



General Assembly

**Substitute Bill No. 55**

January Session, 2005

\* SB00055APP\_\_050305\_\_ \*

**AN ACT CONCERNING VOTER REGISTRATION, CERTAIN  
NOMINATING PROCEDURES, CAMPAIGN ACCOUNTABILITY, A  
VOTER GUIDE, PUSH POLLING AND ELECTRONIC VOTING  
MACHINES.**

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

1 Section 1. (NEW) (*Effective July 1, 2005*) The Secretary of the State,  
2 within available appropriations and in consultation with registrars of  
3 voters and nonprofit organizations promoting voter registration, shall  
4 provide or arrange for voter registration services for new citizens at  
5 each naturalization ceremony held in the state by the federal Bureau of  
6 Citizenship and Immigration Services for twenty-five or more new  
7 citizens.

8 Sec. 2. Subsection (a) of section 9-23r of the general statutes is  
9 repealed and the following is substituted in lieu thereof (*Effective from*  
10 *passage*):

11 (a) On or after January 1, 2003, any person who is applying, by mail,  
12 to register to vote for the first time in this state may submit as part of  
13 such voter registration application: (1) A copy of a current and valid  
14 photo identification, (2) a copy of a current utility bill, bank statement,  
15 government check, paycheck or government document that shows the  
16 name and address of the voter, (3) a valid Connecticut motor vehicle  
17 operator's license number, or (4) the last four digits of the individual's

18 Social Security number. Members of the armed forces and persons  
19 entitled to use the federal post card application for absentee ballots  
20 under section 9-153a are not required to provide identification when  
21 registering by mail. No information submitted as part of a voter  
22 registration application under this subsection shall be subject to  
23 disclosure under the Freedom of Information Act pursuant to chapter  
24 14.

25 Sec. 3. Subdivision (1) of section 9-450 of the general statutes is  
26 repealed and the following is substituted in lieu thereof (*Effective from*  
27 *passage*):

28 (1) In the case of nominations for representatives in Congress and  
29 judges of probate in probate districts composed of two or more towns,  
30 provided for in sections 9-212 and 9-218, if the writs of election are  
31 issued by the Governor on or before the [twenty-first] first day of May  
32 in an even-numbered year and the election is to be held on the day of  
33 the state election in such year, the state central committee or other  
34 authority of each party shall, not later than the [twenty-fourth] fourth  
35 day of May in such year, publish notice of the date for the selection of  
36 delegates to the [state or] district convention to designate the party-  
37 endorsed candidate for the office to be filled. Such selection shall be  
38 made [not earlier than the fifty-sixth day after publication of such  
39 notice and] not later than the [fifth] day before the convention. If such  
40 writs of election are issued after the [twenty-first] first day of May in  
41 such year, or if the election is to be held on any day other than the day  
42 of the state election, the day scheduled for the election shall be not  
43 earlier than the [ninety-first] one hundred fiftieth day following the  
44 day on which such writs of election are issued. The state central  
45 committee or other authority of each party shall, not later than the  
46 [eighty-fourth] one hundred forty-fifth day preceding the day of the  
47 election, publish notice of the day for the selection of delegates to the  
48 [state or] district convention to designate the party-endorsed candidate  
49 for the office to be filled, which day shall be not earlier than the  
50 [twenty-eighth] eighty-fifth day following such publication and not  
51 later than the [fifty-sixth] eightieth day preceding the day of the

52 election. The selected delegates to such convention shall be certified to  
53 the town clerks not later than the [twenty-first] seventy-ninth day  
54 preceding the day of [such primary] the election. The [state or] district  
55 convention shall be convened not earlier than the [fifth day following  
56 such primary] seventy-fifth day preceding the day of the election and  
57 closed not later than the [forty-ninth] seventieth day preceding the day  
58 of the election. [Contesting candidacies] Petition forms for candidacies  
59 for nomination by a political party shall be available from the Secretary  
60 of the State beginning on the seventy-fifth day preceding the day of the  
61 election. A candidacy for nomination to the office to be filled shall be  
62 filed by submitting either (A) a certification that the candidate has  
63 received at least fifteen per cent of the votes of the convention  
64 delegates present and voting on any roll-call vote taken on the  
65 endorsement of a candidate, or (B) primary petition pages, to the  
66 Secretary of the State not later than four o'clock p.m. on the [fifth]  
67 fourteenth day following the close of such convention. The Secretary of  
68 the State shall fix the day for the primary of each party for the  
69 nomination to the office to be filled, which day shall be not earlier than  
70 the twenty-first day following the close of such convention and not  
71 later than the twenty-first day preceding the day of the election.

72 Sec. 4. Section 9-333w of the general statutes is repealed and the  
73 following is substituted in lieu thereof (*Effective January 1, 2006*):

74 (a) No individual shall make or incur any expenditure with the  
75 cooperation of, at the request or suggestion of, or in consultation with  
76 any candidate, candidate committee or candidate's agent, and no  
77 candidate or committee shall make or incur any expenditure for any  
78 written, typed or other printed communication, or any web-based,  
79 written communication, which promotes the success or defeat of any  
80 candidate's campaign for nomination at a primary or election or  
81 solicits funds to benefit any political party or committee unless such  
82 communication bears upon its face (1) the words "paid for by" and the  
83 following: [(1)] (A) In the case of such an individual, the name and  
84 address of such individual; [(2)] (B) in the case of a committee other  
85 than a party committee, the name of the committee and its campaign

86 treasurer; or [(3)] (C) in the case of a party committee, the name of the  
87 committee, and (2) the words "approved by" and the following: (A) In  
88 the case of an individual, the name of such individual; (B) in the case of  
89 a political committee, the name and title of its chairperson or campaign  
90 treasurer; (C) in the case of a party committee, the name and title of its  
91 chairperson; and (D) in the case of a candidate committee, the name of  
92 the candidate.

93 (b) In addition to the requirements of subsection (a) of this section:

94 (1) No candidate or candidate committee or exploratory committee  
95 established by a candidate shall make or incur any expenditure for  
96 television advertising or Internet video advertising, which promotes  
97 the success of said candidate's campaign for nomination at a primary  
98 or election or the defeat of another candidate's campaign for  
99 nomination at a primary or election, unless at the end of such  
100 advertising there appears simultaneously, for a period of not less than  
101 four seconds, (A) a clearly identifiable photographic or similar image  
102 of the candidate making such expenditure, (B) a clearly readable  
103 printed statement (i) identifying said candidate, and (ii) indicating that  
104 said candidate has approved the advertising, and (C) a simultaneous,  
105 personal audio message, in the following form: "I am .... (candidate's  
106 name) and I approved this message";

107 (2) No candidate or candidate committee or exploratory committee  
108 established by a candidate shall make or incur any expenditure for  
109 radio advertising or Internet audio advertising, which promotes the  
110 success of said candidate's campaign for nomination at a primary or  
111 election or the defeat of another candidate's campaign for nomination  
112 at a primary or election, unless the advertising ends with a personal  
113 audio statement by the candidate making such expenditure (A)  
114 identifying said candidate and the office said candidate is seeking, and  
115 (B) indicating that said candidate has approved the advertising in the  
116 following form: "I am .... (candidate's name) and I approved this  
117 message";

118 (3) No political committee or party committee shall make or incur  
119 any expenditure for television advertising or Internet video  
120 advertising, which promotes the success or defeat of a candidate's  
121 campaign for nomination at a primary or election, unless at the end of  
122 such advertising there appears simultaneously, for a period of not less  
123 than four seconds, (A) a clearly identifiable photographic or similar  
124 image of the chairperson or campaign treasurer of the committee  
125 making such expenditure, (B) a clearly readable printed statement (i)  
126 identifying the name of the committee making the expenditure, and (ii)  
127 indicating that said chairperson or campaign treasurer has approved  
128 the advertising, and (C) a simultaneous, personal audio message, in  
129 the following form: "I am .... (chairperson's or campaign treasurer's  
130 name and title, and name of committee) and I approved this message";  
131 and

132 (4) No political committee or party committee shall make or incur  
133 any expenditure for radio advertising or Internet audio advertising,  
134 which promotes the success or defeat of a candidate's campaign for  
135 nomination at a primary or election, unless the advertising ends with a  
136 personal audio statement by the chairperson or campaign treasurer of  
137 the committee making the expenditure (A) identifying the name of  
138 said committee, and (B) indicating that said chairperson or campaign  
139 treasurer has approved the advertising in the following form: "I am ....  
140 (chairperson's or campaign treasurer's name and title) and I approved  
141 this message".

142 [(b)] (c) No business entity, organization, association, committee, or  
143 group of two or more individuals who have joined solely to promote  
144 the success or defeat of a referendum question and is required to file a  
145 certification in accordance with subsection (d) of section 9-333g, shall  
146 make or incur any expenditure for any written, typed or other printed  
147 communication which promotes the success or defeat of any  
148 referendum question unless such communication bears upon its face  
149 the words "paid for by" and the following: (1) In the case of a business  
150 entity, organization or association, the name of the entity, organization  
151 or association and the name of its chief executive officer; (2) in the case

152 of a political committee, the name of the committee and the name of its  
153 campaign treasurer; (3) in the case of a party committee, the name of  
154 the committee; or (4) in the case of such a group of two or more  
155 individuals, the name of the group as it appears on the certification  
156 filed in accordance with subsection (d) of section 9-333g, and the name  
157 and address of its agent.

158 ~~[(c)]~~ (d) The provisions of subsections (a), ~~[and]~~ (b) and (c) of this  
159 section do not apply to (1) any editorial, news story, or commentary  
160 published in any newspaper, magazine or journal on its own behalf  
161 and upon its own responsibility and for which it does not charge or  
162 receive any compensation whatsoever, (2) any banner, (3) political  
163 paraphernalia including pins, buttons, badges, emblems, hats, bumper  
164 stickers or other similar materials, or (4) signs with a surface area of  
165 not more than thirty-two square feet.

166 ~~[(d)]~~ (e) The campaign treasurer of a candidate committee which  
167 sponsors any written, typed or other printed communication for the  
168 purpose of raising funds to eliminate a campaign deficit of that  
169 committee shall include in such communication a statement that the  
170 funds are sought to eliminate such a deficit.

171 ~~[(e)]~~ (f) The campaign treasurer of an exploratory committee or  
172 candidate committee established by a candidate for nomination or  
173 election to the office of Treasurer which committee sponsors any  
174 written, typed or other printed communication for the purpose of  
175 raising funds shall include in such communication a statement  
176 concerning the prohibitions set forth in subsection (n) of section 1-84,  
177 subsection (f) of section 9-333n and subsection (f) of section 9-333o.

178 ~~[(f)]~~ (g) In the event a campaign treasurer of a candidate committee  
179 is replaced pursuant to subsection (c) of section 9-333d, nothing in this  
180 section shall be construed to prohibit the candidate committee from  
181 distributing any printed communication subject to the provisions of  
182 this section that has already been printed or otherwise produced, even  
183 though such communication does not accurately designate the

184 successor campaign treasurer of such candidate committee.

185 Sec. 5. (NEW) (*Effective January 1, 2006*) (a) Not later than October  
186 first in each year in which a state election, as defined in section 9-1 of  
187 the general statutes, is to be held, the Secretary of the State, in  
188 consultation with the State Elections Enforcement Commission and  
189 within available appropriations, shall prepare a voter guide for such  
190 state election and shall publish such voter guide on the Internet.

191 (b) The voter guide shall contain:

192 (1) The date of the state election and the hours the polls will be  
193 open;

194 (2) The name, party affiliation and contact information of each  
195 candidate who is nominated or qualifies as a petitioning candidate for  
196 election to the office of President of the United States, Vice-President of  
197 the United States, senator in Congress, representative in Congress,  
198 Governor, Lieutenant Governor, Attorney General, State Treasurer,  
199 State Comptroller, Secretary of the State, State Senator or State  
200 Representative at the state election. As used in this section, "contact  
201 information" means any or all of the following information received by  
202 the Secretary of the State in the course of the secretary's elections  
203 duties or by the Federal Election Commission: A candidate's campaign  
204 mailing address, telephone number, facsimile number, electronic mail  
205 address and web site. The voter guide may provide contact  
206 information for a candidate for the office of President of the United  
207 States, Vice-President of the United States, senator in Congress or  
208 representative in Congress by an electronic link to such information on  
209 the Federal Election Commission's web site;

210 (3) The following three maps produced pursuant to the most recent  
211 decennial reapportionment of General Assembly and Connecticut  
212 congressional districts: One map showing the boundaries of state  
213 senatorial districts, one map showing the boundaries of state house of  
214 representatives districts and one map showing the boundaries of state  
215 congressional districts;

- 216 (4) A description of each office to be filled at the state election;
- 217 (5) An absentee ballot application in printable format;
- 218 (6) Instructions regarding voting by absentee ballot;
- 219 (7) Information on the procedure for registering to vote;
- 220 (8) A voter registration application in printable format;
- 221 (9) The full text of each proposed constitutional amendment that  
222 will appear on the ballot at the state election;
- 223 (10) The explanatory text as to the content and purpose of each such  
224 proposed constitutional amendment, which is prepared by the Office  
225 of Legislative Research pursuant to section 2-30a of the general  
226 statutes; and
- 227 (11) The text of the Voter's Bill of Rights set forth in section 9-236b of  
228 the general statutes.

229 (c) The Secretary of the State, in consultation with the State Elections  
230 Enforcement Commission, may adopt regulations, in accordance with  
231 the provisions of chapter 54 of the general statutes, to carry out the  
232 purposes of this section. Such regulations shall not authorize the  
233 inclusion of any information in the voter guide in addition to that  
234 required in subsection (b) of this section.

235 Sec. 6. (*Effective from passage*) (a) As used in this section, "push poll"  
236 means a paid telephone survey, or series of similar telephone surveys,  
237 that reference a candidate or group of candidates other than in a basic  
238 preference question, and in which:

- 239 (1) A list or directory is used, exclusively or in part, to select  
240 respondents belonging to a particular subset or combination of subsets  
241 of the population, based on demographic or political characteristics  
242 such as race, sex, age, ethnicity, party affiliation or similar types of  
243 characteristics;



244 (2) The survey fails to make demographic inquiries on factors such  
245 as age, household income or status as a likely voter sufficient to allow  
246 for the tabulation of results based on a relevant subset of the  
247 population consistent with standard polling industry practices;

248 (3) The pollster or polling organization does not collect or tabulate  
249 the survey results;

250 (4) The survey prefaces a question regarding support for a  
251 candidate on the basis of an untrue statement; and

252 (5) The survey is primarily for the purpose of suppressing or  
253 changing the voting position of the call recipient.

254 The term "push poll" does not include any survey supporting a  
255 particular candidate that fails to reference another candidate or  
256 candidates other than in a basic preference question.

257 (b) The State Elections Enforcement Commission shall conduct a  
258 study of the use of push polling in campaigns in the state. Not later  
259 than February 1, 2006, said commission shall submit a report on its  
260 findings and conclusions, including any recommended legislation, to  
261 the joint standing committee of the General Assembly having  
262 cognizance of matters relating to elections, in accordance with the  
263 provisions of section 11-4a of the general statutes.

264 Sec. 7. Section 9-242 of the general statutes is repealed and the  
265 following is substituted in lieu thereof (*Effective from passage*):

266 (a) A voting machine approved by the Secretary of the State shall be  
267 so constructed as to provide facilities for voting for the candidates of at  
268 least nine different parties or organizations. It shall permit voting in  
269 absolute secrecy. It shall be provided with a lock by means of which  
270 any illegal movement of the voting or registering mechanism is  
271 absolutely prevented. Such machine shall be so constructed that an  
272 elector cannot vote for a candidate or on a proposition for whom or on  
273 which he is not lawfully entitled to vote.

274 (b) It shall be so constructed as to prevent an elector from voting for  
275 more than one person for the same office, except when he is lawfully  
276 entitled to vote for more than one person for that office, and it shall  
277 afford him an opportunity to vote for only as many persons for that  
278 office as he is by law entitled to vote for, at the same time preventing  
279 his voting for the same person twice. It shall be so constructed that all  
280 votes cast will be registered or recorded by the machine.

281 (c) Notwithstanding the provisions of subsection (b) of this section,  
282 the Secretary of the State may approve a voting machine which  
283 requires the elector in the polls to place his ballot into the recording  
284 device and which meets the voluntary performance and test standards  
285 for voting systems adopted by (1) the Federal Election Commission on  
286 January 25, 1990, as amended from time to time, or (2) the Election  
287 Assistance Commission pursuant to the Help America Vote Act of  
288 2002, P.L. 107-252, 42 USC 15481-85, as amended from time to time,  
289 whichever standards are most current at the time of the Secretary of  
290 the State's approval, and regulations which the Secretary of the State  
291 may adopt in accordance with the provisions of chapter 54, provided  
292 the voting machine shall [(1)] (A) warn the elector of overvotes, [(2)]  
293 (B) not record overvotes, and [(3)] (C) not record more than one vote of  
294 an elector for the same person for an office.

295 (d) Any direct recording electronic voting machine approved by the  
296 Secretary of the State for an election or primary held on or after July 1,  
297 2005, shall be so constructed as to:

298 (1) (A) Contemporaneously produce an individual, permanent,  
299 paper record containing all of the elector's selection of ballot  
300 preferences for candidates and questions or proposals, if any, prior to  
301 the elector's casting a ballot, as set forth in this subsection, and (B)  
302 produce at any time after the close of the polls a voting machine self-  
303 generated permanent paper record of each such elector's selection of  
304 ballot preferences for candidates and questions or proposals, if any.  
305 Both the contemporaneous individual paper record and the self-  
306 generated paper record of each elector's selection of ballot preferences

307 shall include a machine generated unique identifier that can be  
308 matched against each other and which preserves the secrecy of such  
309 elector's ballot as set forth in subdivision (6) of this subsection;

310 (2) Provide each elector with an opportunity to verify that the  
311 contemporaneously produced paper record accurately conforms to  
312 such elector's selection of ballot preferences, as reflected on the screen  
313 display or electronic summary, and to hear, if desired, an audio  
314 description of such ballot display or screen summary, for the purpose  
315 of having an opportunity to make any corrections or changes prior to  
316 casting the ballot. In the event that the elector makes corrections or  
317 changes prior to casting the ballot, the first paper record shall be  
318 voided and another paper record shall be contemporaneously  
319 produced and the elector shall be provided with another opportunity  
320 to verify ballot preferences as described in this subsection;

321 (3) Be accessible to blind or visually impaired persons if it provides  
322 electors with an audio description of the machine's electronic screen  
323 display or electronic summary screen at the time that the elector  
324 completes the selection of ballot preferences and casts the ballot as  
325 provided in this subsection;

326 (4) Meet such additional standards of accessibility, consistent with  
327 this subsection, included in regulations that the Secretary of the State  
328 may adopt, in accordance with the provisions of chapter 54, and meet  
329 the standards of accessibility enunciated by the Election Assistance  
330 Commission pursuant to its implementation of the Help America Vote  
331 Act of 2002, P.L. 107-252, 42 USC 15481-85, as amended from time to  
332 time;

333 (5) Provide that a ballot shall be deemed cast on the direct recording  
334 electronic voting machine at the time that an elector's  
335 contemporaneously produced individual, permanent, paper record,  
336 containing all of the elector's final selection of ballot preferences, is (A)  
337 deposited inside a receptacle designed to store all of the individual,  
338 permanent, voter-verified paper records produced by such voting

339 machine on the day of the election or primary, and (B) the elector's  
340 selection of ballot preferences is simultaneously electronically recorded  
341 inside the voting machine for the purpose of (i) being electronically  
342 tabulated immediately after the polls are closed, and (ii) producing, on  
343 such other day as required under this subsection, a voting machine  
344 self-generated, individual, permanent paper record of each such  
345 elector's selection of ballot preferences for candidates and questions or  
346 proposals, if any; and

347 (6) Except as otherwise provided in subdivision (1) of section 8 of  
348 this act, secure the secrecy of each such elector's ballot by making it  
349 impossible for any other individual to identify the elector in  
350 relationship to such elector's selection of ballot preferences (A) at the  
351 time that the elector is selecting ballot preferences; (B) at the time that  
352 the elector is verifying the accuracy of the screen display or electronic  
353 summary by comparing it to the paper record or audio description of  
354 the ballot display or screen summary, as the case may be, prior to  
355 casting a ballot; (C) while making corrections or changes by reselecting  
356 ballot preferences and verifying the accuracy thereof in the same  
357 manner as set forth in subdivision (2) of this subsection prior to casting  
358 a ballot; (D) at the time that the elector casts the ballot; or (E) at the  
359 time that all electors' ballots are canvassed, recanvassed or otherwise  
360 tallied to produce a final count of the vote for candidates or  
361 propositions, whether through the electronic vote tabulation process or  
362 through the manual count process of each elector's individual,  
363 permanent, voter-verified paper record, as set forth in section 8 of this  
364 act.

365 Sec. 8. (NEW) (*Effective from passage*) The following procedures shall  
366 apply to any election or primary in which one or more direct recording  
367 electronic voting machines are used:

368 (1) Any elector who requires assistance by reason of blindness,  
369 disability, or inability to read or write shall have the right to request  
370 assistance inside the voting booth by a person of the elector's choice in  
371 accordance with 42 USC 1973aa-6, as amended from time to time or

372 section 9-264 of the general statutes.

373 (2) A canvass of the votes shall take place inside the polling place  
374 immediately following the close of the polls on the day of the election  
375 or primary in accordance with the requirements of chapter 148 of the  
376 general statutes. With respect to direct recording electronic voting  
377 machines, any such canvass shall be an electronic vote tabulation of all  
378 of the votes cast on each such voting machine for each candidate and  
379 question or proposal. The moderator shall then add together all of the  
380 votes recorded on each voting machine in use at the polling place,  
381 whether or not such voting machines were direct recording electronic  
382 or not, to produce a cumulative count within the polling place of all  
383 candidates and any questions or proposals appearing on the ballot in  
384 the election or primary. Any member of the public shall have a right to  
385 be present in the polling place to observe the canvass of the votes  
386 beginning as soon as the polls are declared closed by the moderator  
387 and continuing throughout the canvass of the votes of each voting  
388 machine until the final canvass of all of the votes cast on all of the  
389 voting machines in use in the polling place are added together for each  
390 candidate and question or proposal and publicly announced and  
391 declared by the moderator.

392 (3) If a recanvass of the votes is required pursuant to chapter 148 of  
393 the general statutes, the recanvass officials shall, in addition to the  
394 other requirements of said chapter, conduct a manual tally of the  
395 individual, permanent, voter-verified paper records  
396 contemporaneously produced by each direct recording electronic  
397 voting machine used within the geographical jurisdiction that is  
398 subject to such recanvass. The manual tally conducted for the  
399 recanvass shall be limited to the particular candidates and questions or  
400 proposals that are subject to recanvass. If the manual tabulation of the  
401 individual, permanent, voter-verified paper records does not reconcile  
402 with the electronic vote tabulation of a particular direct recording  
403 electronic voting machine or machines, the individual permanent  
404 voter-verified paper records shall be considered the true and correct  
405 record of each elector's vote on such voting machine or machines and

406 shall be used as the official record for purposes of declaring the official  
407 election results or for purposes of any subsequent recanvass, tally or  
408 election contest conducted pursuant to chapters 148 to 153, inclusive,  
409 of the general statutes. If any of the contemporaneously produced  
410 individual, permanent, voter-verified paper records are found to have  
411 been damaged in such manner as they are unable to be manually  
412 tallied with respect to the ballot positions that are the subject of the  
413 recanvass, each such damaged record shall be matched against the  
414 self-generated, individual, permanent paper record produced by the  
415 voting machine bearing the identical machine-generated unique  
416 identifier as the damaged record and, in such instance, shall be  
417 substituted as the official record for purposes of determining the final  
418 election results or for purposes of any subsequent recanvass, tally or  
419 election contest. Notwithstanding the provisions of chapter 148 of the  
420 general statutes, the Secretary of the State may order a discrepancy  
421 recanvass for a state or district office, including a federal office, if the  
422 Secretary has reason to believe that discrepancies may have occurred  
423 that could affect the outcome of the election.

424 (4) Not later than five business days after each election in which a  
425 direct recording electronic voting machine is used, the registrars of  
426 voters or their designees, representing at least two political parties,  
427 shall conduct a manual audit of the votes recorded on at least one  
428 direct recording electronic voting machine used in each voting district.  
429 Not later than five business days after a primary in which a direct  
430 recording electronic voting machine is used, the registrar of voters of  
431 the party holding the primary shall conduct such a manual audit by  
432 designating two or more individuals, one of whom may be the  
433 registrar, representing at least two candidates in the primary. The  
434 machine or machines audited under this subdivision shall be selected  
435 in a random drawing that is announced in advance to the public and is  
436 open to the public. All direct recording electronic voting machines  
437 used within a voting district shall have an equal chance of being  
438 selected for the audit. The method of conducting the random drawing  
439 may begin with a random number seed, use the last three digits of a

440 state lottery drawing determined in advance, use a random number  
441 table recognized by statisticians as authoritative, or use any  
442 combination of such methods or similar methods as may be  
443 determined by the Secretary of the State in advance and publicly  
444 announced. The manual audit shall consist of a manual tally of the  
445 individual, permanent, voter-verified paper records produced by each  
446 voting machine subject to the audit and a comparison of such count,  
447 with respect to all candidates and any questions or proposals  
448 appearing on the ballot, with the electronic vote tabulation reported  
449 for such voting machine on the day of the election or primary. Such  
450 audit shall not be required if a recanvass has been, or will be,  
451 conducted on the voting machine. Such manual audit shall be noticed  
452 in advance and be open to public observation. A reconciliation sheet,  
453 on a form prescribed by the Secretary of the State, that reports and  
454 compares the manual and electronic vote tabulations of each candidate  
455 and question or proposal on each such voting machine, along with any  
456 discrepancies, shall be prepared by the audit officials, signed and  
457 forthwith filed with the town clerk of the municipality and the  
458 Secretary of the State. If any contemporaneously produced individual,  
459 permanent, voter-verified paper record is found to have been  
460 damaged, the same procedures described in subdivision (3) of this  
461 section for substituting such record with the self-generated, individual,  
462 permanent paper record produced by the voting machine bearing the  
463 identical machine-generated unique identifier as the damaged record  
464 shall apply and be utilized by the audit officials to complete the  
465 reconciliation. The reconciliation sheet shall be open to public  
466 inspection and may be used as prima facie evidence of a discrepancy in  
467 any contest arising pursuant to chapter 149 of the general statutes. If  
468 the audit officials are unable to reconcile the manual count with the  
469 electronic vote tabulation and discrepancies, the Secretary of the State  
470 shall conduct such further investigation of the voting machine  
471 malfunction as may be necessary for the purpose of reviewing whether  
472 or not to decertify the voting machine or machines and may order a  
473 recanvass in accordance with the provisions of subdivision (3) of this  
474 section.

475 (5) The individual, permanent, voter-verified paper records  
 476 produced by any direct recording electronic voting machine in use at  
 477 an election or primary held on or after the effective date of this section  
 478 shall be carefully preserved and returned in their designated receptacle  
 479 in accordance with the requirements of section 9-266, 9-302 or 9-310 of  
 480 the general statutes, whichever is applicable, and may not be opened  
 481 or destroyed, except during recanvass or manual audit as set forth in  
 482 this section, for one hundred eighty days following an election or  
 483 primary that does not include a federal office, pursuant to section 9-  
 484 310 of the general statutes, or for twenty-two months following an  
 485 election or primary involving a federal office, pursuant to 42 USC 1974,  
 486 as amended from time to time.

487 (6) Nothing in this section shall preclude any candidate or elector  
 488 from seeking additional remedies pursuant to chapter 149 of the  
 489 general statutes.

490 (7) After an election or primary, any voting machine may be kept  
 491 locked for a period longer than that prescribed by sections 9-266, 9-310  
 492 and 9-447 of the general statutes, if such an extended period is ordered  
 493 by either a court of competent jurisdiction or the State Elections  
 494 Enforcement Commission. Either the court or said commission may  
 495 order an audit of such voting machines to be conducted by such  
 496 persons as the court or said commission may designate.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	New section
Sec. 2	<i>from passage</i>	9-23r(a)
Sec. 3	<i>from passage</i>	9-450(1)
Sec. 4	<i>January 1, 2006</i>	9-333w
Sec. 5	<i>January 1, 2006</i>	New section
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	9-242
Sec. 8	<i>from passage</i>	New section



**GAE**      *Joint Favorable Subst.*

**APP**      *Joint Favorable*