any one primary  
50 petition for the same office as are to be nominated by such party for

51 such office, but any one primary petition may propose as many  
52 candidates for different state offices as there are nominations to be  
53 made.

54 (c) The names of enrolled party members signing a primary petition  
55 may be on several pages, provided no person shall sign more than one  
56 petition page for the same candidate or candidates. Any person who  
57 signs a name other than the person's own to a primary petition filed  
58 under the provisions of this section or who signs a name other than the  
59 person's own as circulator of such petition shall be fined not more than  
60 one hundred dollars or imprisoned not more than one year, or both.  
61 Each such page shall indicate the candidate or candidates supported,  
62 the offices sought and the political party for which nomination is being  
63 sought. No page of such a petition shall contain the names of enrolled  
64 party members residing in different municipalities and any petition  
65 page that has been certified by the registrars of two or more  
66 municipalities shall be rejected by the Secretary. Withdrawal of  
67 petition signatures shall not be permitted.

68 (d) Each circulator of a primary petition page shall be an enrolled  
69 party member of a municipality in this state. Each petition page shall  
70 contain a statement signed by the registrar of the municipality in  
71 which the circulator is an enrolled party member attesting that the  
72 circulator is an enrolled party member in the municipality. Unless such  
73 a statement by the registrar of voters appears on each page so  
74 submitted, the Secretary shall reject the page. Each separate page of the  
75 petition shall contain a statement as to the authenticity of the  
76 signatures on the page and the number of such signatures, and shall be  
77 signed under the penalties of false statement by the person who  
78 circulated the page, setting forth the circulator's address and the town  
79 in which the circulator is an enrolled party member and attesting that  
80 each person whose name appears on the page signed the petition in  
81 person in the presence of the circulator, that the circulator either  
82 knows each such signer or that the signer satisfactorily identified  
83 himself or herself to the circulator and that the spaces for candidates  
84 supported, offices sought and the political party involved were filled

85 in prior to the obtaining of the signatures. Each separate page of the  
86 petition shall also be acknowledged before an appropriate person as  
87 provided in section 1-29 of the general statutes. The Secretary shall  
88 reject any page of a petition filed with the Secretary which does not  
89 contain such a statement by the circulator as to the authenticity of the  
90 signatures on the page, or upon which the statement of the circulator is  
91 incomplete in any respect, or which does not contain the certification  
92 required under this section by the registrar of the town in which the  
93 circulator is an enrolled party member. Any individual proposed as a  
94 candidate in any primary petition may serve as a circulator of the  
95 pages of the petition, provided the individual's service as circulator  
96 does not violate any provision of this section.

97 Sec. 3. (NEW) (*Effective January 1, 2004, and applicable to primaries and*  
98 *elections held on or after January 1, 2004*) (a) Upon the receipt of any page  
99 of a petition proposing a candidacy for a state or district office, the  
100 registrar shall forthwith sign and give to the person submitting the  
101 petition a receipt, in duplicate, stating the number of pages filed and  
102 the date and time of filing. The person or the candidate shall forthwith  
103 send one copy of the receipt to the Secretary of the State. The registrar  
104 of voters shall indicate on each such petition page the date and time of  
105 filing, shall forthwith certify on each such page the number of signers  
106 of the page who were enrolled on the last-completed enrollment list of  
107 such party in the municipality or political subdivision, as the case may  
108 be, and shall forthwith file such certified page in person or by mail, as  
109 described in section 9-140b of the general statutes, with the Secretary  
110 within seven days after receipt of the page. In checking the signatures  
111 on primary petition pages, the registrar shall reject any name which  
112 does not appear on the last-completed enrollment list of such party in  
113 the municipality or political subdivision, as the case may be. Such  
114 rejection shall be indicated by placing a mark in a manner prescribed  
115 by the Secretary before the name rejected. The registrar may place a  
116 check mark before each name appearing on the enrollment list to  
117 indicate approval but shall place no other mark on the page except as  
118 provided in sections 1 to 3, inclusive, of this act and in chapter 153 of

119 the general statutes. The registrar shall not reject any name for which  
120 the street address on the petition is different from the street address on  
121 the enrollment list, if (1) such person is eligible to vote for the  
122 candidate or candidates named in the petition in the municipality of  
123 the registrar, and (2) the person's date of birth, as shown on the  
124 petition page, is the same as the date of birth on the person's  
125 registration record.

126 (b) Upon the filing of all pages of a petition, the Secretary shall reject  
127 any page of the petition which does not contain the certifications  
128 required in section 2 of this act or which the Secretary determines to  
129 have been circulated in violation of any provision of said section 2, and  
130 shall immediately cause the number of certified signatures to be  
131 tabulated. Petitions filed with the Secretary shall be preserved for a  
132 period of three years and then may be destroyed.

133 Sec. 4. Subsection (e) of section 9-55 of the general statutes is  
134 repealed and the following is substituted in lieu thereof (*Effective*  
135 *January 1, 2004, and applicable to primaries and elections held on or after*  
136 *January 1, 2004*):

137 (e) The registrars shall file one copy of each such list with the town  
138 clerk which copy shall be available for public use in the office of the  
139 town clerk until the printing of the next completed, corrected  
140 enrollment list; and they shall deliver to the chairman of the town  
141 committee of each political party five copies of each such list for each  
142 voting district in the town. Upon request the registrars shall give one  
143 complete set of such lists to each candidate for nomination for any  
144 office or for election as a town committee member. [or delegate to a  
145 convention.] They shall deliver a sufficient number of copies thereof to  
146 the moderator of each primary. With each printing the registrars shall  
147 retain at least six copies of each such list and such copies shall be  
148 available for public use in the office of the registrars until the printing  
149 of the next complete, corrected enrollment list. No petition brought  
150 under the provisions of section 9-63 shall operate to delay the  
151 completion and printing of such lists. If the petition of any elector is

152 granted after any such list has been completed, the registrar or  
153 assistant registrar shall issue to such elector a certificate showing that  
154 the elector is entitled to the privileges accompanying enrollment in the  
155 political party named in the elector's petition.

156 Sec. 5. Section 9-183b of the general statutes is repealed and the  
157 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
158 *applicable to primaries and elections held on or after January 1, 2004*):

159 In 1994, 1996, and quadrennially thereafter, two-thirds of the total  
160 number of justices of the peace in each town shall be selected in  
161 accordance with the provisions of this section. Such percentage shall be  
162 rounded down to the nearest whole number of justices of the peace.  
163 The political parties which are major parties, as defined in  
164 subparagraph (B) of subdivision (5) of section 9-372, as amended by  
165 this act, shall each be entitled to nominate an equal number of the total  
166 number of justices of the peace to be selected in each town under this  
167 section, provided in towns where the number of justices of the peace to  
168 be nominated under this section is not divisible by the number of  
169 political parties entitled to nominate justices of the peace under this  
170 section, the registrars of voters shall determine by lot which of said  
171 parties may nominate one more justice of the peace than may be  
172 nominated by the other party or parties. Such nomination by such  
173 parties shall qualify the nominees to serve as justices of the peace. Such  
174 nomination shall be made within the time limits prescribed in section  
175 9-391, as amended by this act, for endorsing candidates for nomination  
176 for municipal offices [prior] to be voted upon at a state election, for a  
177 term of two years to begin the first Monday of January in 1995, for any  
178 such nomination made in 1994, and for a term of four years to begin  
179 the first Monday of January in the year succeeding any such  
180 nomination made in 1996, or thereafter. Primaries for justices of the  
181 peace shall be by slate [as in the case of convention delegates] and shall  
182 be held on the same day as primaries for municipal offices to be voted  
183 upon at a state election.

184 Sec. 6. Section 9-183c of the general statutes is repealed and the

185 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
186 *applicable to primaries and elections held on or after January 1, 2004*):

187 In 1994, 1996, and quadrennially thereafter, when there is a political  
188 party which is a major party, as defined in subparagraph (A) of  
189 subdivision (5) of section 9-372, but is not a major party, as defined in  
190 subparagraph (B) of said subdivision (5), a percentage of the number  
191 of justices of the peace in each town selected under section 9-184c shall  
192 be selected in accordance with the provisions of this section. Such  
193 percentage shall be rounded down to the nearest whole number of  
194 justices of the peace. Each such party shall be entitled to nominate  
195 twenty per cent of the total number of justices of the peace to be  
196 selected in each town under section 9-184c. Such nomination by such  
197 parties shall qualify the nominees to serve as justices of the peace. Such  
198 nomination shall be made within the time limits prescribed in section  
199 9-391, as amended by this act, for endorsing candidates for nomination  
200 for municipal offices [prior] to be voted upon at a state election, for a  
201 term of two years to begin the first Monday of January in 1995, for any  
202 such nomination made in 1994, and for a term of four years to begin  
203 the first Monday of January in the year succeeding any such  
204 nomination made in 1996, or thereafter. Primaries for justices of the  
205 peace shall be by slate [as in the case of convention delegates] and shall  
206 be held on the same day as primaries for municipal offices to be voted  
207 upon at a state election.

208 Sec. 7. Subsection (a) of section 9-329a of the general statutes is  
209 repealed and the following is substituted in lieu thereof (*Effective*  
210 *January 1, 2004, and applicable to primaries and elections held on or after*  
211 *January 1, 2004*):

212 (a) Any (1) elector or candidate aggrieved by a ruling of an election  
213 official in connection with any primary held pursuant to (A) section 9-  
214 423, as amended by this act, [9-424,] 9-425 or 9-464, or (B) [A] a special  
215 act, (2) elector or candidate who alleges that there has been a mistake  
216 in the count of the votes cast at such primary, or (3) candidate in such a  
217 primary who alleges that he is aggrieved by a violation of any

218 provision of sections 9-355, 9-357 to 9-361, inclusive, 9-364, 9-364a or 9-  
219 365 in the casting of absentee ballots at such primary, may bring his  
220 complaint to any judge of the Superior Court for appropriate action. In  
221 any action brought pursuant to the provisions of this section, the  
222 complainant shall send a copy of the complaint by first-class mail, or  
223 deliver a copy of the complaint by hand, to the State Elections  
224 Enforcement Commission. If such complaint is made prior to such  
225 primary such judge shall proceed expeditiously to render judgment on  
226 the complaint and shall cause notice of the hearing to be given to the  
227 Secretary of the State and the State Elections Enforcement Commission.  
228 If such complaint is made subsequent to such primary it shall be  
229 brought, within fourteen days after such primary, to any judge of the  
230 Superior Court.

231 Sec. 8. Section 9-329b of the general statutes is repealed and the  
232 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
233 *applicable to primaries and elections held on or after January 1, 2004*):

234 At any time prior to a primary held pursuant to sections 9-423, as  
235 amended by this act, [9-424,] 9-425 and 9-464, or a special act or prior  
236 to any election, the Superior Court may issue an order removing a  
237 candidate from a ballot label where it is shown that said candidate is  
238 improperly on the ballot.

239 Sec. 9. Section 9-333 of the general statutes is repealed and the  
240 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
241 *applicable to primaries and elections held on or after January 1, 2004*):

242 This chapter applies to: (1) The election, and all primaries  
243 preliminary thereto, of all public officials, except presidential electors,  
244 United States senators and members in Congress, and (2) any  
245 referendum question, [ and (3) persons who are candidates in a  
246 primary for convention delegates.] This chapter also applies, except for  
247 the provisions of sections 9-333m to 9-333v, inclusive, to persons who  
248 are candidates in a primary for town committee members.

249 Sec. 10. Section 9-333a of the general statutes is repealed and the

250 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
251 *applicable to primaries and elections held on or after January 1, 2004*):

252 As used in this chapter:

253 (1) "Committee" means a party committee, political committee or a  
254 candidate committee organized, as the case may be, for a single  
255 primary, election or referendum, or for ongoing political activities, to  
256 aid or promote the success or defeat of any political party, any one or  
257 more candidates for public office or the position of [convention  
258 delegate or] town committee member or any referendum question.

259 (2) "Party committee" means a state central committee or a town  
260 committee. "Party committee" does not mean a party-affiliated or  
261 district, ward or borough committee which receives all of its funds  
262 from the state central committee of its party or from a single town  
263 committee with the same party affiliation. Any such committee so  
264 funded shall be construed to be a part of its state central or town  
265 committee for purposes of this chapter.

266 (3) "Political committee" means (A) a committee organized by a  
267 business entity or organization, (B) persons other than individuals, or  
268 two or more individuals organized or acting jointly conducting their  
269 activities in or outside the state, (C) a committee established by a  
270 candidate to determine the particular public office to which he shall  
271 seek nomination or election, and referred to in this chapter as an  
272 exploratory committee, or (D) a committee established by or on behalf  
273 of a slate of candidates in a primary for the [position of convention  
274 delegate] office of justice of the peace, but does not mean a candidate  
275 committee or a party committee.

276 (4) "Candidate committee" means any committee designated by a  
277 single candidate, or established with the consent, authorization or  
278 cooperation of a candidate, for the purpose of a single primary or  
279 election and to aid or promote his candidacy alone for a particular  
280 public office or the position of town committee member, but does not  
281 mean a political committee or a party committee.

282 (5) "National committee" means the organization which according to  
283 the bylaws of a political party is responsible for the day-to-day  
284 operation of the party at the national level.

285 (6) "Organization" means all labor organizations, (A) as defined in  
286 the Labor-Management Reporting and Disclosure Act of 1959, as from  
287 time to time amended, or (B) as defined in subdivision (9) of section  
288 31-101, employee organizations as defined in subsection (d) of section  
289 5-270 and subdivision (6) of section 7-467, bargaining representative  
290 organizations for teachers, any local, state or national organization, to  
291 which a labor organization pays membership or per capita fees, based  
292 upon its affiliation or membership, and trade or professional  
293 associations which receive their funds exclusively from membership  
294 dues, whether organized in or outside of this state, but does not mean  
295 a candidate committee, party committee or a political committee.

296 (7) "Business entity" means the following, whether organized in or  
297 outside of this state: Stock corporations, banks, insurance companies,  
298 business associations, bankers associations, insurance associations,  
299 trade or professional associations which receive funds from  
300 membership dues and other sources, partnerships, joint ventures,  
301 private foundations, as defined in Section 509 of the Internal Revenue  
302 Code of 1986, or any subsequent corresponding internal revenue code  
303 of the United States, as from time to time amended; trusts or estates;  
304 corporations organized under sections 38a-175 to 38a-192, inclusive,  
305 38a-199 to 38a-209, inclusive, and 38a-214 to 38a-225, inclusive, and  
306 chapters 594 to 597, inclusive; cooperatives, and any other association,  
307 organization or entity which is engaged in the operation of a business  
308 or profit-making activity; but does not include professional service  
309 corporations organized under chapter 594a and owned by a single  
310 individual, nonstock corporations which are not engaged in business  
311 or profit-making activity, organizations, as defined in subdivision (6)  
312 of this section, candidate committees, party committees and political  
313 committees as defined in this section. For purposes of this chapter,  
314 corporations which are component members of a controlled group of  
315 corporations, as those terms are defined in Section 1563 of the Internal

316 Revenue Code of 1986, or any subsequent corresponding internal  
317 revenue code of the United States, as from time to time amended, shall  
318 be deemed to be one corporation.

319 (8) "Individual" means a human being, a sole proprietorship, or a  
320 professional service corporation organized under chapter 594a and  
321 owned by a single human being.

322 (9) "Person" means an individual, committee, firm, partnership,  
323 organization, association, syndicate, company trust, corporation,  
324 limited liability company or any other legal entity of any kind but does  
325 not mean the state or any political or administrative subdivision of the  
326 state.

327 (10) "Candidate" means an individual who seeks nomination for  
328 election or election to public office whether or not such individual is  
329 elected, and for the purposes of this chapter an individual shall be  
330 deemed to seek nomination for election or election if he has (A) been  
331 endorsed by a party or become eligible for a position on the ballot at an  
332 election or primary, or (B) solicited or received contributions, [or]  
333 made expenditures or given his consent to any other person to solicit  
334 or receive contributions or make expenditures with the intent to bring  
335 about his nomination for election or election to any such office.  
336 "Candidate" also means a slate of candidates which is to appear on the  
337 ballot in a primary for the [position of convention delegate] office of  
338 justice of the peace. For the purposes of sections 9-333 to 9-333l,  
339 inclusive, and section 9-333w, "candidate" also means an individual  
340 who is a candidate in a primary for town committee members.

341 (11) "Campaign treasurer" means the individual appointed by a  
342 candidate or by the chairman of a party committee or a political  
343 committee to receive and disburse funds on behalf of the candidate or  
344 committee.

345 (12) "Deputy campaign treasurer" means the individual appointed  
346 by the candidate or by the chairman of a committee to serve in the  
347 capacity of the campaign treasurer if the campaign treasurer is unable

348 to perform his duties.

349 (13) "Solicitor" means an individual appointed by a campaign  
350 treasurer of a committee to receive, but not to disburse, funds on  
351 behalf of the committee.

352 (14) "Referendum question" means a question to be voted upon at  
353 any election or referendum, including a proposed constitutional  
354 amendment.

355 (15) "Lobbyist" means a lobbyist as defined in subsection (l) of  
356 section 1-91.

357 (16) "Business with which he is associated" means any business in  
358 which the contributor is a director, officer, owner, limited or general  
359 partner or holder of stock constituting five per cent or more of the total  
360 outstanding stock of any class. Officer refers only to the president,  
361 executive or senior vice-president or treasurer of such business.

362 (17) "Independent expenditure" means an expenditure that is made  
363 without the consent, knowing participation, or consultation of, a  
364 candidate or agent of the candidate committee. "Independent  
365 expenditure" does not include an expenditure (A) if there is any  
366 coordination or direction with respect to the expenditure between the  
367 candidate or the treasurer, deputy treasurer or chairman of his  
368 candidate committee and the person making the expenditure, or (B) if,  
369 during the same election cycle, the individual making the expenditure  
370 serves or has served as the treasurer, deputy treasurer or chairman of  
371 the candidate committee.

372 (18) "Federal account" means a depository account that is subject to  
373 the disclosure and contribution limits provided under the Federal  
374 Election Campaign Act of 1971, as amended from time to time.

375 (19) "Public funds" means funds belonging to, or under the control  
376 of, the state or a political subdivision of the state.

377 Sec. 11. Subsection (a) of section 9-333e of the general statutes is

378 repealed and the following is substituted in lieu thereof (*Effective*  
379 *January 1, 2004, and applicable to primaries and elections held on or after*  
380 *January 1, 2004*):

381 (a) Statements filed by party committees, political committees  
382 formed to aid or promote the success or defeat of a referendum  
383 question proposing a constitutional convention, constitutional  
384 amendment or revision of the Constitution, individual lobbyists, and  
385 those political committees and candidate committees formed to aid or  
386 promote the success or defeat of any candidate for the office of  
387 Governor, Lieutenant Governor, Secretary of the State, Treasurer,  
388 Comptroller, Attorney General, judge of probate and members of the  
389 General Assembly, shall be filed with the office of the Secretary of the  
390 State. A copy of each statement filed by a town committee shall be filed  
391 at the same time with the town clerk of the municipality in which the  
392 committee is situated. A political committee formed for a slate of  
393 candidates in a primary for the [position of convention delegate] office  
394 of justice of the peace shall file statements with both the Secretary of  
395 the State and the town clerk of the municipality in which the primary  
396 is to be held.

397 Sec. 12. Subsection (d) of section 9-333f of the general statutes is  
398 repealed and the following is substituted in lieu thereof (*Effective*  
399 *January 1, 2004, and applicable to primaries and elections held on or after*  
400 *January 1, 2004*):

401 (d) A slate of candidates in a primary for the [position of delegate to  
402 the same convention] office of justice of the peace shall designate a  
403 chairperson to form a single political committee to comply with the  
404 requirements of section 9-333g, except if the individuals on the slate  
405 unanimously consent to have their campaign financed solely by a town  
406 committee [or by the candidate committee of a candidate for state or  
407 district office to which they are committed,] and such committee [or  
408 candidate] consents to such financing by filing a statement of consent  
409 with both the Secretary of the State and the town clerk of the  
410 municipality in which the primary is to be held.

411 Sec. 13. Section 9-333m of the general statutes is repealed and the  
412 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
413 *applicable to primaries and elections held on or after January 1, 2004*):

414 (a) No individual shall make a contribution or contributions to, for  
415 the benefit of, or pursuant to the authorization or request of, a  
416 candidate or a committee supporting or opposing any candidate's  
417 campaign for nomination at a primary, or any candidate's campaign  
418 for election, to the office of (1) Governor, in excess of two thousand  
419 five hundred dollars; (2) Lieutenant Governor, Secretary of the State,  
420 Treasurer, Comptroller or Attorney General, in excess of one thousand  
421 five hundred dollars; (3) chief executive officer of a town, city or  
422 borough, in excess of one thousand dollars; (4) state senator or probate  
423 judge, in excess of five hundred dollars; or (5) state representative or  
424 any other office of a municipality not previously included in this  
425 subsection, in excess of two hundred fifty dollars. The limits imposed  
426 by this subsection shall be applied separately to primaries and  
427 elections.

428 [(b) In the case of one or more convention delegate primaries in  
429 which a slate of candidates for the position of convention delegate are  
430 committed to a single candidate for state or district office who has  
431 consented to financing the slate's campaign solely by his candidate  
432 committee in accordance with section 9-333f, an individual may make  
433 an additional contribution or contributions to such candidate  
434 committee not in excess of two hundred fifty dollars for each delegate  
435 primary financed in such manner.]

436 [(c)] (b) No individual shall make a contribution or contributions to,  
437 or for the benefit of, an exploratory committee or a political committee  
438 formed by a slate of candidates in a primary for the [position of  
439 delegate to the same convention] office of justice of the peace, in excess  
440 of two hundred fifty dollars.

441 [(d)] (c) No individual shall make contributions to such candidates  
442 or committees which in the aggregate exceed fifteen thousand dollars

443 for any single election and primary preliminary thereto.

444 [(e)] (d) No individual shall make a contribution to any candidate or  
445 committee, other than a contribution in kind, in excess of one hundred  
446 dollars except by personal check or credit card of that individual.

447 [(f)] (e) No individual who is less than sixteen years of age shall  
448 make a contribution or contributions, in excess of thirty dollars to, for  
449 the benefit of, or pursuant to the authorization or request of: (1) A  
450 candidate or a committee supporting or opposing any candidate's  
451 campaign for nomination at a primary to any office; (2) a candidate or  
452 a committee supporting or opposing any candidate's campaign for  
453 election to any office; (3) an exploratory committee; (4) any other  
454 political committee in any calendar year; or (5) a party committee in  
455 any calendar year. Notwithstanding any provision of subdivision (2) of  
456 section 9-7b, any individual who is less than sixteen years of age who  
457 violates any provision of this subsection shall not be subject to the  
458 provisions of subdivision (2) of section 9-7b.

459 Sec. 14. Subsection (a) of section 9-333n of the general statutes is  
460 repealed and the following is substituted in lieu thereof (*Effective*  
461 *January 1, 2004, and applicable to primaries and elections held on or after*  
462 *January 1, 2004*):

463 (a) No individual shall make a contribution or contributions in any  
464 one calendar year in excess of five thousand dollars to the state central  
465 committee of any party, or for the benefit of such committee pursuant  
466 to its authorization or request; or one thousand dollars to a town  
467 committee of any political party, or for the benefit of such committee  
468 pursuant to its authorization or request; or one thousand dollars to a  
469 political committee other than (1) a political committee formed solely  
470 to aid or promote the success or defeat of a referendum question, (2) an  
471 exploratory committee, (3) a political committee established by an  
472 organization, or for the benefit of such committee pursuant to its  
473 authorization or request, or (4) a political committee formed by a slate  
474 of candidates in a primary for the [position of delegate to the same

475 convention] office of justice of the peace of the same town.

476 Sec. 15. Subsection (a) of section 9-333r of the general statutes is  
477 repealed and the following is substituted in lieu thereof (*Effective*  
478 *January 1, 2004, and applicable to primaries and elections held on or after*  
479 *January 1, 2004*):

480 (a) A candidate committee shall not make contributions to, or for the  
481 benefit of, (1) a party committee, (2) a political committee, [except to a  
482 political committee which has been formed for a slate of convention  
483 delegates in a primary,] (3) a committee of a candidate for federal or  
484 out-of-state office, (4) a national committee, or (5) another candidate  
485 committee except that a pro rata sharing of certain expenses in  
486 accordance with subsection (b) of section 9-333l shall be permitted.

487 Sec. 16. Section 9-361 of the general statutes is repealed and the  
488 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
489 *applicable to primaries and elections held on or after January 1, 2004*):

490 The following persons shall be guilty of primary or enrollment  
491 violations: (1) Any person unlawfully voting or participating or  
492 attempting to vote or participate in any primary in which he is not  
493 eligible to vote or participate; (2) in towns divided into voting districts,  
494 any elector who registers or votes at any primary in a voting district  
495 other than the district in which such elector is legally entitled to vote at  
496 the time of such primary; (3) any elector who signs the name of  
497 another to a written application to register, without the knowledge and  
498 consent of the person whose name is signed thereto, or who falsely  
499 represents the contents of any written or printed form of application  
500 for enrollment with intent to secure the application of an elector for  
501 enrollment upon a list other than that of his true political preference;  
502 (4) any registrar or deputy registrar of voters who fails to hold sessions  
503 as provided in sections 9-51 and 9-53 or who fails to register an elector  
504 upon the oral or written application for enrollment of such elector,  
505 except as provided by law, or who fails to erase an elector's name as  
506 provided in section 9-59 or who registers any elector upon an

507 enrollment list other than that declared by such elector in his  
508 application as his political preference, or who removes or erases the  
509 name of any elector from any enrollment list except as provided by  
510 law; (5) any person who fails to properly serve any notice or citation  
511 required by sections 9-60 and 9-61 when directed so to do by any  
512 registrar or deputy registrar, or who makes any false return as to any  
513 such notice or citation; and (6) any moderator of a primary of the  
514 enrolled electors of a specified party, such primary being legally called  
515 for the nomination of candidates for any public elective office, [or for  
516 the election of delegates to any political convention,] who fails to  
517 comply with the requirements of chapter 153. The penalty for any such  
518 violation shall be a fine of not more than one hundred dollars or  
519 imprisonment of not more than sixty days, or both.

520 Sec. 17. Section 9-372 of the general statutes is repealed and the  
521 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
522 *applicable to primaries and elections held on or after January 1, 2004*):

523 The following terms, as used in this chapter and sections 9-51 to 9-  
524 67, inclusive, 9-169e, 9-217, 9-236 and 9-361, as amended by this act,  
525 shall have the following meanings:

526 (1) "Caucus" means any meeting, at a designated hour and place, or  
527 at designated hours and places, of the enrolled members of a political  
528 party within a municipality or political subdivision thereof for the  
529 purpose of selecting party-endorsed candidates for a primary to be  
530 held by such party or for the purpose of transacting other business of  
531 such party;

532 (2) "Convention" means a meeting of delegates of a political party  
533 held for the purpose of designating the candidate or candidates to be  
534 endorsed by such party in a primary of such party for state or district  
535 office or for the purpose of transacting other business of such party;

536 (3) "District" means any geographic portion of the state which  
537 crosses the boundary or boundaries between two or more towns;

538 (4) "District office" means an elective office for which only the  
539 electors in a district, as defined in subdivision (3) of this section, may  
540 vote;

541 (5) "Major party" means (A) a political party or organization whose  
542 candidate for Governor at the last-preceding election for Governor  
543 received, under the designation of that political party or organization,  
544 at least twenty per cent of the whole number of votes cast for all  
545 candidates for Governor, or (B) a political party having, at the last-  
546 preceding election for Governor, a number of enrolled members on the  
547 active registry list equal to at least twenty per cent of the total number  
548 of enrolled members of all political parties on the active registry list in  
549 the state;

550 (6) "Minor party" means a political party or organization which is  
551 not a major party and whose candidate for the office in question  
552 received at the last-preceding regular election for such office, under the  
553 designation of that political party or organization, at least one per cent  
554 of the whole number of votes cast for all candidates for such office at  
555 such election;

556 (7) "Municipal office" means an elective office for which only the  
557 electors of a single town, city, borough, or political subdivision, as  
558 defined in subdivision (10) of this section, may vote, including the  
559 office of justice of the peace;

560 (8) "Party designation committee" means an organization, composed  
561 of at least twenty-five members who are electors, which has, on or after  
562 November 4, 1981, reserved a party designation with the Secretary of  
563 the State pursuant to the provisions of this chapter;

564 (9) "Party-endorsed candidate" [.] means (A) in the case of a  
565 candidate for state or district office, [means] a person endorsed by the  
566 convention of a political party as a candidate in a primary to be held  
567 by such party, and [.] (B) in the case of a candidate for municipal office  
568 or for member of a town committee, [or delegate to a convention,  
569 means] a person endorsed by the town committee, caucus or

570 convention, as the case may be, of a political party as a candidate in a  
571 primary to be held by such party;

572 (10) "Political subdivision" means any voting district or combination  
573 of voting districts constituting a part of a municipality;

574 (11) "Primary" means a meeting of the enrolled members of a  
575 political party and, when applicable under section 9-431, unaffiliated  
576 electors, held during consecutive hours at which such members or  
577 electors may, without assembling at the same hour, vote by secret  
578 ballot for candidates for nomination to office or for town committee  
579 members; [or delegates to conventions];

580 (12) "Registrar" means the registrar of voters in a municipality who  
581 is enrolled with the political party holding a primary and, in each  
582 municipality where there are different registrars for different voting  
583 districts, means the registrar so enrolled in the voting district in which,  
584 at the last-preceding regular election, the presiding officer for the  
585 purpose of declaring the result of the vote of the whole municipality  
586 was moderator;

587 (13) "Slate" means a group of candidates for [election as delegates  
588 from a town to a state or district convention of a political party equal  
589 in number to the whole number of delegates to which such town is  
590 entitled at such convention, except that (A) in a case in which only a  
591 portion of the town is in the district for which a district convention is  
592 to be held, "slate" means a group of candidates for election as delegates  
593 from such portion of the town to such district convention equal in  
594 number to the whole number of delegates to which such portion of the  
595 town is entitled at such district convention, and (B) in a case in which  
596 delegates to a state convention are to be selected from a senatorial  
597 district under section 9-394 or section 9-408, "slate" means a group of  
598 candidates for election as delegates from such district to such  
599 convention equal in number to the whole number of delegates to  
600 which such district is entitled at such convention] nomination by a  
601 political party to the office of justice of the peace of a town, which

602 group numbers at least a bare majority of the number of justices of the  
603 peace to be nominated by such party for such town;

604 (14) "State office" means any office for which all the electors of the  
605 state may vote and includes the office of Governor, Lieutenant  
606 Governor, Secretary, Treasurer, Comptroller, Attorney General and  
607 senator in Congress, but does not include the office of elector of  
608 President and Vice-President of the United States;

609 (15) "Votes cast for the same office at the last-preceding election" or  
610 "votes cast for all candidates for such office at the last-preceding  
611 election" means, in the case of multiple openings for the same office,  
612 the total number of electors checked as having voted at the last-  
613 preceding election at which such office appeared on the ballot label.

614 Sec. 18. Section 9-374 of the general statutes is repealed and the  
615 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
616 *applicable to primaries and elections held on or after January 1, 2004*):

617 No authority of the state or any political subdivision thereof having  
618 jurisdiction over the conduct of any primary shall permit the name of a  
619 party-endorsed candidate for an office or position to be printed on the  
620 official ballot to be used at any such primary unless [there has been  
621 filed in the office of the Secretary of the State] a copy of the party rules  
622 regulating such party and its method of selecting party-endorsed  
623 candidates for nomination to such office or for election as town  
624 committee members, [delegates and district delegates, if any,] as the  
625 case may be, [such rules to be filed] has been filed in the office of the  
626 Secretary of the State at least sixty days before such candidate is  
627 selected under such method of endorsement. The selection of delegates  
628 to conventions shall not be valid unless at least one copy of the party  
629 rules regulating the manner of making such selection has been filed in  
630 the office of the Secretary of the State at least sixty days before such  
631 selection is made. A duplicate copy of such rules shall also be filed  
632 with the state central committee of such party. A copy of the local  
633 party rules, relating to a party in a municipality, shall be filed

634 forthwith by the town chairman or the secretary of the town committee  
635 of such party in such municipality with the Secretary of the State. The  
636 state party rules shall be filed by the state chairman or the secretary of  
637 the state central committee of such party. In the case of a minor party,  
638 no authority of the state or any subdivision thereof having jurisdiction  
639 over the conduct of any election shall permit the name of a candidate  
640 of such party for any office to be printed on the official ballot unless  
641 [there has been filed in the office of the Secretary of the State] at least  
642 one copy of the party rules regulating the manner of nominating a  
643 candidate for such office [, such rules to be filed] has been filed in the  
644 office of the Secretary of the State at least sixty days before the  
645 nomination of such candidate. In the case of a minor party, the  
646 selection of town committee members and delegates to conventions  
647 shall not be valid unless [there has been filed in the office of the  
648 Secretary of the State] at least one copy of the party rules regulating  
649 the manner of making such selection [, such rules to be filed] has been  
650 filed in the office of the Secretary of the State at least sixty days before  
651 such selection is made. A copy of local party rules shall forthwith be  
652 also filed with the town clerk of the municipality to which they relate.  
653 Party rules shall not be effective until sixty days after the filing of the  
654 same with the Secretary of the State. A party in any municipality for  
655 which local party rules with respect to any office or position have not  
656 been filed as [hereinabove] provided in this section shall, as to such  
657 office or position, be subject to the provisions of the effective state rules  
658 of such party applicable in municipalities which do not have local  
659 party rules, until such time as local party rules therefor are filed and  
660 become effective as [herein] provided in this section. The town  
661 chairman of a party in any municipality for which local party rules  
662 have not been adopted and filed as [hereinabove] provided in this  
663 section shall forthwith file a statement with the Secretary of the State to  
664 the effect that such party in such municipality does not have local  
665 party rules. The term "party rules" as used [herein] in this section  
666 includes any amendment to such party rules. When any amendment is  
667 to be filed as required by this section, complete party rules  
668 incorporating such amendment shall be filed, together with a separate

669 copy of such amendment.

670 Sec. 19. Section 9-383 of the general statutes is repealed and the  
671 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
672 *applicable to primaries and elections held on or after January 1, 2004*):

673 The time and place of meeting of a state or district convention shall  
674 be fixed by the state central committee or other authority of the party  
675 holding such convention, in accordance with the rules of such party;  
676 provided each such convention held to endorse candidates for state or  
677 district office to be voted upon at a state election shall be convened not  
678 earlier than the [sixty-eighth] ninety-eighth day and closed not later  
679 than the [fiftieth] seventy-seventh day preceding the day of the  
680 primary for such office.

681 Sec. 20. Section 9-387 of the general statutes is repealed and the  
682 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
683 *applicable to primaries and elections held on or after January 1, 2004*):

684 The state rules of each party shall prescribe the manner in which  
685 any dispute as to the endorsement by such party of a candidate for  
686 state, district or municipal office or for [delegate or] town committee  
687 member, or as to the selection by such party of a delegate to a  
688 convention, including conflicting claims to such endorsement or  
689 selection, shall be resolved.

690 Sec. 21. Section 9-390 of the general statutes is repealed and the  
691 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
692 *applicable to primaries and elections held on or after January 1, 2004*):

693 (a) Except as provided in subsection (g) of this section, party-  
694 endorsed candidates of any party in any municipality for municipal  
695 office shall be selected, in accordance with the rules of such party, by:  
696 (1) The enrolled members of such party in such municipality in caucus,  
697 (2) delegates to a convention chosen in accordance with such rules by  
698 such enrolled members, or (3) the town committee of such party. The  
699 town chairman or his designee shall give notice in a newspaper having

700 a general circulation in the town of the date, time, location and  
701 purpose of a caucus held pursuant to subdivision (1) of this subsection.  
702 Such notice shall be given not less than five days prior to the date set  
703 for the caucus; provided, if the rules of the party in any municipality  
704 require earlier notice, such party rules shall prevail.

705 (b) [Except as provided in subsection (g) of this section, party-  
706 endorsed candidates of any party in any municipality for delegates]  
707 Delegates to conventions shall be selected, in accordance with the rules  
708 of such party, by the method prescribed in either subdivision (1) or (3)  
709 of subsection (a) of this section.

710 (c) Except as provided in subsection (g) of this section, party-  
711 endorsed candidates of any party in any municipality for town  
712 committee members shall be selected, in accordance with the rules of  
713 such party, by the method prescribed in subdivision (1) of subsection  
714 (a) of this section.

715 (d) The selection of party-endorsed candidates in the manner  
716 provided in subsection (a), (b) or (c) of this section shall be made and  
717 certified to the clerk of the municipality within the time specified in  
718 section 9-391, as amended by this act.

719 (e) (1) In the endorsement of any person for an office or a position as  
720 [delegate or] committee member, in the manner provided in subsection  
721 (a) [, (b)] or (c) of this section, for whom only the electors of a political  
722 subdivision of such municipality or of a senatorial district or assembly  
723 district located in such municipality may vote, only the enrolled party  
724 members, delegates or town committee members, as the case may be,  
725 from such political subdivision or district may participate, except that,  
726 in a municipality in which the town committee is elected at large and is  
727 the endorsing authority, such endorsement shall be made by the town  
728 committee as a whole and except that, whenever no member of the  
729 endorsing authority resides in such political subdivision or district  
730 from which the endorsement is to be made, then such endorsing  
731 authority as a whole shall endorse.

732       (2) In the selection of any person for a position as delegate to a  
733 convention, in the manner provided in subsection (b) of this section,  
734 where only the electors of a political subdivision of such municipality  
735 or of a senatorial district or assembly district located in such  
736 municipality may vote for the offices to be voted upon at such  
737 convention, only the enrolled party members or town committee  
738 members, as the case may be, from such political subdivision or district  
739 may participate, except that (A) in a municipality in which the town  
740 committee is elected at-large and is the selecting authority, the town  
741 committee as a whole shall select, and (B) in a municipality in which  
742 the town committee is elected from political subdivisions and is the  
743 selecting authority, whenever no member of the town committee  
744 resides in such political subdivision or district from which the selection  
745 is to be made, the town committee as a whole shall select.

746       (f) Candidates endorsed in the manner provided in subsection (a) [,  
747 (b)] or (c) of this section shall run in the primary of such party as party-  
748 endorsed candidates, except as provided in section 9-417, as amended  
749 by this act. Delegates to conventions selected in the manner provided  
750 in subsection (b) of this section shall be deemed to have been lawfully  
751 selected as such delegates.

752       (g) Any party in any municipality may by its rules provide that no  
753 selection be made of party-endorsed candidates for municipal office [,]  
754 or town committee members [or delegates to conventions] and that the  
755 nominees of such party for such municipal office [,] or town committee  
756 members [or delegates to conventions] of such party be chosen at  
757 direct primaries in accordance with the provisions of sections 9-405, [to  
758 9-407, inclusive, and sections] 9-406, 9-409 to 9-412, inclusive, and 9-  
759 414, as amended by this act, except as provided in sections 9-418 [,]  
760 and 9-419. [and 9-420.]

761       (h) This section shall not apply to district delegates to conventions.

762       Sec. 22. Section 9-391 of the general statutes is repealed and the  
763 following is substituted in lieu thereof (*Effective January 1, 2004, and*

764 *applicable to primaries and elections held on or after January 1, 2004):*

765 (a) Each endorsement of a candidate to run in a primary for the  
766 nomination of candidates for municipal office to be voted upon at a  
767 municipal election, or for the election of town committee members [or  
768 delegates to conventions] shall be made under the provisions of  
769 section 9-390, as amended by this act, not earlier than the fifty-sixth  
770 day nor later than the forty-ninth day preceding the day of such  
771 primary. [and except as provided in subsection (b) of this section] The  
772 endorsement shall be certified to the clerk of the municipality by the  
773 chairman or presiding officer and the secretary of the town committee,  
774 caucus or convention, as the case may be, not later than four o'clock  
775 p.m. on the forty-eighth day preceding the day of such primary. Such  
776 certification shall contain the name and street address of each person  
777 so endorsed, [and] the title of the office or the position as committee  
778 member [or delegate] and the name or number of the political  
779 subdivision or district, if any, for which each such person is endorsed.  
780 [In the case of endorsement of candidates for delegates to a  
781 convention, if (1) all candidates on the endorsed slate sign a statement  
782 or letter of support for the nomination of one or more candidates for  
783 offices for which such convention is to make an endorsement,  
784 provided not more than one candidate for each such office is included  
785 in each such statement or letter of support, (2) such certification and  
786 statements or letters of support are collectively accompanied by an  
787 affidavit of consent from each candidate listed in such statements or  
788 letters of support, provided such affidavit is signed by the candidate or  
789 by a designee of the candidate named on a list of designees signed by  
790 the candidate, and (3) any such lists of designees are filed with such  
791 certification, the name of each such candidate and the designation of  
792 each such office shall be placed on the ballot label pursuant to  
793 subsection (h) of section 9-437.] If such a certificate of a party's  
794 endorsement [of a candidate for a municipal office or for town  
795 committee member or for delegate to a convention] is not received by  
796 the town clerk by such time, such party, for purposes of sections 9-417,  
797 as amended by this act, 9-418 [,] and 9-419, [and 9-420,] shall be

798 deemed to have neither made nor certified such endorsement of any  
799 candidate for such office.

800 [(b) In the case of such an endorsement for the municipal office of  
801 state senator or state representative, the candidate so endorsed shall  
802 file with the town clerk a certificate, signed by him, stating that he was  
803 so endorsed, his name as he authorizes it to appear on the ballot, his  
804 full residence address, and the title and district of the office for which  
805 he was endorsed. Such certificate shall be attested by either (1) the  
806 chairman or presiding officer, or (2) the secretary of the town  
807 committee, caucus or convention which made such endorsement, and  
808 shall be received by the town clerk not later than four o'clock p.m. on  
809 the fourteenth day after the close of such town committee meeting,  
810 caucus or convention. If such a certificate of a party's endorsement for  
811 the municipal office of state senator or state representative in a  
812 particular senatorial or assembly district is not received by the town  
813 clerk by such time, such party, for purposes of sections 9-417 and 9-  
814 418, shall be deemed to have neither made nor certified any  
815 endorsement of any candidate for such office in such district.]

816 (b) Each selection of delegates to a state or district convention shall  
817 be made in accordance with the provisions of section 9-390, as  
818 amended by this act, not earlier than the one-hundred-sixty-eighth day  
819 and not later than the one-hundred-sixty-first day preceding the day of  
820 the primary for such state or district office. Such selection shall be  
821 certified to the clerk of the municipality by the chairman or presiding  
822 officer and the secretary of the town committee or caucus, as the case  
823 may be, not later than four o'clock p.m. on the one-hundred-sixtieth  
824 day preceding the day of such primary. Each such certification shall  
825 contain the name and street address of each person so selected, the  
826 position as delegate, and the name or number of the political  
827 subdivision or district, if any, for which each such person is selected.  
828 If such a certificate of a party's selection is not received by the town  
829 clerk by such time, such party, for purposes of sections 9-417, as  
830 amended by this act, and 9-420, as amended by this act, shall be  
831 deemed to have neither made nor certified any selection of any person

832 for the position of delegate.

833 (c) Each endorsement of a candidate to run in a primary for the  
834 nomination of candidates for a municipal office to be voted upon at a  
835 state election shall be made under the provisions of section 9-390, as  
836 amended by this act, not earlier than the eighty-fourth day nor later  
837 than the seventy-seventh day preceding the day of such primary. Any  
838 certification to be filed under this section shall be received by the town  
839 clerk not later than four o'clock p.m. on the fourteenth day after the  
840 close of the town committee meeting, caucus or convention, as the case  
841 may be. If such a certificate of a party's endorsement is not received by  
842 the town clerk by such time, such party, for the purposes of sections 9-  
843 417, as amended by this act, and 9-418, shall be deemed to have neither  
844 made nor certified any endorsement of any candidate for such office.  
845 The candidate so endorsed for a municipal office to be voted upon at a  
846 state election, other than the office of justice of the peace, shall file with  
847 the town clerk a certificate, signed by that candidate, stating that such  
848 candidate was so endorsed, the candidate's name as the candidate  
849 authorizes it to appear on the ballot, the candidate's full street address  
850 and the title and district of the office for which the candidate was  
851 endorsed. Such certificate shall be attested by the chairman or  
852 presiding officer and the secretary of the town committee, caucus or  
853 convention which made such endorsement. The endorsement of  
854 candidates for the office of justice of the peace shall be certified to the  
855 clerk of the municipality by the chairman or presiding officer and the  
856 secretary of the town committee, caucus or convention, and shall  
857 contain the name and street address of each person so endorsed and  
858 the title of the office for which each such person is endorsed.

859 Sec. 23. Section 9-393 of the general statutes is repealed and the  
860 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
861 *applicable to primaries and elections held on or after January 1, 2004*):

862 All town committee members and delegates to conventions shall be  
863 chosen as provided in sections 9-382 to 9-450, inclusive. Vacancies in  
864 town committees, arising from any cause including failure to elect,

865 shall be filled in such manner as the rules of the party prescribe. The  
866 chairman of a town committee may be chosen by the town committee  
867 from within or without the membership of the town committee as the  
868 rules of the party prescribe. Any town committee may, by party rules  
869 adopted in accordance with section 9-375 and filed under section 9-374,  
870 as amended by this act, increase its membership and fill new positions  
871 created by such increase in the manner prescribed in the applicable  
872 party rules. The rules of a party may provide methods for the filling of  
873 vacancies in delegations to conventions, which methods may include  
874 prescribing that each delegate [elected] selected in conformity with the  
875 provisions of sections 9-382 to 9-450, inclusive, may designate an  
876 alternate delegate or a proxy to act for him in his absence.

877 Sec. 24. Section 9-394a of the general statutes is repealed and the  
878 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
879 *applicable to primaries and elections held on or after January 1, 2004*):

880 Any major party in any part of a town which is a component part of  
881 a senatorial or assembly district composed of parts of two towns or of  
882 a town or towns and a part or parts of another town or other towns  
883 may [elect] select delegates to a senatorial or assembly district  
884 convention in such district as provided in this title and its party rules  
885 and may participate in the selection of a candidate for state senator or  
886 state representative in such district in the manner provided for a town  
887 which is a component part of a senatorial district in a district  
888 composed of two or more towns under this title. [The name of each  
889 member of an opposition slate of delegates from such part of a town  
890 and the name of each signer of a primary petition therefor under  
891 section 9-407 shall appear on the last-completed enrollment list of such  
892 party for such part of a town.] In addition to other requirements  
893 prescribed by law, the name of a person on whose behalf a primary  
894 petition is filed for nomination to the office of state senator or state  
895 representative for such district and the names of the signers of any  
896 such petition shall appear on the last-completed enrollment list of such  
897 party for such part of a town or for any other town which is a  
898 component part of such district.

899 Sec. 25. Section 9-395 of the general statutes is repealed and the  
900 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
901 *applicable to primaries and elections held on or after January 1, 2004*):

902 Forthwith upon the certification provided in [sections 9-390 and 9-  
903 394] section 9-391, as amended by this act, the clerk of the municipality  
904 shall publish, in a newspaper having a general circulation in such  
905 municipality, the fact of such certification and that a list of the persons  
906 endorsed as candidates is on file in his office and copies thereof are  
907 available for public distribution. If, with respect to any office or  
908 position to be filled, the clerk of the municipality has failed to receive  
909 the certification of the name of any person as a party-endorsed  
910 candidate within the time limited in section 9-391, as amended by this  
911 act, such fact shall be published by the clerk of the municipality.  
912 Together with such information, the clerk shall publish a notice that a  
913 primary will be held for the nomination by such political party of a  
914 candidate for the offices to be filled or for the election of members of  
915 the town committee, [or delegates to a convention,] as the case may be,  
916 if a candidacy is filed in accordance with the provisions of sections 9-  
917 382 to 9-450, inclusive. Such notice shall specify the final date for the  
918 filing of such candidacy and the date of the primary, shall state where  
919 forms for petitions may be obtained and shall generally indicate the  
920 method of procedure in the filing of such candidacy. The Secretary of  
921 the State shall prescribe the form of such notice. The clerk shall  
922 forthwith publish any change in the party-endorsed candidates, listing  
923 such changes.

924 Sec. 26. Section 9-400 of the general statutes is repealed and the  
925 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
926 *applicable to primaries and elections held on or after January 1, 2004*):

927 (a) [Within fourteen days following the close of the state convention,  
928 a] A candidacy for nomination by a political party to a state office may  
929 be filed by or on behalf of any person whose name appears upon the  
930 last-completed enrollment list of such party in any municipality within  
931 the state and who has either (1) received at least fifteen per cent of the

932 votes of the convention delegates present and voting on any roll-call  
933 vote taken on the endorsement or proposed endorsement of a  
934 candidate for such state office, whether or not the party-endorsed  
935 candidate for such office received a unanimous vote on the last ballot,  
936 [by the filing with] or (2) circulated a petition and obtained the  
937 signatures of at least two per cent of the enrolled members of such  
938 party in the state, in accordance with the provisions of sections 1 to 3,  
939 inclusive, of this act. Candidacies described in subdivision (1) of this  
940 subsection shall be filed by submitting to the Secretary of the State [,  
941 of] not later than four o'clock p.m. on the fourteenth day following the  
942 close of the state convention, a certificate, signed by such candidate  
943 and attested by either [(1)] (A) the chairman or presiding officer, or  
944 [(2)] (B) the secretary of the convention, that such candidate received at  
945 least fifteen per cent of such votes, and that [he] such candidate  
946 consents to be a candidate in a primary of such party for such state  
947 office. Such certificate shall specify the candidate's name as [he] the  
948 candidate authorizes it to appear on the ballot, [his] the candidate's full  
949 residence address and the title of the office for which [his] the  
950 candidacy is being filed. A single such certificate or petition for state  
951 office may be filed on behalf of two or more candidates for different  
952 state offices who consent to have their names appear on a single row of  
953 the primary ballot label under subsection (b) of section 9-437, as  
954 amended by this act. Candidacies described in subdivision (2) of this  
955 subsection shall be filed by submitting said petition not later than four  
956 o'clock p.m. on the fourteenth day following the close of the state  
957 convention to the registrar of voters of the towns in which the  
958 respective petition pages were circulated. Each registrar shall file each  
959 page of such petition with the Secretary in accordance with the  
960 provisions of section 3 of this act. A petition filed by or on behalf of a  
961 candidate for state office shall be invalid for such candidate if such  
962 candidate is certified as the party-endorsed candidate pursuant to  
963 section 9-388 or as receiving at least fifteen per cent of the convention  
964 vote for such office pursuant to this subsection. Except as provided in  
965 section 9-416a, upon the expiration of the fourteen-day period and the  
966 completion of the tabulation of petition signatures, if any, if one or

967 more candidacies for such state office have been filed pursuant to the  
968 provisions of this section, the Secretary of the State shall notify all  
969 town clerks in accordance with the provisions of section 9-433, as  
970 amended by this act, that a primary for such state office shall be held  
971 in each municipality in accordance with the provisions of section 9-415,  
972 as amended by this act.

973 (b) [Within fourteen days following the close of the district  
974 convention, a] A candidacy for nomination by a political party to a  
975 district office may be filed by or on behalf of any person whose name  
976 appears upon the last-completed enrollment list of such party within  
977 any municipality or part of a municipality forming a component part  
978 of such district and who has either (1) received at least fifteen per cent  
979 of the votes of the convention delegates present and voting on any roll-  
980 call vote taken on the endorsement or proposed endorsement of a  
981 candidate for such district office, whether or not the party-endorsed  
982 candidate for such office received a unanimous vote on the last ballot,  
983 [by the filing with] or (2) circulated a petition and obtained the  
984 signatures of at least two per cent of the enrolled members of such  
985 party in the district for the district office of representative in Congress,  
986 and at least five per cent of the enrolled members of such party in the  
987 district for the district offices of state senator, state representative and  
988 judge of probate, in accordance with the provisions of sections 1 to 3,  
989 inclusive, of this act. Candidacies described in subdivision (1) of this  
990 subsection shall be filed by submitting to the Secretary of the State [of]  
991 not later than four o'clock p.m. on the fourteenth day following the  
992 close of the district convention, a certificate, signed by such candidate  
993 and attested by either [(1)] (A) the chairman or presiding officer, or  
994 [(2)] (B) the secretary of the convention, that such candidate received at  
995 least fifteen per cent of such votes, and that [he] the candidate consents  
996 to be a candidate in a primary of such party for such district office.  
997 Such certificate shall specify the candidate's name as [he] the candidate  
998 authorizes it to appear on the ballot, [his] the candidate's full residence  
999 address and the title and district of the office for which [his] the  
1000 candidacy is being filed. Candidacies described in subdivision (2) of

1001 this subsection shall be filed by submitting said petition not later than  
1002 four o'clock p.m. on the fourteenth day following the close of the  
1003 district convention to the registrar of voters of the towns in which the  
1004 respective petition pages were circulated. Each registrar shall file each  
1005 page of such petition with the Secretary in accordance with the  
1006 provisions of section 3 of this act. A petition may only be filed by or on  
1007 behalf of a candidate for the district office of state senator, state  
1008 representative or judge of probate who is not certified as the party-  
1009 endorsed candidate pursuant to section 9-388 or as receiving at least  
1010 fifteen per cent of the convention vote for such office pursuant to this  
1011 subsection. A petition filed by or on behalf of a candidate for the  
1012 district office of representative in Congress shall be invalid if said  
1013 candidate is certified as the party-endorsed candidate pursuant to  
1014 section 9-388 or as receiving at least fifteen per cent of the convention  
1015 vote for such office pursuant to this subsection. Except as provided in  
1016 section 9-416a, upon the expiration of the fourteen-day period and the  
1017 completion of the tabulation of petition signatures, if any, if one or  
1018 more candidacies for such district office have been filed pursuant to  
1019 the provisions of this section, the Secretary of the State shall notify all  
1020 town clerks within the district, in accordance with the provisions of  
1021 section 9-433, as amended by this act, that a primary for such district  
1022 office shall be held in [any] each municipality [or] and each part of  
1023 [any] a municipality within the district in accordance with the  
1024 provisions of section 9-415, as amended by this act.

1025 (c) For the purposes of this section, the number of enrolled members  
1026 of a party shall be determined by the latest enrollment records in the  
1027 office of the Secretary of the State prior to the earliest date that primary  
1028 petitions were available. The names of electors on the inactive registry  
1029 list compiled under section 9-35 shall not be counted for purposes of  
1030 computing the number of petition signatures required under this  
1031 section, as provided in section 9-35c.

1032 (d) On the last day for filing primary petition candidacies in  
1033 accordance with the provisions of this section, the office or office  
1034 facilities of the registrars of voters shall open not later than one o'clock

1035 p.m., and remain open until at least four o'clock p.m., and such  
1036 registrars or the deputy or assistant registrars shall be present.

1037 Sec. 27. Section 9-405 of the general statutes is repealed and the  
1038 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1039 *applicable to primaries and elections held on or after January 1, 2004*):

1040 (a) (1) Candidacies of persons other than party-endorsed candidates  
1041 for nomination by a political party to [any] a municipal office to be  
1042 voted upon at a municipal election, or for election as town committee  
1043 members [or delegates to conventions] shall be filed with the registrar,  
1044 as provided in section 9-406, as amended by this act, not later than four  
1045 o'clock p.m. on the thirty-fourth day preceding the day of the primary  
1046 of such party for the nomination of candidates for such office or for the  
1047 election of town committee members. [or delegates to conventions,  
1048 which] Said day and hour shall be specified on the petition forms.

1049 (2) Candidacies of persons, other than party-endorsed candidates,  
1050 for nomination by a political party to a municipal office to be voted  
1051 upon at a state election shall be filed with the registrars, as provided in  
1052 section 9-406, as amended by this act, not later than four o'clock p.m.  
1053 on the fourteenth day following the making of the party's endorsement  
1054 of a candidate for such office. Said day and hour shall be specified on  
1055 the petition forms.

1056 (b) On [such] the last day for filing [such] primary petition  
1057 candidacies, in accordance with the provisions of this section, the office  
1058 or office facilities of the registrars of voters shall open not later than  
1059 one o'clock p.m., and remain open until at least four o'clock p.m., and  
1060 such registrars or their deputy or assistant registrars shall be present,  
1061 [therein.]

1062 Sec. 28. Section 9-406 of the general statutes is repealed and the  
1063 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1064 *applicable to primaries and elections held on or after January 1, 2004*):

1065 [Within the time specified in section 9-405, a] A candidacy for

1066 nomination by a political party to a municipal office or a candidacy for  
1067 election as a member of a town committee may be filed by or on behalf  
1068 of any person whose name appears upon the last-completed  
1069 enrollment list of such party within the municipality or within the  
1070 political subdivision, [or] senatorial district or assembly district within  
1071 which a person is to be nominated or a town committee member is to  
1072 be elected, as the case may be. [.] Any such candidacy shall be filed by  
1073 filing with the registrar within the applicable time specified in section  
1074 9-405, as amended by this act, a petition signed by (1) at least five per  
1075 cent of the electors whose names appear upon the last-completed  
1076 enrollment list of such party in such municipality or in such political  
1077 subdivision, [or] senatorial district or assembly district, or [, signed by]  
1078 (2) such lesser number of such electors as such party by its rules  
1079 prescribes, as the case may be. For the purpose of computing five per  
1080 cent of the last-completed enrollment list, the registrar shall use the last  
1081 printed enrollment list and the printed supplementary or updated list,  
1082 if any, of a political party certified and last completed by the registrars  
1083 of voters prior to the date the first primary petition was issued,  
1084 excluding therefrom the names of individuals who have ceased to be  
1085 electors.

1086 Sec. 29. Section 9-409 of the general statutes is repealed and the  
1087 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1088 *applicable to primaries and elections held on or after January 1, 2004*):

1089 Petition forms for candidacies for nomination to municipal office [.]  
1090 or for election as members of town committees [or delegates or district  
1091 delegates to conventions,] shall be available from the registrar  
1092 beginning on the day following the making of the party's endorsement  
1093 of a candidate or candidates for such office or position, or beginning  
1094 on the day following the final day for the making of such endorsement  
1095 under the provisions of section 9-391, as amended by this act,  
1096 whichever comes first. Any person who requests a petition form shall  
1097 give his name and address and the name, address and office or  
1098 position sought of each candidate for whom the petition is being  
1099 obtained, and shall file a statement signed by each such candidate that

1100 he consents to be a candidate for such office or position. In the case of  
1101 the municipal offices of state senator and state representative, each  
1102 such candidate shall include on the statement of consent his name as  
1103 he authorizes it to appear on the ballot. [In the case of a petition for  
1104 candidates for election as delegates or district delegates to a  
1105 convention, if (1) all candidates on the petitioning slate sign a  
1106 statement or letter of support for the nomination of one or more  
1107 candidates for offices for which such convention is to make an  
1108 endorsement, provided not more than one candidate for each such  
1109 office is included in such statement or letter of support, (2) such  
1110 statement of consent and statements or letters of support are  
1111 collectively accompanied by an affidavit of consent from each  
1112 candidate listed in such statements or letters of support, provided such  
1113 affidavit is signed by the candidate or by a designee of the candidate  
1114 named on a list of designees signed by the candidate, (3) any such lists  
1115 of designees are filed with such statement of consent and (4) the  
1116 petition is filed with sufficient signatures, the name of each such  
1117 candidate and the designation of each such office shall be placed on  
1118 the ballot label pursuant to subsection (h) of section 9-437. Upon  
1119 completion of the requirements prescribed in this section, the] Upon  
1120 receiving such information and statement, the registrar shall type or  
1121 print on a petition form the name and address of each such candidate,  
1122 the office sought and the political party holding the primary. The  
1123 registrar shall give to [such] any person requesting such form one or  
1124 more petition pages, suitable for duplication, as the registrar deems  
1125 necessary. If the person is requesting the form on behalf of an indigent  
1126 candidate or a group of indigent candidates listed on the same  
1127 petition, the registrar shall give the person a number of petition pages  
1128 determined by the registrar as at least two times the number needed to  
1129 contain the required number of signatures for a candidacy for  
1130 nomination to municipal office or a number of petition pages  
1131 determined by the registrar as at least five times the number needed to  
1132 contain the required number of signatures for a candidacy for election  
1133 as a town committee member. [The registrar shall also fill in, on each  
1134 page of the petition form before the petition is issued, the name and

1135 address of each candidate to be named therein, the office or position  
1136 sought and the political party holding the primary and, if the petition  
1137 is for candidates for election as delegates to a convention and (A)  
1138 statements or letters of support, signed by all candidates on the slate,  
1139 for the nomination of one or more candidates for offices for which such  
1140 convention is to make an endorsement and (B) affidavits of consent by  
1141 each candidate listed in such statements or letters of support have been  
1142 filed pursuant to this section, each such candidate's name and the  
1143 designation of each such office. Each] An original petition page filled  
1144 in by the registrar may be duplicated by or on behalf of the candidate  
1145 or candidates listed on the page and signatures may be obtained on  
1146 such duplicates. The duplicates may be filed in the same manner and  
1147 shall be subject to the same requirements as original petition pages. All  
1148 information relative to primary petitions shall be a public record.

1149 Sec. 30. Section 9-410 of the general statutes is repealed and the  
1150 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1151 *applicable to primaries and elections held on or after January 1, 2004*):

1152 (a) The petition form for candidacies for nomination to municipal  
1153 office or for election as members of town committees shall be  
1154 prescribed by the Secretary of the State and provided by the registrar  
1155 of the municipality in which the candidacy is to be filed [in the case of  
1156 municipal office, town committee members and delegates, or be] or  
1157 duplicate petition pages shall be produced in accordance with section  
1158 9-409, as amended by this act, and signatures shall be obtained only on  
1159 such forms [. Such] or such duplicate petition pages. The form shall  
1160 include thereon a statement of instructions to persons [making use  
1161 thereof] using the form and shall indicate the date and time by which it  
1162 shall be filed and the person with whom it shall be filed. The form  
1163 shall provide spaces for the names and addresses of the candidates, the  
1164 offices to which nomination is sought or the positions to which election  
1165 is sought and the political party holding the primary, and [, if the  
1166 petition is for candidates for election as delegates to a convention, the  
1167 name of a candidate or candidates, if any, whom all candidates on the  
1168 petitioning slate support for the party's nomination for an office or

1169 offices and the designation of such office or offices. Such form] shall  
1170 provide lines for the signatures, street addresses, dates of birth and the  
1171 printing of the names of enrolled party members supporting the  
1172 person or persons on behalf of whose candidacy the petition is used.  
1173 Only as many candidates may be proposed in any one primary  
1174 petition for the same office or position as are to be nominated or  
1175 chosen by such party for such office or position; but any one primary  
1176 petition may propose as many candidates for different offices or  
1177 positions as there are nominations to be made or positions to be filled.

1178 (b) The names of enrolled party members signing a primary petition  
1179 need not all be on one sheet but may be on several sheets, but no  
1180 person shall sign more than one petition page for the same candidate  
1181 or candidates. Any person who signs a name other than the person's  
1182 own to a primary petition filed under the provisions of this section or  
1183 who signs a name other than the person's own as circulator of such a  
1184 petition shall be fined not more than one hundred dollars or  
1185 imprisoned not more than one year or both. Each such sheet shall  
1186 indicate the candidate or candidates supported, the offices or positions  
1187 sought and the political party the nomination of which is sought or  
1188 which is holding the primary for election of town committee members,  
1189 [or delegates to a convention.] No page of such a petition shall contain  
1190 the names of enrolled party members residing in different  
1191 municipalities and any page thereof which has been certified by the  
1192 registrars of two or more municipalities shall be rejected by the  
1193 registrar. Withdrawal of petition signatures shall not be permitted.

1194 (c) Each circulator of a primary petition page shall be an enrolled  
1195 party member of a municipality in this state who is entitled to vote, [in  
1196 the primary for which such candidacy is being filed.] Each petition  
1197 page shall contain a statement signed by the registrar of the  
1198 municipality in which such circulator is an enrolled party member  
1199 attesting that the circulator is an enrolled party member in such  
1200 municipality, [and is entitled to vote in the primary for which such  
1201 candidacy is being filed.] Unless such a statement by the registrar  
1202 appears on each page so submitted, the registrar shall reject such page.

1203 No candidate for the nomination of a party for a municipal office [,] or  
1204 the position of town committee member [or delegate] shall circulate  
1205 any petition for another candidate or another group of candidates  
1206 contained in one primary petition for the nomination of such party for  
1207 the same office or position, and any petition page circulated in  
1208 violation of this provision shall be rejected by the registrar. No person  
1209 shall circulate petitions for more than the maximum number of  
1210 candidates to be nominated by a party for the same office or position,  
1211 and any petition page circulated in violation of this provision shall be  
1212 rejected by the registrar. Each separate sheet of such petition shall  
1213 contain a statement as to the authenticity of the signatures thereon and  
1214 the number of such signatures, and shall be signed under the penalties  
1215 of false statement by the person who circulated the same, setting forth  
1216 such circulator's address and the town in which such circulator is an  
1217 enrolled party member and attesting that each person whose name  
1218 appears on such sheet signed the same in person in the presence of  
1219 such circulator, that the circulator either knows each such signer or  
1220 that the signer satisfactorily identified the signer to the circulator and  
1221 that the spaces for candidates supported, offices or positions sought  
1222 and the political party involved were filled in prior to the obtaining of  
1223 the signatures. Each separate sheet of such petition shall also be  
1224 acknowledged before an appropriate person as provided in section 1-  
1225 29. Any sheet of a petition filed with the registrar which does not  
1226 contain such a statement by the circulator as to the authenticity of the  
1227 signatures thereon, or upon which the statement of the circulator is  
1228 incomplete in any respect, or which does not contain the certification  
1229 hereinbefore required by the registrar of the town in which the  
1230 circulator is an enrolled party member, shall be rejected by the  
1231 registrar. Any individual proposed as a candidate in any primary  
1232 petition may serve as a circulator of the pages of such petition,  
1233 provided such individual's service as circulator does not violate any  
1234 provision of this section.

1235 Sec. 31. Section 9-412 of the general statutes is repealed and the  
1236 following is substituted in lieu thereof (*Effective January 1, 2004, and*

1237 *applicable to primaries and elections held on or after January 1, 2004):*

1238       Upon the [filing] receipt of any page of a petition proposing a  
1239 candidacy for a municipal office or for member of a town committee,  
1240 [or delegates or district delegates to a convention,] the registrar shall  
1241 forthwith sign and give to the person [so] submitting [a page or pages  
1242 of such] the petition a receipt [indicating] in duplicate, stating the  
1243 number of [such pages so submitted] pages filed and the date and time  
1244 [when such pages were submitted] of filing and shall forthwith certify  
1245 on each such [sheet] page the number of signers [thereon] on the page  
1246 who were enrolled on the last-completed enrollment list of such party  
1247 in the municipality or political subdivision, as the case may be, and  
1248 shall forthwith file such [sheet, so] certified page in person or by mail,  
1249 as described in section 9-140b, with the clerk of the municipality,  
1250 together with [his] the registrar's certificate as to the whole number of  
1251 names on the last-completed enrollment list of such party in such  
1252 municipality or political subdivision, as the case may be, within seven  
1253 days after receipt of the page. In [the] checking [of] signatures on  
1254 primary petition pages, the registrar shall reject any name if such name  
1255 does not appear on the last-completed enrollment list in the  
1256 municipality or political subdivision, as the case may be. Such rejection  
1257 shall be indicated by [the placing of an "R"] placing a mark in a manner  
1258 prescribed by the Secretary before the name so rejected. The registrar  
1259 may place a check mark before each name appearing on [such] the  
1260 enrollment list to indicate approval but shall place no other mark on  
1261 [such] the page except as provided in this chapter. The registrar shall  
1262 not reject any name for which the street address on the petition is  
1263 different from the street address on the enrollment list, if (1) such  
1264 person is eligible to vote for the candidate or candidates named in the  
1265 petition, and (2) the person's date of birth, as shown on the petition  
1266 page, is the same as the date of birth on the person's registration  
1267 record. The registrar shall reject any page of a petition which does not  
1268 contain the certifications provided in section 9-410, as amended by this  
1269 act, or which [is determined by said] the registrar determines to have  
1270 been circulated in violation of any other provision [thereof] of section

1271 9-410, as amended by this act. Petitions filed with the municipal clerk  
1272 shall be preserved for a period of three years and then may be  
1273 destroyed.

1274 Sec. 32. Section 9-414 of the general statutes is repealed and the  
1275 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1276 *applicable to primaries and elections held on or after January 1, 2004*):

1277 No town committee, caucus or convention shall endorse and certify  
1278 to the clerk of a municipality, and no primary shall choose, more  
1279 candidates for nomination to municipal office or more persons as  
1280 members of a town committee [or as delegates to a convention] than an  
1281 elector may vote for in each such case.

1282 Sec. 33. Section 9-415 of the general statutes is repealed and the  
1283 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1284 *applicable to primaries and elections held on or after January 1, 2004*):

1285 [If within the time specified in sections 9-400 and 9-405 a candidacy  
1286 for nomination by a political party to a state, district or municipal  
1287 office is filed by or on behalf of any person other than a party-  
1288 endorsed candidate in conformity with the provisions of sections 9-400  
1289 to 9-414, inclusive, or if within such time candidacies numbering at  
1290 least twenty-five per cent of the number of town committee members  
1291 to be elected by a party either in the municipality or in the political  
1292 subdivision, as the case may be, are filed by or on behalf of persons  
1293 other than party-endorsed candidates in conformity with the  
1294 provisions of sections 9-382 to 9-450, inclusive, or if within such time  
1295 candidacies for election as delegates to a convention of a political party  
1296 are filed by or on behalf of a slate of persons other than party-endorsed  
1297 candidates in conformity with the provisions of said sections, a  
1298 primary shall be held in each municipality of the state or district, or in  
1299 the municipality or political subdivision thereof or senatorial district or  
1300 assembly district or in each part of a municipality which is a  
1301 component part of a senatorial or assembly district composed of parts  
1302 of two towns or of a town or towns and a part or parts of another town

1303 or towns therein in which the nomination for municipal office is to be  
1304 made or in which members of a town committee or delegates to a  
1305 convention are to be elected, or in each municipality in the district in  
1306 which district delegates to a convention are to be elected, as the case  
1307 may be, to determine the nominee of such party for such office or to  
1308 elect the members of the town committee or the delegates to the  
1309 convention, except as provided in sections 9-416a, 9-418, 9-419 and 9-  
1310 420.]

1311 (a) If a candidacy for nomination by a political party to a state office  
1312 is filed by or on behalf of any person other than a party-endorsed  
1313 candidate within the time specified in subsection (a) of section 9-400,  
1314 as amended by this act, and in conformity with the provisions of  
1315 section 9-400, as amended by this act, a primary shall be held in each  
1316 municipality of the state to determine the nominee of such party for  
1317 such office, except as provided in section 9-416a.

1318 (b) If a candidacy for nomination by a political party to a district  
1319 office is filed by or on behalf of any person other than a party-  
1320 endorsed candidate within the time specified in subsection (b) of  
1321 section 9-400, as amended by this act, and in conformity with the  
1322 provisions of section 9-400, as amended by this act, a primary shall be  
1323 held in each municipality of the district and each part of a municipality  
1324 which is a component part of the district, to determine the nominee of  
1325 such party for such office, except as provided in section 9-416a.

1326 (c) If a candidacy for nomination by a political party to a municipal  
1327 office is filed by or on behalf of any person other than a party-  
1328 endorsed candidate within the applicable time specified in section 9-  
1329 405, as amended by this act, and in conformity with the provisions of  
1330 sections 9-405, 9-406, 9-406a, 9-409, 9-410, 9-412 and 9-414, as amended  
1331 by this act, a primary shall be held in the municipality or political  
1332 subdivision thereof in which the nomination for municipal office is to  
1333 be made, to determine the nominee of such party for such office,  
1334 except as provided in section 9-418.

1335 (d) If candidacies numbering at least twenty-five per cent of the  
1336 number of town committee members to be elected by a party either in  
1337 the municipality or in the political subdivision, as the case may be, are  
1338 filed by or on behalf of persons other than party-endorsed candidates  
1339 within the time specified in subdivision (1) of subsection (a) of section  
1340 9-405, as amended by this act, and in conformity with the provisions of  
1341 sections 9-405, 9-406, 9-406a, 9-409 to 9-412, inclusive, and 9-414, as  
1342 amended by this act, a primary shall be held in the municipality or  
1343 political subdivision thereof in which members of a town committee  
1344 are to be elected, to elect the members of the town committee, except as  
1345 provided in sections 9-419 and 9-421.

1346 Sec. 34. Section 9-416 of the general statutes is repealed and the  
1347 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1348 *applicable to primaries and elections held on or after January 1, 2004*):

1349 If (1) at a state or district convention no person other than a party-  
1350 endorsed candidate has received at least fifteen per cent of the votes of  
1351 the delegates present and voting on any roll-call vote taken on the  
1352 endorsement or proposed endorsement of a candidate for a state or  
1353 district office, [or if] and (2) within the time specified in section 9-400,  
1354 as amended by this act, no candidacy for nomination by a political  
1355 party to [such] a state or district office has been filed by or on behalf of  
1356 a person other than a party-endorsed candidate in conformity with the  
1357 provisions of [sections 9-400 to 9-414, inclusive] section 9-400, as  
1358 amended by this act, no primary shall be held by such party for such  
1359 office and the party-endorsed candidate for such office shall be  
1360 deemed to have been lawfully chosen as the nominee of such party for  
1361 such office.

1362 Sec. 35. Section 9-417 of the general statutes is repealed and the  
1363 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1364 *applicable to primaries and elections held on or after January 1, 2004*):

1365 If within the time specified in section 9-405, as amended by this act,  
1366 no candidacy for nomination by a political party to a municipal office

1367 has been filed by or on behalf of a person other than a party-endorsed  
1368 candidate or, in the case of election as member of the town committee  
1369 of such party, by persons other than party-endorsed candidates  
1370 numbering at least twenty-five per cent of the number of town  
1371 committee members to be elected by such party either in the  
1372 municipality or in the political subdivision, as the case may be, [or, in  
1373 the case of delegates or district delegates to a convention of such party,  
1374 by a slate of persons other than party-endorsed candidates,] in  
1375 conformity with the provisions of sections [9-400 to 9-414] 9-405 to 9-  
1376 412, inclusive, and 9-414, as amended by this act, no primary shall be  
1377 held by such party for such office or for town committee members, [or  
1378 for delegates or district delegates to such convention,] as the case may  
1379 be, and the party-endorsed candidate or candidates for such office  
1380 shall be deemed to have been lawfully chosen as the nominee or  
1381 nominees of such party to such office, or, as the case may be, [the  
1382 party-endorsed candidates for election as delegates or district  
1383 delegates to the convention shall be deemed to have been lawfully  
1384 elected to such positions,] and the party-endorsed candidates for  
1385 election as members of the town committee shall be deemed to have  
1386 been lawfully elected to such positions at the times specified in section  
1387 9-392.

1388 Sec. 36. Section 9-420 of the general statutes is repealed and the  
1389 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1390 *applicable to primaries and elections held on or after January 1, 2004*):

1391 [If within the time specified in section 9-391, a party has failed, with  
1392 respect to the election of delegates or district delegates to any  
1393 convention, to certify to the clerk of the municipality the names of a  
1394 slate of party-endorsed candidates, and if within the time specified in  
1395 section 9-405, candidacies for election as such delegates or district  
1396 delegates are filed in conformity with the provisions of sections 9-400  
1397 to 9-414, inclusive, by not more than one slate of persons, no primary  
1398 shall be held by such party for the election of such delegates or district  
1399 delegates, as the case may be, and the slate of persons filing such  
1400 candidacies] The persons selected by a political party to serve as

1401 delegates to a convention shall be deemed to have been lawfully  
1402 [elected] selected as such delegates or district delegates.

1403 Sec. 37. Section 9-423 of the general statutes is repealed and the  
1404 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1405 *applicable to primaries and elections held on or after January 1, 2004*):

1406 (a) The primaries of all parties for nomination to a state office or the  
1407 district office of representative in Congress, to be voted upon at a state  
1408 election, shall be held on the fourth Tuesday in June. The primaries of  
1409 all parties for nomination to any other office to be voted upon at a state  
1410 election shall be held on the fifty-sixth day preceding the day of the  
1411 election.

1412 (b) The primaries of all parties for nomination to an office to be  
1413 voted upon at a municipal election shall be held on the fifty-sixth day  
1414 preceding the day of the election.

1415 Sec. 38. Section 9-426 of the general statutes is repealed and the  
1416 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1417 *applicable to primaries and elections held on or after January 1, 2004*):

1418 If only one candidacy has been filed by a person other than a party-  
1419 endorsed candidate for the nomination by a political party to a  
1420 particular office and the candidate whose candidacy has been so filed  
1421 thereafter, but prior to the opening of the polls at such primary, dies,  
1422 withdraws his name from nomination or for any reason becomes  
1423 disqualified to hold the office for which he is a candidate, no primary  
1424 shall be held for the nomination of such party to that office and the  
1425 party-endorsed candidate for such office shall be deemed to have been  
1426 lawfully chosen in the same manner and to the same extent as is  
1427 provided in sections 9-382 to 9-450, inclusive, in the case where no  
1428 candidacy other than a party-endorsed candidacy has been filed. If  
1429 candidacies have been filed by only one group of persons other than  
1430 party-endorsed candidates for election to a town committee, and the  
1431 candidates whose candidacies have been so filed thereafter, but prior  
1432 to the opening of the polls at such primary, die, withdraw their names

1433 from nomination or for any reason become disqualified to hold the  
1434 positions for which they are candidates, so as to render the number of  
1435 candidacies so filed less than twenty-five per cent of the number of  
1436 town committee members to be elected by such party either in the  
1437 municipality or in the political subdivision, as the case may be, no  
1438 primary shall be held for those positions and the party-endorsed  
1439 candidates for such positions shall be deemed to have been lawfully  
1440 chosen in the same manner and to the same extent as is provided in  
1441 sections 9-382 to 9-450, inclusive, in the case where no candidacies  
1442 other than party-endorsed candidacies have been filed. If any person  
1443 on a slate, [other than a slate of party-endorsed candidates for election  
1444 as delegates or district delegates to a particular convention of a  
1445 political party,] prior to the opening of the polls at such primary, dies,  
1446 withdraws his name from nomination or for any reason becomes  
1447 disqualified to hold the position for which he is a candidate, such  
1448 partial slate shall appear on the ballot label at the primary and, if such  
1449 partial slate wins, then the remaining members may fill the vacancy. If  
1450 only one such slate other than a slate of party-endorsed candidates has  
1451 been filed for election and prior to the opening of the polls at such  
1452 primary each of the persons on such slate dies, withdraws or becomes  
1453 disqualified, no primary shall be held for those positions and the  
1454 party-endorsed candidates for those positions shall be deemed to have  
1455 been lawfully chosen in the same manner and to the same extent as is  
1456 provided in sections 9-382 to 9-450, inclusive, in the case where no  
1457 candidacies other than party-endorsed candidacies have been filed.

1458 Sec. 39. Section 9-428 of the general statutes is repealed and the  
1459 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1460 *applicable to primaries and elections held on or after January 1, 2004*):

1461 If a party-endorsed candidate for nomination to an office or for  
1462 election to the position of town committee member, [or delegate to a  
1463 convention,] prior to twenty-four hours before the opening of the polls  
1464 at the primary, dies or, prior to ten days before the day of such  
1465 primary, withdraws his name from nomination or for any reason  
1466 becomes disqualified to hold the office or position for which he is a

1467 candidate, the state central committee, the town committee or other  
1468 authority of the party which endorsed such candidate may make an  
1469 endorsement to fill such vacancy or provide for the making of such  
1470 endorsement, in such manner as is prescribed in the rules of such  
1471 party, and certify to the registrar and municipal clerk or to the  
1472 Secretary of the State, as the case may be, the name of the person so  
1473 endorsed. If such certification is made at least twenty-four hours prior  
1474 to the opening of the polls at the primary, in the case of such an  
1475 endorsement to replace a candidate who has died, or at least seven  
1476 days before the day of such primary, in the case of such an  
1477 endorsement to replace a candidate who has withdrawn or become  
1478 disqualified, such person so endorsed shall run in the primary as the  
1479 party-endorsed candidate, except as provided in sections 9-416 and 9-  
1480 417, as amended by this act. If such certification of another party-  
1481 endorsed candidate has been made within the time specified in this  
1482 section, and if the ballot labels have already been printed and the  
1483 names of the candidates for such office or position appear on the ballot  
1484 labels, the Secretary of the State or the registrar, as the case may be,  
1485 shall direct the clerk of each municipality holding such primary to  
1486 have the ballot labels reprinted with the name of the person so certified  
1487 included thereon; provided, in the case of such an endorsement to  
1488 replace a candidate who has died, if such certification has been made  
1489 less than ninety-six hours but at least twenty-four hours prior to the  
1490 opening of the polls at the primary, such secretary or registrar shall  
1491 direct such clerk to have stickers printed and inserted upon the ballot  
1492 labels, having the name of the person so certified appearing thereon,  
1493 and the moderator in each polling place shall cause such stickers to be  
1494 pasted on the ballot labels before the opening of the polls at such  
1495 primary.

1496 Sec. 40. Section 9-430 of the general statutes is repealed and the  
1497 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1498 *applicable to primaries and elections held on or after January 1, 2004*):

1499 No candidate shall be deemed to have withdrawn under the  
1500 provisions of section 9-426, as amended by this act, 9-428, as amended

1501 by this act, or 9-429 until a letter of withdrawal signed by such  
1502 candidate is filed with the municipal clerk in the case of municipal  
1503 office [ ] or town committee member, [or delegate] or with the  
1504 Secretary of the State in the case of state or district office.

1505 Sec. 41. Section 9-433 of the general statutes is repealed and the  
1506 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1507 *applicable to primaries and elections held on or after January 1, 2004*):

1508 [Upon the expiration of the fourteen-day period prescribed by  
1509 section 9-400, and] After the deadline set forth in section 9-400, as  
1510 amended by this act, for filing candidacies, and upon the completion of  
1511 the tabulation of petition signatures, if any, if one or more candidacies  
1512 for nomination by a political party to a state or district office have been  
1513 filed in accordance with the provisions of [said] section 9-400, as  
1514 amended by this act, the Secretary of the State shall notify the clerk of  
1515 each town within the state or within the district, as the case may be,  
1516 that a primary is to be held by such party for the nomination of such  
1517 party to such office. Such notice shall include a list of all the proposed  
1518 candidates, those endorsed by the convention as well as those filing  
1519 candidacies, together with their addresses and the titles of the office  
1520 for which they are candidates and, if applicable, a statement that  
1521 unaffiliated electors may vote in the primary. The clerk of each such  
1522 town shall thereupon cause such notice to be published forthwith in a  
1523 newspaper having a general circulation in such town, together with a  
1524 statement of the date upon which the primary is to be held, the hours  
1525 during which the polls shall be open and the location of the polls.

1526 Sec. 42. Section 9-435 of the general statutes is repealed and the  
1527 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1528 *applicable to primaries and elections held on or after January 1, 2004*):

1529 Except as provided in sections 9-418 [ ] and 9-419, [and 9-420,] if in  
1530 any municipality, within the time specified in section 9-405, as  
1531 amended by this act, a candidacy for nomination by a political party to  
1532 any municipal office or for election as a town committee member [or

1533 delegate to a convention] is filed with the registrar, in conformity with  
1534 the provisions of sections [9-400 to 9-414] 9-405 to 9-412, inclusive, and  
1535 section 9-414, as amended by this act, by or on behalf of any person  
1536 other than party-endorsed candidates, the registrar shall forthwith  
1537 after the deadline for certification of party-endorsed candidates notify  
1538 the clerk of such municipality that a primary is to be held by such  
1539 party for the nomination of such party to such office or for the election  
1540 by such party of town committee members, [or delegates to a  
1541 convention,] as the case may be. [; provided, if such candidacy is for  
1542 election as district delegate to a convention, filed in conformity with  
1543 section 9-408, the registrar shall give such notice to the clerk of each  
1544 town in the district.] Such notice shall include a list of all the proposed  
1545 candidates, those endorsed as well as those filing candidacies, together  
1546 with their addresses and the titles of the offices or positions for which  
1547 they are candidates. In the case of a primary for [delegates to a  
1548 convention] justices of the peace, such notice shall also contain the  
1549 complete ballot label designation of each slate pursuant to subsection  
1550 (h) of section 9-437, as amended by this act. The clerk of the  
1551 municipality shall thereupon cause such notice to be published  
1552 forthwith in a newspaper having a general circulation in such  
1553 municipality, together with a statement of the date upon which the  
1554 primary is to be held, the hours during which the polls shall be open  
1555 and the location of the polls, and shall send a copy of such notice to the  
1556 Secretary of the State and record the same. The clerk shall forthwith  
1557 publish any change in the proposed candidates, listing such changes.

1558 Sec. 43. Subsection (c) of section 9-436 of the general statutes is  
1559 repealed and the following is substituted in lieu thereof (*Effective*  
1560 *January 1, 2004, and applicable to primaries and elections held on or after*  
1561 *January 1, 2004*):

1562 (c) Each machine shall be so arranged that the elector may vote for  
1563 as many persons for nomination or election to each office or position as  
1564 there are persons to be nominated or elected, as the case may be, and  
1565 no more, and so that the elector may vote for individual candidates;  
1566 provided the vote for [delegates to conventions] justices of the peace

1567 shall be by slate, as provided in section 9-443, as amended by this act.

1568 Sec. 44. Subsections (a) and (b) of section 9-437 of the general  
1569 statutes are repealed and the following is substituted in lieu thereof  
1570 (*Effective January 1, 2004, and applicable to primaries and elections held on*  
1571 *or after January 1, 2004*):

1572 (a) At the top of each ballot label shall be printed the name of the  
1573 party holding the primary, and each ballot label shall contain the  
1574 names of all candidates to be voted upon at such primary, except the  
1575 names of [delegates to conventions] justices of the peace. The vertical  
1576 columns shall be headed by the designation of the office or position  
1577 and instructions as to the number for which an elector may vote for  
1578 such office or position, in the same manner as a ballot label used in a  
1579 regular election. The name of each candidate for town committee or  
1580 municipal office, except for the municipal offices of state senator and  
1581 state representative, shall appear on the ballot label as it appears on the  
1582 registry list of such candidate's town of voting residence, except as  
1583 provided in section 9-42a. The name of each candidate for state or  
1584 district office or for the municipal offices of state senator or state  
1585 representative shall appear on the ballot as it appears on the certificate  
1586 or statement of consent filed under section 9-388, [subsection (b) of  
1587 section] 9-391, as amended by this act, [or section] 9-400, as amended  
1588 by this act, or 9-409, as amended by this act. On the first horizontal  
1589 line, below the designation of the office or position in each column,  
1590 shall be placed the name of the party-endorsed candidate for such  
1591 office or position, such name to be marked with an asterisk; provided,  
1592 where more than one person may be voted for for any office or  
1593 position, the names of the party-endorsed candidates shall be arranged  
1594 in alphabetical order from left to right under the appropriate office or  
1595 position designation and shall continue, if necessary, from left to right  
1596 on the next lower line or lines. In the case of no party endorsement  
1597 there shall be inserted the designation "no party endorsement" at the  
1598 head of the vertical column, immediately beneath the designation of  
1599 the office or position. On the horizontal lines below the line for party-  
1600 endorsed candidates shall be placed, in the appropriate columns, the

1601 names of all other candidates as hereinafter provided.

1602 (b) (1) In the case of two or more such candidates for the same state  
1603 or district office, precedence as to row shall be determined by the  
1604 alphabetical order of the surnames of such candidates, except as  
1605 provided under subdivision (2) of this subsection. (2) If a single  
1606 certificate or a single petition has been filed under subsection (a) of  
1607 section 9-400, as amended by this act, on behalf of two or more  
1608 candidates and proposing one candidate for each state office to be  
1609 contested at such primary, a single row shall be used for the names of  
1610 such candidates and precedence as to row between such certificates  
1611 and petitions shall be determined by the Secretary of the State by lot in  
1612 a ceremony which shall be open to the public. The names of all other  
1613 candidates for state office shall be placed in the appropriate columns in  
1614 alphabetical order on the rows below the row or rows used for  
1615 candidates whose names are contained in such a single certificate, [or]  
1616 certificates, single petition or petitions.

1617 Sec. 45. Subsection (h) of section 9-437 of the general statutes is  
1618 repealed and the following is substituted in lieu thereof (*Effective*  
1619 *January 1, 2004, and applicable to primaries and elections held on or after*  
1620 *January 1, 2004*):

1621 (h) The names of candidates for election as [delegates to  
1622 conventions] justices of the peace shall not appear on the ballot label. A  
1623 single vertical column shall be used for all the candidates for election  
1624 to the [positions of delegates to] office of justice the peace of a  
1625 particular [convention; provided a separate single vertical column  
1626 shall be used for all the candidates for election to the positions of  
1627 district delegates to a particular convention] town. The vertical  
1628 [columns used for delegates to a state convention] column used for  
1629 justices of the peace shall be headed by the words ["delegates to state  
1630 convention" or "district delegates to state convention", as the case may  
1631 be; and the vertical columns used for delegates to other conventions  
1632 shall be headed by similar words, substituting for the word "state" the  
1633 words "congressional district", "county", "senatorial district", "probate



1665 polling places by each moderator for the inspection of the electors  
1666 prior to voting.

1667 Sec. 46. Section 9-440 of the general statutes is repealed and the  
1668 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1669 *applicable to primaries and elections held on or after January 1, 2004*):

1670 Upon the closing of the polls at any primary held under sections 9-  
1671 382 to 9-450, inclusive, as amended by this act, the moderator, in the  
1672 presence of the other officials, shall immediately lock the voting  
1673 machines against voting and shall then proceed to ascertain, record  
1674 and announce the result in the manner provided by law for  
1675 ascertaining, recording and announcing the result in regular elections.  
1676 The election officials shall execute certificates and returns similar to  
1677 those required in regular elections. The moderator in each town not  
1678 divided into voting districts, and the head moderator in each town  
1679 divided into voting districts, shall transmit the results of the vote for  
1680 each office contested at any such primary in the same manner and  
1681 within the same time as provided under section 9-314 in an election for  
1682 such office. The late filing fee provided under section 9-314 shall apply  
1683 to late filing of results of primaries for state or district office. In the case  
1684 of primaries for state or district offices, [or district delegates,] the  
1685 Secretary of the State shall forthwith cause to be tabulated the result of  
1686 the votes cast in the several municipalities in which such primaries  
1687 have been held and shall publicly declare the result thereof, and a  
1688 certificate attesting thereto shall be entered in his records.

1689 Sec. 47. Section 9-443 of the general statutes is repealed and the  
1690 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1691 *applicable to primaries and elections held on or after January 1, 2004*):

1692 The vote for the party-endorsed slate or for any contesting slate of  
1693 [delegates to any convention] justices of the peace shall operate as a  
1694 vote for all of the candidates on such slate and shall be counted as  
1695 such, and there shall be no split-ticket voting for [delegates to  
1696 conventions] justices of the peace.

1697 Sec. 48. Section 9-444 of the general statutes is repealed and the  
1698 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1699 *applicable to primaries and elections held on or after January 1, 2004*):

1700 In the case of a primary for state or district office, each person  
1701 certified by the Secretary of the State as provided in section 9-440, as  
1702 amended by this act, to have received the greatest number of votes of  
1703 the electors eligible to vote in a primary for any office shall be deemed  
1704 to have been chosen as the nominee of such party to such office. [In the  
1705 case of a primary for district delegates, each person on the slate  
1706 certified by the Secretary of the State to have received the greatest  
1707 number of votes of the members of the political party holding a  
1708 primary for such positions shall be deemed to have been elected as  
1709 such delegates.] In the case of a primary for a municipal office, the  
1710 moderator, or the head moderator, as the case may be, shall declare  
1711 nominated the person having the greatest number of votes for such  
1712 office and, if more than one person is to be nominated for the same  
1713 office, he shall declare nominated the persons having the greatest  
1714 number of votes for such office up to the number to be chosen. In the  
1715 case of a primary for members of a town committee, such moderator  
1716 shall declare elected the persons having the greatest number of votes  
1717 for such positions up to the number to be chosen for such positions. In  
1718 the case of a primary for [delegates to a convention other than district  
1719 delegates] justice of the peace, such moderator shall declare elected  
1720 each person on the slate having the greatest number of votes for such  
1721 [positions] offices. In all primaries, a plurality of the votes cast shall be  
1722 sufficient to nominate or elect, as the case may be.

1723 Sec. 49. Section 9-445 of the general statutes is repealed and the  
1724 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1725 *applicable to primaries and elections held on or after January 1, 2004*):

1726 Forthwith after a primary for nomination to a municipal office or for  
1727 election of members of a town committee, [or delegates to a  
1728 convention,] or forthwith upon tabulation of the vote for a state or  
1729 district office [or for district delegates] by the Secretary of the State

1730 when the plurality of an elected or nominated candidate over the vote  
1731 for a defeated candidate receiving the next highest number of votes  
1732 was either (1) less than a vote equivalent to one-half of one per cent of  
1733 the total number of votes cast at the primary for the office or position  
1734 but not more than one thousand votes, or (2) less than twenty votes,  
1735 there shall be a recanvass of the returns of the voting machine or  
1736 voting machines used in such primary for said office or position unless  
1737 within one day after the primary, in the case of nomination to a  
1738 municipal office or for election of members of a town committee, [or  
1739 delegates to a convention,] or prior to the time the Secretary of the  
1740 State notifies the town clerk of state and district offices [or district  
1741 delegates] which qualify for an automatic recanvass, the defeated  
1742 candidate [.] or defeated candidates, [or defeated slate of delegates,] as  
1743 the case may be, for such office or position file a written statement  
1744 waiving this right to such recanvass with the municipal clerk in the  
1745 case of a municipal office [.] or town committee, [or delegates,] or with  
1746 the Secretary of the State in the case of a state or district office. [or  
1747 district delegates.] In the case of a state or district office, [or district  
1748 delegates,] the Secretary of the State upon tabulation of the votes for  
1749 such an office shall notify the town clerks in the state or district, as the  
1750 case may be, of the state and district offices [or district delegates]  
1751 which qualify for an automatic recanvass and shall also notify each  
1752 candidate for any such office. When a recanvass is to be held the  
1753 municipal clerk shall promptly notify the moderator, as defined in  
1754 section 9-311, who shall proceed forthwith to recanvass such returns of  
1755 the office in question in the same manner as is provided for a  
1756 recanvass in regular elections, except that the recanvass officials shall  
1757 be divided equally, as nearly as may be, among the candidates for such  
1758 office. In addition to the notice required under section 9-311, the  
1759 moderator shall, before such recanvass is made, give notice in writing  
1760 of the time and place of such recanvass to each candidate for a  
1761 municipal office which qualifies for an automatic recanvass under this  
1762 section. For purposes of this section, "the total number of votes cast at  
1763 the primary for the office or position" means in the case of multiple  
1764 openings for the same office or position, the total number of electors

1765 checked as having voted in the primary, in the state, district,  
1766 municipality or political subdivision, as the case may be. When a  
1767 recanvass of the returns for an office for which there are multiple  
1768 openings is required by the provisions of this section, the returns for  
1769 all candidates for all openings for the office shall be recanvassed.  
1770 Nothing in this section shall preclude the right to judicial proceedings  
1771 in behalf of such defeated candidate under any provision of this  
1772 chapter.

1773 Sec. 50. Section 9-446 of the general statutes is repealed and the  
1774 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1775 *applicable to primaries and elections held on or after January 1, 2004*):

1776 If two or more candidates obtain the same number of votes at a  
1777 primary held to nominate candidates for a state or district office, [or if  
1778 two or more slates of candidates obtain the same number of votes at a  
1779 primary held for district delegates to a convention,] and a tie vote  
1780 thereby occurs, any of such candidates, or the state chairman of the  
1781 political party, may apply for a recanvass of the returns in the manner  
1782 provided in section 9-445, as amended by this act. If no such  
1783 application is made, or if any such recanvass results in a tie vote, the  
1784 Secretary of the State, in the presence of not fewer than three  
1785 disinterested persons, and after notification to the candidates obtaining  
1786 the same number of votes and the chairman of the state central  
1787 committee of the party holding the primary of the time when and the  
1788 place where such tie vote is to be dissolved, shall dissolve such tie vote  
1789 by lot. The Secretary of the State shall execute a certificate attesting to  
1790 the result of the dissolution of such tie vote, and the person so certified  
1791 or the slate so certified as having been chosen by lot shall be deemed to  
1792 have received a plurality of the votes cast and shall be deemed to have  
1793 been chosen as the nominee of such party to such office, [, or as such  
1794 district delegates, as the case may be.] If two or more candidates obtain  
1795 the same number of votes at a primary held to nominate candidates for  
1796 a municipal office or to elect members of a town committee, or if two  
1797 or more slates of candidates obtain the same number of votes at a  
1798 primary held for [delegates to a convention other than district

1799 delegates] justices of the peace, and a tie vote thereby occurs, any of  
1800 such candidates, or the town chairman of the political party, may  
1801 apply for a recanvass of the returns in the manner provided in section  
1802 9-445, as amended by this act. If no such application is made, or if any  
1803 such recanvass results in a tie vote, the registrar, in the presence of not  
1804 fewer than three disinterested persons, and after notification to the  
1805 candidates obtaining the same number of votes, and the chairman of  
1806 the town committee of the party holding the primary, of the time when  
1807 and the place where such tie vote is to be dissolved, shall dissolve such  
1808 tie vote by lot. The registrar shall execute a certificate attesting to the  
1809 result of the dissolution of such tie vote, and each person so certified  
1810 [or the slate so certified] as having been chosen by lot shall be deemed  
1811 to have received a plurality of the votes cast and shall be deemed to  
1812 have been chosen as the nominee of such party to such office or to  
1813 have been elected as a member of the town committee, [or as delegates  
1814 to the convention,] as the case may be.

1815 Sec. 51. Section 9-450 of the general statutes is repealed and the  
1816 following is substituted in lieu thereof (*Effective January 1, 2004, and*  
1817 *applicable to primaries and elections held on or after January 1, 2004*):

1818 Nominations by major parties for any state, district or municipal  
1819 office to be filled under the provisions of any law relating to elections  
1820 to fill vacancies, unless otherwise provided therein, shall be made in  
1821 accordance with the provisions of sections 9-382 to 9-450, inclusive, as  
1822 amended by this act.

1823 (1) In the case of nominations for representatives in Congress and  
1824 judges of probate in probate districts composed of two or more towns,  
1825 provided for in sections 9-212 and 9-218, if the writs of election are  
1826 issued by the Governor on or before the twenty-first day of May in an  
1827 even-numbered year and the election is to be held on the day of the  
1828 state election in such year, the state central committee or other  
1829 authority of each party shall, not later than the twenty-fourth day of  
1830 May in such year, publish notice of the date for the [primary for the  
1831 election of delegates] selection of delegates to the state or district

1832 convention to designate the party-endorsed candidate for the office to  
1833 be filled, [ and the times specified in sections 9-383, 9-391, 9-400, 9-405  
1834 and 9-423 shall be applicable. The primary so designated shall be held]  
1835 Such selection shall be made not earlier than the fifty-sixth day after  
1836 publication of such notice and not later than the fifth day before the  
1837 convention. If such writs of election are issued after the twenty-first  
1838 day of May in such year, or if the election is to be held on any day  
1839 other than the day of the state election, the day scheduled for the  
1840 election shall be not earlier than the ninety-first day following the day  
1841 on which such writs of election are issued. The state central committee  
1842 or other authority of each party shall, not later than the eighty-fourth  
1843 day preceding the day of the election, publish notice of the day for the  
1844 [primary for the election] selection of delegates to the state or district  
1845 convention to designate the party-endorsed candidate for the office to  
1846 be filled, which day shall be not earlier than the twenty-eighth day  
1847 following such publication and not later than the fifty-sixth day  
1848 preceding the day of the election. The [party-endorsed candidates for  
1849 election as] selected delegates to such convention shall be certified to  
1850 the town clerks not later than the twenty-first day preceding the day of  
1851 such primary. [Contesting slates for election as such delegates shall be  
1852 filed not later than four o'clock p.m. on the seventh day preceding the  
1853 day of such primary.] The state or district convention shall be  
1854 convened not earlier than the fifth day following such primary and  
1855 closed not later than the forty-ninth day preceding the day of the  
1856 election. Contesting candidacies for nomination to the office to be filled  
1857 shall be filed not later than four o'clock p.m. on the fifth day following  
1858 the close of such convention. The Secretary of the State shall fix the day  
1859 for the primary of each party for the nomination to the office to be  
1860 filled, which day shall be not earlier than the twenty-first day  
1861 following the close of such convention and not later than the twenty-  
1862 first day preceding the day of the election.

1863 (2) In the case of judges of probate in probate districts composed of  
1864 a single town, the day named for the election shall be not earlier than  
1865 the one-hundred-fifteenth day following the day on which the writ of

1866 election is issued, and the times specified in sections 9-391, 9-405 and  
1867 9-423, as amended by this act, shall be applicable.

1868 (3) In the case of a vacancy in the office of senator in Congress  
1869 occurring seventy or more days prior to a state election, the party-  
1870 endorsed candidate of each party for such office shall be designated at  
1871 the state convention of such party held for the endorsement of  
1872 candidates for the state offices to be filled at such election; contesting  
1873 candidacies for nomination to such office shall be filed not later than  
1874 four o'clock p.m. on the fourteenth day following the close of such  
1875 convention; and the primary of such party for nomination to such  
1876 office shall be held simultaneously with the primaries of such party for  
1877 nomination to the state and district offices to be filled at such election.  
1878 If, at the time such vacancy in the office of senator in Congress occurs,  
1879 such state convention has already been closed, it shall be reconvened  
1880 by call of the chairman of the state central committee of such party,  
1881 which call shall be mailed to each delegate [chosen] selected for such  
1882 convention not less than seventy-two hours prior to such reconvening;  
1883 such reconvened convention shall be closed not later than the tenth  
1884 day following the occurrence of such vacancy. The party-endorsed  
1885 candidate of such party for such office shall be designated at such  
1886 reconvened convention. Contesting candidates for nomination to such  
1887 office shall be filed not later than four o'clock p.m. on the fifth day  
1888 following the close of such reconvened convention. If the primaries of  
1889 such party for nomination to the state and district offices to be filled at  
1890 the state election are held not earlier than the twenty-eighth day  
1891 following the close of such reconvened convention, the primary of  
1892 such party for nomination to the office of senator in Congress to fill  
1893 such vacancy shall be held simultaneously with the primaries of such  
1894 party for nomination to such state and district offices; otherwise, the  
1895 Secretary of the State shall fix the day for the primary of such party for  
1896 such nomination to the office of senator in Congress, which day shall  
1897 be not earlier than the twenty-eighth day following the close of such  
1898 reconvened convention and not later than the twenty-first day  
1899 preceding the day of the state election.

1900 (4) The times specified in sections 9-391, 9-405 and 9-423, as  
1901 amended by this act, shall be applicable to any special town election  
1902 held to fill a vacancy in any town office under subsection (b) of section  
1903 9-164. Except as provided under subsection (c) of section 9-164, any  
1904 election held to fill a vacancy in any municipal office under the  
1905 provisions of any special act shall be held not earlier than the one  
1906 hundred twenty-seventh day following the day upon which warning  
1907 of such election is issued, and the times specified in sections 9-391, 9-  
1908 405 and 9-423, as amended by this act, shall be applicable.

1909 Sec. 52. Subsection (a) of section 9-453i of the general statutes is  
1910 repealed and the following is substituted in lieu thereof (*Effective*  
1911 *January 1, 2004, and applicable to primaries and elections held on or after*  
1912 *January 1, 2004*):

1913 (a) Each page of a nominating petition proposing a candidate for an  
1914 office to be filled at a regular election shall be submitted to the  
1915 appropriate town clerk or to the Secretary of the State not later than  
1916 four o'clock p.m. on the [final day for the filing of primary petitions for  
1917 municipal offices to be filled at such election pursuant to section 9-405]  
1918 ninetieth day preceding the day of the regular election.

1919 Sec. 53. Subdivisions (1) and (2) of subsection (a) of section 9-7b of  
1920 the general statutes are repealed and the following is substituted in  
1921 lieu thereof (*Effective January 1, 2004, and applicable to primaries and*  
1922 *elections held on or after January 1, 2004*):

1923 (1) To make investigations on its own initiative or with respect to  
1924 statements filed with the commission by the Secretary of the State or  
1925 any town clerk, or upon written complaint under oath by any  
1926 individual, with respect to alleged violations of any provision of the  
1927 general statutes relating to any election or referendum, any primary  
1928 held pursuant to section 9-423, [9-424,] 9-425 or 9-464 or any primary  
1929 held pursuant to a special act, and to hold hearings when the  
1930 commission deems necessary to investigate violations of any  
1931 provisions of the general statutes relating to any such election, primary

1932 or referendum, and for the purpose of such hearings the commission  
1933 may administer oaths, examine witnesses and receive oral and  
1934 documentary evidence, and shall have the power to subpoena  
1935 witnesses under procedural rules the commission shall adopt, to  
1936 compel their attendance and to require the production for examination  
1937 of any books and papers which the commission deems relevant to any  
1938 matter under investigation or in question. In connection with its  
1939 investigation of any alleged violation of any provision of chapter 145,  
1940 or of any provision of section 9-359 or section 9-359a, the commission  
1941 shall also have the power to subpoena any municipal clerk and to  
1942 require the production for examination of any absentee ballot, inner  
1943 and outer envelope from which any such ballot has been removed,  
1944 depository envelope containing any such ballot or inner or outer  
1945 envelope as provided in sections 9-150a and 9-150b and any other  
1946 record, form or document as provided in section 9-150b, in connection  
1947 with the election, primary or referendum to which the investigation  
1948 relates. In case of a refusal to comply with any subpoena issued  
1949 pursuant to this subsection or to testify with respect to any matter  
1950 upon which that person may be lawfully interrogated, the superior  
1951 court for the judicial district of Hartford, on application of the  
1952 commission, may issue an order requiring such person to comply with  
1953 such subpoena and to testify; failure to obey any such order of the  
1954 court may be punished by the court as a contempt thereof. In any  
1955 matter under investigation which concerns the operation or inspection  
1956 of or outcome recorded on any voting machine, the commission may  
1957 issue an order to the municipal clerk to impound such machine until  
1958 the investigation is completed.

1959 (2) To levy a civil penalty not to exceed (A) two thousand dollars  
1960 per offense against any person the commission finds to be in violation  
1961 of any provision of chapter 145, part V of chapter 146, part I of chapter  
1962 147, chapter 148, section 9-12, subsection (a) of section 9-17, section 9-  
1963 19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h, 9-23j to 9-  
1964 23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-  
1965 50a, 9-56, 9-59, 9-168d, 9-170, 9-171, 9-172, 9-409, 9-410, 9-412, 9-436, 9-

1966 436a, 9-453e to 9-453h, inclusive, 9-453k<sub>2</sub> [or] 9-453o or sections 1 to 3,  
1967 inclusive, of this act, or (B) two thousand dollars per offense or twice  
1968 the amount of any improper payment or contribution, whichever is  
1969 greater, against any person the commission finds to be in violation of  
1970 any provision of chapter 150. The commission may levy a civil penalty  
1971 against any person under subparagraph (A) or (B) of this subdivision  
1972 only after giving the person an opportunity to be heard at a hearing  
1973 conducted in accordance with sections 4-176e to 4-184, inclusive. In the  
1974 case of failure to pay any such penalty levied pursuant to this  
1975 subsection within thirty days of written notice sent by certified or  
1976 registered mail to such person, the superior court for the judicial  
1977 district of Hartford, on application of the commission, may issue an  
1978 order requiring such person to pay the penalty imposed and such  
1979 court costs, state marshal's fees and attorney's fees incurred by the  
1980 commission as the court may determine. Any civil penalties paid,  
1981 collected or recovered under subparagraph (B) of this subdivision for a  
1982 violation of any provision of chapter 150 applying to the office of the  
1983 Treasurer shall be deposited on a pro rata basis in any trust funds, as  
1984 defined in section 3-13c, affected by such violation.

1985 Sec. 54. Section 9-453e of the general statutes is repealed and the  
1986 following is substituted in lieu thereof (*Effective from passage and*  
1987 *applicable only to petitions circulated on or after said date*):

1988 Each circulator of a nominating petition page shall be [an elector] a  
1989 United States citizen, at least eighteen years of age, a resident of a town  
1990 in this state and [eligible to vote for all candidates listed on such  
1991 petition] shall not be on parole for conviction of a felony. Any  
1992 individual proposed as a candidate in any nominating petition may  
1993 serve as circulator of the pages of such nominating petition.

1994 Sec. 55. Section 9-453j of the general statutes is repealed and the  
1995 following is substituted in lieu thereof (*Effective from passage and*  
1996 *applicable only to petitions circulated on or after said date*):

1997 [At the time a petition page is submitted to the town clerk of the

1998 town in which it is circulated or to the Secretary of the State, such page  
1999 shall contain a statement signed by the town clerk of the town in which  
2000 the circulator is an elector attesting that the circulator is an elector in  
2001 the town and setting forth his residence address therein and that he is  
2002 entitled to vote at the election for the office for which such candidacy is  
2003 being filed. Any town clerk shall forthwith complete said statement  
2004 upon request by a circulator prior to the time when the petition page is  
2005 filed with the town clerk of the town in which it was circulated or with  
2006 the Secretary of the State.] Each page of a nominating petition  
2007 submitted to the town clerk or the Secretary of the State and filed with  
2008 the Secretary of the State under the provisions of sections 9-453a to 9-  
2009 453s, inclusive, as amended by this act, or section 9-216 shall contain a  
2010 statement as to the residency in this state and eligibility of the  
2011 circulator and authenticity of the signatures thereon, signed under  
2012 penalties of false statement, by the person who circulated the same. [,  
2013 setting] Such statement shall set forth (1) such circulator's residence  
2014 address, [and] including the town in this state in which such circulator  
2015 is [an elector] a resident, (2) the circulator's date of birth and that the  
2016 circulator is at least eighteen years of age, (3) that the circulator is a  
2017 United States citizen and not on parole for conviction of a felony, and  
2018 [stating] (4) that each person whose name appears on such page signed  
2019 the same in person in the presence of such circulator and that either the  
2020 circulator knows each such signer or that the signer satisfactorily  
2021 identified himself to the circulator. Any false statement committed  
2022 with respect to such statement shall be deemed to have been  
2023 committed in the town in which the petition was circulated.

2024 Sec. 56. Subsection (a) of section 9-453k of the general statutes is  
2025 repealed and the following is substituted in lieu thereof (*Effective from*  
2026 *passage and applicable only to petitions circulated on or after said date*):

2027 (a) The town clerk or Secretary of the State shall not accept any page  
2028 of a nominating petition unless the circulator thereof has signed before  
2029 him or an appropriate person as provided in section 1-29, the  
2030 statement as to the residency in this state and eligibility of the  
2031 circulator and authenticity of the signatures thereon required by

2032 section 9-453j, as amended by this act.

2033 Sec. 57. Subsection (a) of section 9-453o of the general statutes is  
2034 repealed and the following is substituted in lieu thereof (*Effective from*  
2035 *passage and applicable only to petitions circulated on or after said date*):

2036 (a) The Secretary of the State may not count for purposes of  
2037 determining compliance with the number of signatures required by  
2038 section 9-453d the signatures certified by the town clerk on any  
2039 petition page filed under sections 9-453a to 9-453s, inclusive, as  
2040 amended by this act, or 9-216 if: (1) The name of the candidate, his  
2041 address or the party designation, if any, has been omitted from the face  
2042 of the petition; (2) the page does not contain a statement by the  
2043 circulator as to the residency in this state and eligibility of the  
2044 circulator and authenticity of the signatures thereon as required by  
2045 section 9-453j, as amended by this act, or upon which such statement of  
2046 the circulator is incomplete in any respect; or (3) the page does not  
2047 contain the certifications required by sections 9-453a to 9-453s,  
2048 inclusive, as amended by this act, by the town clerk of the town in  
2049 which the signers reside. The town clerk shall cure any omission on his  
2050 part by signing any such page at the office of the Secretary of the State  
2051 and making the necessary amendment or by filing a separate statement  
2052 in this regard, which amendment shall be dated.

2053 Sec. 58. Subsection (a) of section 9-436 of the general statutes is  
2054 repealed and the following is substituted in lieu thereof (*Effective*  
2055 *January 1, 2004, and applicable to primaries and elections held on or after*  
2056 *January 1, 2004*):

2057 (a) Voting machines shall be used at each primary, provided, (1) if,  
2058 because of the number of offices and positions to be voted upon at a  
2059 primary, there is an insufficient number of vertical columns on any  
2060 machine to be used in a municipality, the vote in such municipality at  
2061 such primary for such offices or positions as the Secretary of the State  
2062 determines shall be taken by paper ballots, and (2) if, because of the  
2063 number of candidates for any office or position to be voted upon at a

2064 primary, there is an insufficient number of horizontal rows with  
 2065 respect to such office or position on any machine to be used in the  
 2066 municipality, the vote in such municipality at such primary for such  
 2067 office or position shall be taken by paper ballots. More than one voting  
 2068 machine may be used in any voting district if the registrar so  
 2069 prescribes. The registrar shall furnish a number of voting machines  
 2070 sufficient to provide a voting machine for each [twelve] twenty-four  
 2071 hundred or fraction of [twelve] twenty-four hundred electors eligible  
 2072 to vote at such primary in the municipality or voting district, as the  
 2073 case may be, and other necessary equipment. In each polling place in  
 2074 which a party has authorized unaffiliated electors, pursuant to section  
 2075 9-431, to vote for some but not all offices to be contested at the  
 2076 primary, a separate voting machine shall be used for such unaffiliated  
 2077 electors and the registrar shall separately furnish one voting machine  
 2078 for each [twelve] twenty-four hundred or fraction of [twelve] twenty-  
 2079 four hundred enrolled party members and one voting machine for  
 2080 each [twelve] twenty-four hundred or fraction of [twelve] twenty-four  
 2081 hundred unaffiliated electors authorized to vote at such primary in  
 2082 such district. In determining such number of electors, enrolled party  
 2083 members or unaffiliated electors, the registrar shall not count the  
 2084 names on the enrollment or registry lists of seventy-five per cent of  
 2085 such electors, unaffiliated electors or enrolled party members who  
 2086 reside in institutions, as defined in section 9-159q. The registrar may  
 2087 provide more than the minimum number of voting machines required  
 2088 by this section.

2089 Sec. 59. (*Effective January 1, 2004, and applicable to primaries and*  
 2090 *elections held on or after January 1, 2004*) Sections 9-407, 9-408, 9-424 and  
 2091 9-427 of the general statutes are repealed.

This act shall take effect as follows:	
Section 1	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>

Sec. 2	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 3	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 4	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 5	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 6	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 7	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 8	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 9	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 10	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 11	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 12	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 13	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 14	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 15	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 16	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 17	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 18	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 19	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 20	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 21	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
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Sec. 50	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 51	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 52	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 53	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 54	<i>from passage and applicable only to petitions circulated on or after said date</i>
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Sec. 57	<i>from passage and applicable only to petitions circulated on or after said date</i>
Sec. 58	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>
Sec. 59	<i>January 1, 2004, and applicable to primaries and elections held on or after January 1, 2004</i>

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Elect. Enforcement Com.	GF - Cost	None	Potential up to \$42,655
Secretary of the State	GF - Cost	Potential	Potential

Note: GF=General Fund

**Municipal Impact:**

Municipalities	Effect	FY 04 \$	FY 05 \$
All Municipalities	Cost	See Below	See Below

**Explanation**

The bill establishes a June primary for state and Congressional offices, and maintains a September primary for legislative and judge of probate district offices. The bill changes election calendar dates for the party convention system for endorsing candidates and eliminates convention delegate primaries. The bill requires registrars of voters to provide a voting machine for every 2,400 eligible voters at a primary. Under current law, one voting machine must be provided for every 1,200 eligible voters at a primary.

This bill will result in an increase in the number of primaries. The two primary dates will increase the workload of the Secretary of the State (SOTS). The resources of the SOTS's Elections Division have been impacted by layoffs and potential early retirements. It is uncertain at this time if the SOTS will require additional positions or resources to handle the increased workload from this bill.

The anticipated increase in the number of primaries may result in a potential cost to the SEEC. For each primary, pre and post-primary

campaign finance reports will have to be filed and reviewed by SEEC. To the extent there may be greater demand for public education and information for the increased pool of candidates for state and district offices, an Accounting Careers Trainee position (AR-15, Step 5) with a salary of \$39,655, plus associated fringe benefits<sup>1</sup> and approximately \$3,000 in equipment, may be required beginning in FY 05.

**Municipal Impact:**

The bill will result in a cost to municipalities. The extent of the costs for two primary dates depends on the number of primaries held, the municipal population, and whether it is a state or district office primary. For illustrative purposes, the table below shows the range of costs for four municipalities to hold a June primary for a statewide office utilizing all polling places, and the costs to hold one state representative district primary in September using a fewer number of polling places. The costs include staff, transportation and storage of voting machines, setup of phone lines, and police personnel at certain polling places.

Illustration of Range of Costs to Hold a June and September Primary by Town

Municipality	Estimated Population	September Primary For One State Representative District	June Primary For a Statewide Office
Woodbridge	9,000	\$2,500	\$4,000
Cheshire	28,500	\$7,000	\$13,000
Bristol	60,000	\$10,000	\$26,000
Stamford	117,000	\$13,000	\$90,000

The provision of the bill requiring municipalities to provide one voting machine for every 2,400 eligible voters at a primary may result

<sup>1</sup> The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller. The total fringe benefit reimbursement rate as a percentage of payroll is 40.21%, effective July 1, 2002. However, first year fringe benefit costs for new positions do not include pension costs lowering the rate to 18.81% in FY 04. The state’s pension contribution is based upon the prior year’s certification by the actuary for the State Employees Retirement System.

in a savings to municipalities. The extent of the potential savings depends on the municipal population and the number of voters eligible to vote at a primary. The potential savings would result from needing less personnel to operate and oversee fewer voting machines at primaries, and from reduced costs to transport those voting machines to and from polling places.

House "A" establishes a June primary for state and Congressional offices, and maintains a September primary date for legislative and judges of probate district offices. The fiscal impact of this amendment is described above.

House "A" requires candidates for chief executive officer of a municipality to report in their campaign finance statements whether a contributor of more than \$400 has a contract with the municipality valued at over \$5,000. This has no fiscal impact on the state.

House "A" also prohibits all municipal employees from using their official authority to influence or interfere in an election, or to coerce or command a state or local officer or employee from making a contribution to a political party or committee. The amendment allows any current municipal employee to serve on any town governmental body in which such employee resides, except any body that has responsibility for direct supervision of such employee. For any municipal employee appointed or elected to an office on or after November 4, 2003, the amendment creates conflict of interest provisions regarding service on town governmental bodies. These provisions have no fiscal impact.

House "B" requires registrars of voters to provide a voting machine for every 2,400 eligible voters at a primary. This has no fiscal impact on the state. House "B" may result in a savings to municipalities, these potential savings are described above.

House "D" eliminates provisions in House "A" that require candidates for chief executive officer of a municipality to report in their campaign finance statements whether a contributor of more than

\$400 has a contract with the municipality valued at over \$5,000. Eliminating this provision has no fiscal impact on the state.

House "D" also eliminates provisions in House "A" that prohibit municipal employees from using their official authority to influence or interfere in an election, or to coerce or command a state or local officer or employee from making a contribution to a political party or committee. House "D" further eliminates the House "A" provision allowing any current municipal employee to serve on any town governmental body in which such employee resides, except any body that has responsibility for direct supervision of such employee. Eliminating these provisions have no fiscal impact.

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**OLR Bill Analysis**

sHB 6372 (as amended by House "A," "B," and "D")\*

**AN ACT CONCERNING DIRECT PRIMARIES****SUMMARY:**

This bill allows candidates for state and district offices to petition onto a primary ballot for their party's nomination for office; moves the primary date for statewide and Congressional offices from September to the fourth Tuesday in June; changes some dates for the party convention system for endorsing candidates; and eliminates convention delegate primaries, replacing them with delegate selection by town committees or party caucuses.

The bill establishes petition procedures and signature requirements for candidates who want to use that method to get on a primary ballot for their party's nomination. They can challenge the party-endorsed candidate as well as candidates who receive at least 15% of the delegate vote at a convention and file to run in a primary.

It deletes certain conditions that petition circulators must meet in order to collect signatures for anyone running as a petitioning party candidate in the general election.

It requires towns to provide one voting machine for every 2,400, rather than 1,200, eligible voters (or fraction thereof) at primaries.

Finally, the bill gives the State Elections Enforcement Commission authority to impose a civil penalty of up to \$2,000 per offense for violations of the new petitioning provisions.

\*House Amendment "A":

1. establishes a separate primary date in June for candidates for state and congressional offices, while maintaining the September primary for legislative and judge of probate district offices;

2. makes corresponding changes to events preceding the primary for state and congressional candidates;
3. requires candidates for a municipal chief executive officer to report campaign contributions of over \$400 from those who have a contract with the municipality; and
4. imposes restrictions on certain official actions an elected or appointed municipal official can take if the official is a municipal employee.

\*House Amendment "B" adds the provision on voting machines at primaries.

\*House Amendment "D" removes the sections of House "A" on the campaign finance reporting requirement for municipal officials and the restrictions on municipal officials who are town employees.

EFFECTIVE DATE: January 1, 2004 and applies to primaries and elections held on or after that date, except the provisions on petition circulators for petitioning party candidates are effective upon passage.

### **PETITIONING CANDIDATES**

The bill permits any party member, or anyone acting on his behalf, to file a certified nominating petition for a state or district office. (Candidates for single-town districts for legislative and judge of probate offices [municipal offices] already have access to the primary ballot through a petition process.) Under the bill, petitioning candidates for state office must be party members enrolled in the state, and district candidates must be enrolled in any municipality in the district just as other primary candidates are under current law. A single petition may be circulated and filed on behalf of candidates for as many different offices as there are nominations to be made.

Petitions are invalid if submitted by a candidate who received his party endorsement or 15% of the vote at a convention.

### **PETITION AVAILABILITY**

Under the bill, petition forms for candidates for nomination to state or congressional offices are available from the Secretary of the State's

Office on the 105th day before the June primary. For candidates for the district office of state senator, state representative, or multi-town judge of probate, the forms are available from the secretary the day after the party's endorsement for the office. Currently, petitions for single-town district candidates are available on the day after the party makes its endorsement.

## **REQUESTING A PETITION**

The bill requires the secretary of the state to fill in identifying information on each petition form page and to give the requestor petition pages that can be duplicated. If the candidate is indigent, the secretary must give the requestor a sufficient number of pages or as many as the person requests. Anyone requesting a petition form must give his name and address and the name, address, and office sought for each petition candidate, along with a consent statement signed by the candidate.

## **PETITION CIRCULATION**

### ***Major Party Nomination***

Under the bill, the secretary must prescribe and provide the petition forms, and signatures cannot be submitted on any form other than an original from the secretary or a copy. An original petition page may be duplicated, and the copy can be circulated and filed just as an original. The petition form includes instructions, the date and time it is due, candidate information, and spaces for enrolled party members to sign and print their names and give their street addresses and dates of birth.

The signers on each petition page must be enrolled party members who live in the same town. They must sign the petition in the circulator's presence. No one can sign more than one petition for the same candidate or candidates. The circulator of a primary petition page must be an enrolled party member in the state. The bill removes a requirement that a petition circulator for a municipal office candidate must be from the same jurisdiction where the primary is to be held. Each petition page filed with the secretary must contain a certification as to the circulator's qualifications, signed by the registrar where the circulator lives, and a statement as to the authenticity of the signatures, signed by the circulator under the penalties of false statement. A

notary public, attorney, judge, family support magistrate, court clerk, town clerk, or justice of the peace must also officially acknowledge each petition page.

The penalty for signing another person's name as a signer or circulator is a fine of up to \$100, up to one year in prison, or both. No one can withdraw a petition signature.

A petitioning candidate can circulate his own petition.

Any information related to primary petitions is a public record.

### ***Petitioning Party***

The bill deletes certain requirements for anyone who circulates a petition for a candidate who wants to run in the general election as a petitioning candidate (as opposed to the nominee of a major or minor party). Current law requires this petition circulator to be a registered voter and eligible to vote for the person named in the petition (i.e., he must live in the jurisdiction where the candidate is running for office). The bill replaces these with the requirements that the circulator be (1) a U.S. citizen, (2) living in Connecticut, (3) at least 18 years old, and (4) not on parole for a felony conviction. The bill makes conforming changes to the circulator's statement on a petition and the subsequent certification and counting requirements.

### **PETITION SIGNATURE REQUIREMENTS**

Under the bill, in order to qualify to run in a primary, the petition for a candidate for a state office must be signed by at least 2% of the number of enrolled party members in the state. Petitioning candidates for a congressional district office must submit petitions signed by at least 2% of the enrolled members of their party in the district (see BACKGROUND).

Petitioning candidates for multi-town state legislative district and judge of probate offices must submit signatures of at least 5% of the enrolled party members in the district, the same percentage as candidates for single-town legislative and judge of probate offices under current law.

The basis for determining the necessary number of signatures of

enrolled party members is the number on the latest town enrollment list submitted to the secretary of the state before the primary petitions are available. Town clerks must furnish such lists in February and October each year. Under law, the lists do not include voters on a town's inactive registry list.

## **FILING PETITIONS**

Under the bill, completed petitions must be filed with registrars of voters within 14 days after the close of the state or district convention held to endorse a candidate for the office. Petitions for municipal offices voted on at a state election must be filed by the 14th day after the party endorsement is made, rather than on the 34th day before the primary.

## **PETITION RECEIPT AND VERIFICATION**

The bill establishes procedures for processing petition pages for state and district office candidates. The person who submits the pages gets a receipt showing the filing date and time and the number of submitted pages in duplicate from the registrar of voters and sends the copy to the secretary of the state. The registrar must write the filing date and time on each petition page, certify the signatures by checking them against the latest voter enrollment list, and indicate the number of signers on each page who are enrolled party members. The registrar must reject names that do not appear on the town's last completed enrollment list. The registrar files the certified petition pages with the secretary by delivering them or sending them by mail or approved commercial carrier or messenger within seven days after they are received.

The secretary (1) checks for the required certifications and rejects any petition page which does not have them and (2) counts the number of signatures. She must reject a petition page certified by registrars of more than one town. The secretary must keep petitions for three years.

## **ELECTION CALENDAR**

The bill revises the election calendar for state and congressional district offices by (1) scheduling the primary for those offices 19, rather than eight, weeks before the election (in June rather than September) and (2) conducting events associated with the primary earlier than they occur

now. Under the bill, convention delegates are selected about two months before the convention; currently, delegate primaries (which the bill eliminates) are held six weeks before the conventions can begin.

### SCHEDULE FOR PRIMARY

Event	Current Law (2004 Dates)	The Bill (2004 Dates)
<u>Petitions available</u>		
State and Congressional district	NA	105 <sup>th</sup> day before primary (March 9)
Legislative and judge of probate multi-town district	NA	Day after close of convention for endorsement (97 <sup>th</sup> - 76 <sup>th</sup> day before primary (June 9-30))
Legislative and judge of probate single-town district	Day after close of period for endorsement (55 <sup>th</sup> - 48 <sup>th</sup> day before primary) (July 21-28)	Day after close of period for endorsement (83 <sup>rd</sup> -76 <sup>th</sup> day before primary) (June 23-30)
<u>Party endorsement/selection for convention delegates</u>		
State and Congressional district	56 <sup>th</sup> -49 <sup>th</sup> day before delegate primary (Mar 23-30)	168 <sup>th</sup> -161 <sup>st</sup> day before primary for state office (Jan 6-13)
Legislative and judge of probate multi-town district	56 <sup>th</sup> -49 <sup>th</sup> day before delegate primary (Mar 23-30)	168 <sup>th</sup> -161 <sup>st</sup> day before primary for district office (Mar 30-April 6)

<b>Event</b>	<b>Current Law (2004 Dates)</b>	<b>The Bill (2004 Dates)</b>
Legislative and judge of probate single-town district	NA	NA
<b><u>Delegate endorsement/selection certified</u></b>		
State and Congressional district	48 <sup>th</sup> day before delegate primary (Mar 31)	160 <sup>th</sup> day before primary for state office (Jan 14)
Legislative and judge of probate multi-town district	48 <sup>th</sup> day before delegate primary (Mar 31)	160 <sup>th</sup> day before primary for district office (April 7)
Legislative and judge of probate single-town district	NA	NA
<b><u>Delegate primary</u></b>		
State and district	3 <sup>rd</sup> Tuesday in May (May 18)	Eliminated
<b><u>Candidate endorsement</u></b>		
State and Congressional district	68 <sup>th</sup> -50 <sup>th</sup> day before primary (July 8-26)	98 <sup>th</sup> -77 <sup>th</sup> day before primary (Mar 16-Apr 6)
Legislative and judge of probate multi-town district	68 <sup>th</sup> -50 <sup>th</sup> day before primary (July 8-26)	98 <sup>th</sup> -77 <sup>th</sup> day before primary (June 8-29)
Legislative and judge of probate single-town district	56 <sup>th</sup> -49 <sup>th</sup> day before primary (July 20-27)	84 <sup>th</sup> -77 <sup>th</sup> day before primary (June 22-29)

Endorsement certified

State and Congressional district	14 days after convention (July 22-Aug 9)	14 days after convention (Mar 30-Apr 20)
Legislative and judge of probate multi-town district	14 days after convention (July 22-Aug 9)	14 days after convention (June 22-July 13)
Legislative and judge of probate single-town district	14 days after endorsement (Aug 3-10)	14 days after endorsement (July 6-13)

Deadline to submit petition to registrars

State and Congressional district	NA	14 days after convention (Mar 30-Apr 20)
Legislative and judge of probate multi-town district	NA	14 days after convention (June 22-July 13)
Legislative and judge of probate single-town district	34 <sup>th</sup> day before primary (Aug 11)	14 days after endorsement (July 6-13)

Registrars' deadline to submit petitions to secretary

State and Congressional district	NA	7 days after receipt (Apr 6-27)
Legislative and judge of probate multi-town district	NA	7 days after receipt (June 29-July 20)
Legislative and judge of probate single-town district	NA	NA

### Primary

State and Congressional district	56 <sup>th</sup> day before election (Sept 14*)	4 <sup>th</sup> Tuesday in June (June 22)
Legislative and judge of probate multi-town district	56 <sup>th</sup> day before election (Sept 14*)	56 <sup>th</sup> day before election (Sept 14*)
Legislative and judge of probate single-town district	56 <sup>th</sup> day before election (Sept 14*)	56 <sup>th</sup> day before election (Sept 14*)

\*When the day for a primary falls on the Tuesday immediately after Labor Day (which it would in 2004), the primary is held on the following Tuesday (CGS § 9-376).

### CONVENTION DELEGATES

Under the bill, convention delegates are selected either by caucus or town committee, pursuant to their party's rules, rather than elected at a primary conducted in accordance with the statutes. To be valid, the convention delegate selection must be made according to party rules that must be filed in the secretary's office at least 60 days in advance. The bill eliminates delegate slate primaries for all political party conventions, whether held to endorse candidates for office or for any other purpose. The bill deletes statutory references to convention delegates, including those in provisions that set the time for holding primaries and apply campaign finance provisions to candidates for delegate positions.

The bill establishes the requirements for selecting convention delegates to endorse a candidate for a district office from only part of a town. Only the enrolled party members or town committee members from the district can participate in selecting the convention delegates. However, where a town committee makes the selection and (1) it is elected at-large or (2) it is elected by district and no member lives in the district for the office that is the subject of the endorsement, then the whole town committee selects the convention delegate.

**JUSTICES OF THE PEACE**

Current law applies by reference the provisions for convention delegate primaries to primaries for justices of the peace (JPs). The bill inserts JPs in those sections where delegates are removed.

The bill also limits an individual’s contributions to an exploratory committee or committee (PAC) for a slate of JPs to \$250.

**MINOR CHANGES**

The bill requires registrars' offices to be open at least between 1 p.m. and 4 p.m. on the day when state and district office candidates' petitions are due. Current law requires this for municipal office petition deadlines.

The bill requires the registrar to give duplicate receipts, rather than a single one, to a person filing a petition for municipal office or for the position of member of a town committee. It sets a seven-day deadline for the registrar to file petitions with the town clerk, rather than requiring that they be filed "forthwith."

The bill delays the deadline by which the secretary of the state must notify town clerks if and when there will be a primary for a state or district office by allowing additional time after convention endorsements have been made for registrars to tabulate petition signatures and send petitions to the secretary.

**BACKGROUND**

***Signature Requirements***

Based on October 2002 enrollment figures, petitioning candidates for state offices would have to collect at least the number of signatures shown below. For purposes of calculating the number of petition signatures required, CGS § 9-35c specifies that the number not include names on the inactive registry lists.

**Signature Requirements for State Office Candidates Based on October 2002 Party Enrollment Statistics**

	<b>Democratic</b>	<b>Republican</b>
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<b>Total Signatures Required</b>	<b>12,588</b>	<b>8,629</b>
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For Congressional district offices, candidates would have to submit the number of signatures shown below, depending on the party and the district.

**Signature Requirements for Congressional Office Candidates Based on October 2002 Party Enrollment Statistics**

<b>Congressional District</b>	<b>Democratic</b>	<b>Republican</b>
First	3,101	1,462
Second	2,284	1,786
Third	2,787	1,318
Fourth	2,166	2,144
Fifth	2,251	1,918

**Offices Covered**

State and district offices covered by the bill's nominating procedures are the offices of governor, lieutenant governor, secretary of the state, treasurer, comptroller, attorney general, U.S. senator and representative, multi-town state legislator, and multi-town judge of probate. Under current law, candidates for single-town state senator and representative districts and judges of probate can petition to get on the ballot for a primary.

**Related Court Case**

On January 29, 2003, a U.S. District Court judge ruled that the state's requirement for running in a primary election (its 15% rule found in CGS §§ 9-400 and 9-416) and the residency requirement for petition circulators (GGS § 9-410) are unconstitutional (*Campbell v. Bysiewicz*, Civ. No. 3:02CV00488, 2003 WL 231114).

**Legislative History**

On March 25, the House referred the bill to the Appropriations Committee, which reported it on May 1 with no changes.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute  
Yea 15    Nay 0

Appropriations Committee

Joint Favorable Substitute  
Yea 45    Nay 3