



General Assembly

January Session, 2007

Committee Bill No. 6006

LCO No. 4602

04602HB06006GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT PROVIDING FOR AN ADJOURNED PRIMARY IN THE EVENT OF A TIE.

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

1 Section 1. Section 9-446 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) If two or more candidates obtain the same number of votes at a
4 primary held to nominate candidates for a state or district office, and a
5 tie vote thereby occurs, any of such candidates, or the state chairman
6 of the political party, may apply for a recanvass of the returns in the
7 manner provided in section 9-445. If no such application is made, or if
8 any such recanvass results in a tie vote, [the Secretary of the State, in
9 the presence of not fewer than three disinterested persons, and after
10 notification to the candidates obtaining the same number of votes and
11 the chairman of the state central committee of the party holding the
12 primary of the time when and the place where such tie vote is to be
13 dissolved, shall dissolve such tie vote by lot. The Secretary of the State
14 shall execute a certificate attesting to the result of the dissolution of
15 such tie vote, and the person so certified or the slate so certified as

16 having been chosen by lot shall be deemed to have received a plurality
17 of the votes cast and shall be deemed to have been chosen as the
18 nominee of such party to such office] such primary shall stand
19 adjourned for three weeks at the same hour at which the first primary
20 was held. Ballot labels of the same form and description as described
21 in section 9-437 shall be used in the election on such adjourned day,
22 and the primary shall be conducted in the same manner as on the first
23 day, except that the votes shall be cast for such office only. Ballot labels
24 for such primary shall be provided forthwith by the clerk of the
25 municipality wherein such primary stands adjourned, and such clerk
26 shall furnish the Secretary of the State with an accurate list of all
27 candidates to be voted for at such adjourned primary. The clerk of the
28 municipality wherein such primary so stands adjourned shall, at least
29 three days prior to the day of such adjourned primary, give notice of
30 the day, hours, place and purpose thereof by publishing such notice in
31 a newspaper published in such municipality or having a circulation
32 therein. No such primary shall be held if prior to such primary all but
33 one of the candidates for such office die, withdraw their names or for
34 any reason become disqualified to hold such office, and, in such event,
35 the remaining candidate shall be deemed to be lawfully voted upon as
36 the candidate for such office. No withdrawal shall be valid until the
37 candidate who has withdrawn has filed a letter of withdrawal signed
38 by such candidate with the Secretary of the State. When such a
39 primary is required to be held under the provisions of this section and
40 prior to such primary all but one of the candidates for such office die,
41 withdraw their names or for any reason become disqualified to hold
42 such office, the Secretary of the State shall forthwith notify the clerk of
43 each municipality wherein such primary was to have been held of such
44 fact, and shall forthwith direct each such clerk that such primary shall
45 not be held. In the case of a multiple-opening office only the names of
46 those candidates whose votes are equal shall be placed on the ballot
47 label of the adjourned primary.

48 (b) If two or more candidates obtain the same number of votes at a
49 primary held to nominate candidates for a municipal office or to elect

50 members of a town committee, or if two or more slates of candidates
51 obtain the same number of votes at a primary held for justices of the
52 peace, and a tie vote thereby occurs, any of such candidates, or the
53 town chairman of the political party, may apply for a recanvass of the
54 returns in the manner provided in section 9-445. If no such application
55 is made, or if any such recanvass results in a tie vote, [the registrar, in
56 the presence of not fewer than three disinterested persons, and after
57 notification to the candidates obtaining the same number of votes, and
58 the chairman of the town committee of the party holding the primary,
59 of the time when and the place where such tie vote is to be dissolved,
60 shall dissolve such tie vote by lot. The registrar shall execute a
61 certificate attesting to the result of the dissolution of such tie vote, and
62 each person so certified as having been chosen by lot shall be deemed
63 to have received a plurality of the votes cast and shall be deemed to
64 have been chosen as the nominee of such party to such office or to
65 have been elected as a member of the town committee, as the case may
66 be] such primary shall stand adjourned for three weeks at the same
67 hour at which the first primary was held. Ballot labels of the same form
68 and description as described in section 9-437 shall be used in the
69 election on such adjourned day, and the primary shall be conducted in
70 the same manner as on the first day, except that the votes shall be cast
71 for such office only. Ballot labels for such primary shall be provided
72 forthwith by the clerk of the municipality wherein such primary stands
73 adjourned, and such clerk shall furnish the Secretary of the State with
74 an accurate list of all candidates to be voted for at such adjourned
75 primary. The clerk of the municipality wherein such primary so stands
76 adjourned shall, at least three days prior to the day of such adjourned
77 primary, give notice of the day, hours, place and purpose thereof by
78 publishing such notice in a newspaper published in such municipality
79 or having a circulation therein. No such primary shall be held if prior
80 to such primary all but one of the candidates for such office die,
81 withdraw their names or for any reason become disqualified to hold
82 such office, and, in such event, the remaining candidate shall be
83 deemed to be lawfully voted upon as the candidate for such office. No

84 withdrawal shall be valid until the candidate who has withdrawn has
 85 filed a letter of withdrawal signed by such candidate with the
 86 municipal clerk. When such a primary is required to be held under the
 87 provisions of this section and prior to such primary all but one of the
 88 candidates for such office die, withdraw their names or for any reason
 89 become disqualified to hold such office, the Secretary of the State shall
 90 forthwith notify the clerk of each municipality wherein such primary
 91 was to have been held of such fact, and shall forthwith direct each such
 92 clerk that such primary shall not be held. In the case of a multiple-
 93 opening office only the names of those candidates whose votes are
 94 equal shall be placed on the ballot label of the adjourned primary.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	9-446

Statement of Purpose:

To provide for an adjourned primary in a tie vote, rather than the present mandated process for dissolving a tie vote by lot.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. WRIGHT, 41st Dist.; REP. MOUKAWSHER, 40th Dist.
 REP. REYNOLDS, 42nd Dist.; REP. RITTER, 38th Dist.
 REP. URBAN, 43rd Dist.; SEN. MAYNARD, 18th Dist.
 SEN. STILLMAN, 20th Dist.

H.B. 6006