



General Assembly

January Session, 2007

Raised Bill No. 1310

LCO No. 4745

04745 _____ GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING TECHNICAL AND PROCEDURAL CHANGES TO CERTAIN ELECTION LAWS.

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

1 Section 1. Section 9-65 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 [(a) Within a week after the last session of the registrars of voters
4 under section 9-17 before an election, the registrars of voters in each
5 municipality shall submit in writing to the Secretary of the State a
6 statement setting forth the total number of electors on the active and
7 inactive registry list, the total number of electors enrolled on each
8 active and inactive party enrollment list and the total number of
9 unaffiliated electors on the active and inactive registry list in such
10 municipality. They shall omit therefrom electors on the last-completed
11 registry list or enrollment lists who have died, and they shall include
12 therein electors who have acquired electoral or enrollment privileges
13 since the last-completed registry list or enrollment lists were perfected.
14 In municipalities divided into two voting districts which elect
15 registrars of voters for each district, such information shall be so

16 submitted by the registrars of voters of the first district. Such statement
17 shall be deemed to be submitted within the time required if it is either
18 (1) postmarked by the United States Postal Service not earlier than
19 eight o'clock p.m. on the day of such last session of the registrars and
20 not later than midnight on the seventh day following such last session,
21 or (2) delivered by hand or by electronically transmitted facsimile to
22 the office of the Secretary of the State not earlier than the first day
23 following, and not later than four-thirty o'clock p.m. on the seventh
24 day following, such last session.]

25 [(b)] (a) After the last session of the registrars of voters under section
26 9-17 before each election, the registrars of voters in each municipality
27 shall submit in writing to the Secretary of the State a statement setting
28 forth the total number of names of new electors added to the registry
29 list, and the total number of names of former electors removed from
30 the registry list, in such municipality during the period between the
31 two most recent such last sessions. Such statement shall be submitted
32 annually at a time to be determined by the Secretary of the State. In
33 municipalities divided into two voting districts that elect registrars of
34 voters for each district, such statement shall be so submitted by the
35 registrars of voters of the first district.

36 (b) Not later than a week after the last session of the registrars of
37 voters before an election under section 9-17, the Secretary of the State
38 shall report the total number of electors on the active and inactive
39 registry list, the total number of electors enrolled on each active and
40 inactive party enrollment list and the total number of unaffiliated
41 electors on the active and inactive registry list in such municipality, as
42 reported by the registrars of voters on the state-wide centralized voter
43 registration system. The Secretary shall omit from such report electors
44 on the last-completed registry list or enrollment lists who have died,
45 but shall include electors who have acquired electoral or enrollment
46 privileges since the last-completed registry list or enrollment lists were
47 perfected.

48 Sec. 2. Section 9-258 of the general statutes is repealed and the
49 following is substituted in lieu thereof (*Effective from passage*):

50 The election officials of each polling place, [except] including voting
51 machine mechanics, shall be electors of the [town] state and shall
52 consist of one moderator, two checkers, two registrars of voters or two
53 assistant registrars of voters, as the case may be, of opposite political
54 parties, each of whom shall be residents of the town, and not more
55 than two challengers if the registrars of voters have appointed
56 challengers pursuant to section 9-232, and at least one and not more
57 than two voting machine tenders for each voting machine in use at the
58 polling place. A known candidate for any office shall not serve as an
59 election official on election day or serve at the polls in any capacity,
60 except that a municipal clerk or a registrar of voters, who is a
61 candidate for the same office, may perform his official duties. If, in the
62 opinion of the municipal officials, the public convenience of the
63 electors in any voting district so requires, provision shall be made for
64 an additional line or lines of electors at the polling place and, if more
65 than one line of electors is established, two additional checkers for
66 each line of electors shall be appointed and, if more than one machine
67 is used in a polling place, at least one and not more than two
68 additional voting machine tenders shall be appointed for each
69 additional machine so used. Head moderators, central counting
70 moderators, absentee ballot counters and voting machine mechanics
71 appointed pursuant to law shall also be deemed election officials. No
72 election official shall perform services for any party or candidate on
73 election day.

74 Sec. 3. (NEW) (*Effective from passage*) Notwithstanding any provision
75 of the general statutes, the registrars of voters of each municipality
76 may appoint additional election officials on the day of, or on any day
77 after, an election or primary if, in the opinion of both registrars of
78 voters, additional election officials are needed because (1) an election
79 official appointed prior to the day of the election or primary is unable
80 to serve as an election official for any reason, (2) it is necessary to

81 accommodate the public convenience of the electors in any voting
82 district, or (3) it is necessary to improve the administration of the
83 election or primary. The registrars of voters shall file a written opinion
84 with the municipal clerk indicating the reasons for the appointment of
85 any such additional election officials.

86 Sec. 4. Section 9-453n of the general statutes is repealed and the
87 following is substituted in lieu thereof (*Effective from passage*):

88 Any town clerk receiving any page of a nominating petition under
89 sections 9-453a to 9-453s, inclusive, or section 9-216 shall complete
90 such certifications as specified herein and shall file each such
91 nominating petition page with the Secretary of the State within two
92 weeks after it was so submitted to him. Any such town clerk who fails
93 to so file such petition pages with the Secretary of the State by the time
94 required shall pay a late filing fee of fifty dollars.

95 Sec. 5. Section 9-50b of the general statutes is repealed and the
96 following is substituted in lieu thereof (*Effective from passage*):

97 (a) As used in this section, "state-wide centralized voter registration
98 system" means a computerized system designed and maintained by
99 the Secretary of the State which includes: (1) Voter registration
100 information prescribed by the Secretary, (2) information contained in
101 applications for admission as electors described in section 9-20, (3)
102 information needed to compile registry lists and enrollment lists under
103 sections 9-35 and 9-54, (4) information required by section 9-50a, and
104 (5) other information for use in complying with the provisions of this
105 title.

106 (b) Not later than July 1, 2003, each registrar of voters shall transmit
107 to the office of the Secretary of the State all elector information
108 required by the office to complete the state-wide centralized voter
109 registration system. Each registrar shall transmit such information in a
110 format prescribed by the Secretary. Not later than September 1, 2003,
111 each registrar of voters shall participate in the state-wide centralized

112 voter registration system in the manner prescribed by the Secretary.

113 (c) The provisions of subsection (b) of this section shall not prohibit
114 the registrars of voters of any municipality from maintaining a registry
115 list for such municipality that is separate from the state-wide
116 centralized voter registration system, provided (1) such separate
117 registry list includes the same information as the registry list for such
118 municipality in the state-wide centralized voter registration system,
119 and (2) such registrars comply with the provisions of subsection (b) of
120 this section and the Help America Vote Act, P.L. 107-252, as amended
121 from time to time.

122 (d) After each election or primary, the registrars of voters shall
123 promptly update the state-wide centralized voter registration system,
124 as defined in subsection (a) of this section, and indicate whether the
125 eligible voters on the official registry list for each election or primary
126 voted and, if so, if they voted in person or by absentee ballot.

127 Sec. 6. Section 9-452 of the general statutes is repealed and the
128 following is substituted in lieu thereof (*Effective from passage*):

129 All minor parties nominating candidates for any elective office shall
130 make such nominations and certify and file a list of such nominations,
131 as required by this section, not later than the [fifty-fifth] sixty-second
132 day prior to the day of the election at which such candidates are to be
133 voted for. A list of nominees in printed or typewritten form shall be
134 certified by the presiding officer of the committee, meeting or other
135 authority making such nomination and shall be filed by such presiding
136 officer with the Secretary of the State, in the case of state or district
137 office or the municipal office of state representative, state senator or
138 judge of probate, or with the clerk of the municipality, in the case of
139 municipal office, not later than the [fifty-fifth] sixty-second day prior to
140 the day of the election. The clerk of such municipality shall promptly
141 verify and correct the names on any such list filed with him, or the
142 names of nominees forwarded to him by the Secretary of the State, in
143 accordance with the registry list of such municipality and endorse the

144 same as having been so verified and corrected. For purposes of this
145 section, a list of nominations shall be deemed to be filed when it is
146 received by the secretary or clerk, as appropriate.

147 Sec. 7. Subsection (b) of section 9-453o of the general statutes is
148 repealed and the following is substituted in lieu thereof (*Effective from*
149 *passage*):

150 (b) Except as otherwise provided in this subsection, the Secretary of
151 the State shall approve every nominating petition which contains
152 sufficient signatures counted and certified on approved pages by the
153 town clerks. In the case of a candidate who petitions under a reserved
154 party designation the secretary shall approve the petition only if it
155 meets the signature requirement and if a statement endorsing such
156 candidate is filed with the secretary by the party designation
157 committee not later than four o'clock p.m. on the [fifty-fifth] sixty-
158 second day before the election. In the case of a candidate who petitions
159 under a party designation which is the same as the name of a minor
160 party the secretary shall approve the petition only if it meets the
161 signature requirement and if a statement endorsing such candidate is
162 filed in the office of the secretary by the chairman or secretary of such
163 minor party not later than four o'clock p.m. on the [fifty-fifth] sixty-
164 second day before the election. No candidate shall be qualified to
165 appear on any ballot by nominating petition unless the candidate's
166 petition is approved by the secretary pursuant to this subsection.

167 Sec. 8. Subsection (a) of section 9-453i of the general statutes is
168 repealed and the following is substituted in lieu thereof (*Effective from*
169 *passage*):

170 (a) Each page of a nominating petition proposing a candidate for an
171 office to be filled at a regular election shall be submitted to the
172 appropriate town clerk or to the Secretary of the State not later than
173 four o'clock p.m. on the [ninetieth] ninety-eighth day preceding the
174 day of the regular election.

175 Sec. 9. Section 9-460 of the general statutes is repealed and the
176 following is substituted in lieu thereof (*Effective from passage*):

177 If any party has nominated a candidate for office, or, on and after
178 November 4, 1981, if a candidate has qualified to appear on any ballot
179 by nominating petition under a reserved party designation, in
180 accordance with the provisions of this chapter, and such nominee
181 thereafter, but prior to [ten] twenty-four days before the opening of the
182 polls on the day of the election for which such nomination has been
183 made, dies, withdraws such nominee's name or for any reason
184 becomes disqualified to hold the office for which such nominee has
185 been nominated (1) such party or, on and after November 4, 1981, the
186 party designation committee may make a nomination to fill such
187 vacancy or provide for the making of such nomination as its rules
188 prescribe, and (2) if another party that is qualified to nominate a
189 candidate for such office does not have a nominee for such office, such
190 party may also nominate a candidate for such office as its rules
191 prescribe. No withdrawal, and no nomination to replace a candidate
192 who has withdrawn, under this section shall be valid unless the
193 candidate who has withdrawn has filed a letter of withdrawal signed
194 by such candidate with the Secretary of the State in the case of a state
195 or district office or the office of state senator or state representative
196 from any district, or with the municipal clerk in the case of a municipal
197 office other than state senator or state representative. A copy of such
198 candidate's letter of withdrawal to the municipal clerk shall also be
199 filed with the Secretary of the State. No nomination to fill a vacancy
200 under this section shall be valid unless it is certified to the Secretary of
201 the State in the case of a state or district office or the office of state
202 senator or state representative from any district, or to the municipal
203 clerk in the case of a municipal office other than state senator or state
204 representative, by the organization or committee making such
205 nomination, at least [seven] twenty-one days before the opening of the
206 polls on the day of the election, except as otherwise provided by this
207 section. If a nominee dies within [ten] twenty-four days, but prior to
208 twenty-four hours before the opening of the polls on the day of the

209 election for which such nomination has been made, the vacancy may
210 be filled in the manner prescribed in this section by two o'clock p.m. of
211 the day before the election with the municipal clerk or the Secretary of
212 the State, as the case may be. If a nominee dies within twenty-four
213 hours before the opening of the polls and prior to the close of the polls
214 on the day of the election for which such nomination has been made,
215 such nominee shall not be replaced and the votes cast for such
216 nominee shall be canvassed and counted, and if such nominee receives
217 a plurality of the votes cast, a vacancy shall exist in the office for which
218 the nomination was made. The vacancy shall then be filled in a manner
219 prescribed by law. A copy of such certification to the municipal clerk
220 shall also be filed with the Secretary of the State. Such nomination to
221 fill a vacancy due to death or disqualification shall include a statement
222 setting forth the reason for such vacancy. If at the time such
223 nomination is certified to the Secretary of the State or to the municipal
224 clerk, as the case may be, the ballot labels have already been printed,
225 the Secretary of the State shall direct the municipal clerk in each
226 municipality affected to (A) have the ballot labels reprinted with the
227 nomination thus made included thereon, (B) cause printed stickers to
228 be affixed to the ballot labels so that the name of any candidate who
229 has died, withdrawn or been disqualified is deleted and the name of
230 any candidate chosen to fill such vacancy appears in the same position
231 as that in which the vacated candidacy appeared, or (C) cause blank
232 stickers to be so affixed if the vacancy is not filled.

233 Sec. 10. Section 9-446 of the general statutes is repealed and the
234 following is substituted in lieu thereof (*Effective from passage*):

235 (a) If two [or more] candidates obtain the same number of votes at a
236 primary of two candidates or fewer held to nominate candidates for a
237 state or district office, and a tie vote thereby occurs, any of such
238 candidates, or the state chairman of the political party, may apply for a
239 recanvass of the returns in the manner provided in section 9-445. If no
240 such application is made, or if any such recanvass results in a tie vote,
241 the Secretary of the State, in the presence of not fewer than three

242 disinterested persons, and after notification to the candidates obtaining
243 the same number of votes and the chairman of the state central
244 committee of the party holding the primary of the time when and the
245 place where such tie vote is to be dissolved, shall dissolve such tie vote
246 by lot. The Secretary of the State shall execute a certificate attesting to
247 the result of the dissolution of such tie vote, and the person so certified
248 or the slate so certified as having been chosen by lot shall be deemed to
249 have received a plurality of the votes cast and shall be deemed to have
250 been chosen as the nominee of such party to such office.

251 (b) If two or more candidates obtain the same number of votes at a
252 primary of three or more candidates held to nominate candidates for a
253 state or district office, and a tie vote thereby occurs, any of such
254 candidates, or the state chairperson of the political party, may apply
255 for a recanvass of the returns in the manner provided in section 9-445.
256 If no such application is made, or if any such recanvass results in a tie
257 vote, such primary shall stand adjourned for three weeks at the same
258 hour as the first primary was held. Ballot labels of the same form and
259 description, as described in chapter 153, shall be used at such
260 adjourned primary, except that such ballot labels shall contain only the
261 names of the candidates for whom the same number of votes were cast
262 at such primary. The adjourned primary shall be conducted in the
263 same manner as the first primary, except that the votes shall be cast for
264 such officer only. Ballot labels for such adjourned primary shall be
265 provided forthwith by the clerk of the municipality wherein such
266 primary stands adjourned, and such clerk shall furnish the Secretary of
267 the State with an accurate list of all candidates to be voted for at such
268 adjourned primary. The clerk of the municipality wherein such
269 primary so stands adjourned shall, not later than three days prior to
270 the day of such adjourned primary, give notice of the day, hours, place
271 and purpose thereof by publishing such notice in a newspaper
272 published in such municipality or having a circulation therein. No
273 such adjourned primary shall be held if prior to such adjourned
274 primary all but one of the candidates for such office die, withdraw
275 their names or for any reason become disqualified to hold such office,

276 and, in such event, the remaining candidate shall be deemed to have
277 been chosen as the nominee of such party to such office. No
278 withdrawal shall be valid until the candidate who has withdrawn has
279 filed a letter of withdrawal signed by such candidate with the
280 Secretary of the State or, in the case of a municipal office, until the
281 candidate who has withdrawn has filed a letter of withdrawal signed
282 by such candidate with the municipal clerk. When such a primary is
283 required to be held under the provisions of this section for any office
284 other than a municipal office, and prior to such election all but one of
285 the candidates for such office die, withdraw their names or for any
286 reason become disqualified to hold such office, the Secretary of the
287 State shall forthwith notify the clerk of each municipality wherein such
288 primary was to have been held of such fact, and shall forthwith direct
289 each such clerk that such primary shall not be held. In the case of a
290 multiple opening office only the names of those candidates whose
291 votes are equal shall be placed on the ballot label of the adjourned
292 primary.

293 (c) If two or more candidates obtain the same number of votes at a
294 primary held to nominate candidates for a municipal office or to elect
295 members of a town committee, or if two or more slates of candidates
296 obtain the same number of votes at a primary held for justices of the
297 peace, and a tie vote thereby occurs, any of such candidates, or the
298 town chairman of the political party, may apply for a recanvass of the
299 returns in the manner provided in section 9-445. If no such application
300 is made, or if any such recanvass results in a tie vote, the registrar, in
301 the presence of not fewer than three disinterested persons, and after
302 notification to the candidates obtaining the same number of votes, and
303 the chairman of the town committee of the party holding the primary,
304 of the time when and the place where such tie vote is to be dissolved,
305 shall dissolve such tie vote by lot. The registrar shall execute a
306 certificate attesting to the result of the dissolution of such tie vote, and
307 each person so certified as having been chosen by lot shall be deemed
308 to have received a plurality of the votes cast and shall be deemed to
309 have been chosen as the nominee of such party to such office or to

310 have been elected as a member of the town committee, as the case may
311 be.

312 (d) If two or more candidates obtain the same number of votes at a
313 primary of three or more candidates held to nominate candidates for a
314 municipal office or to elect members of a town committee, or if two or
315 more slates of candidates obtain the same number of votes at a
316 primary held for justices of the peace, and a tie vote thereby occurs,
317 any of such candidates, or the state chairperson of the political party,
318 may apply for a recanvass of the returns in the manner provided in
319 section 9-445. If no such application is made, or if any such recanvass
320 results in a tie vote, such primary shall stand adjourned for three
321 weeks at the same hour at which the first election was held. Ballot
322 labels of the same form and description, as described in chapter 153,
323 shall be used at such adjourned primary, except that such ballot labels
324 shall contain only the names of the candidates for whom the same
325 number of votes were cast at such primary. The adjourned primary
326 shall be conducted in the same manner as the first primary, except that
327 the votes shall be cast for such officer only. Ballot labels for such
328 primary shall be provided forthwith by the clerk of the municipality
329 wherein such primary stands adjourned, and such clerk shall furnish
330 the Secretary of the State with an accurate list of all candidates to be
331 voted for at such adjourned primary. The clerk of the municipality
332 wherein such primary so stands adjourned shall, not later than three
333 days prior to the day of such adjourned primary, give notice of the
334 day, hours, place and purpose thereof by publishing such notice in a
335 newspaper published in such municipality or having a circulation
336 therein. No such primary shall be held if prior to such primary all but
337 one of the candidates for such office die, withdraw their names or for
338 any reason become disqualified to hold such office, and, in such event,
339 the remaining candidate shall be deemed to have been chosen as the
340 nominee of such party to such office. No withdrawal shall be valid
341 until the candidate who has withdrawn has filed a letter of withdrawal
342 signed by such candidate with the Secretary of the State or, in the case
343 of a municipal office, until the candidate who has withdrawn has filed

344 a letter of withdrawal signed by such candidate with the municipal
345 clerk. When such a primary is required to be held under the provisions
346 of this section for any office other than a municipal office, and prior to
347 such election all but one of the candidates for such office die, withdraw
348 their names or for any reason become disqualified to hold such office,
349 the Secretary of the State shall forthwith notify the clerk of each
350 municipality wherein such primary was to have been held of such fact,
351 and shall forthwith direct each such clerk that such primary shall not
352 be held. In the case of a multiple opening office only the names of
353 those candidates whose votes are equal shall be placed on the ballot
354 label of the adjourned primary.

355 Sec. 11. Section 3-85 of the general statutes is repealed and the
356 following is substituted in lieu thereof (*Effective from passage*):

357 After the adjournment of each General Assembly, the Secretary shall
358 cause all the engrossed bills which have become laws to be bound,
359 together with any engrossed amendments to the Constitution
360 proposed by the General Assembly at such session and continued to
361 the next assembly, in [one volume] suitable volumes, and shall also
362 record such bills by the title and number in the public records of the
363 state; and such volume shall be the official record of the acts passed by
364 the General Assembly at such session and of the amendments to the
365 Constitution proposed at such session by said General Assembly.

366 Sec. 12. Section 9-395 of the general statutes is repealed and the
367 following is substituted in lieu thereof (*Effective from passage*):

368 (a) Forthwith upon the certification provided in section 9-391, the
369 clerk of the municipality shall publish, in a newspaper having a
370 general circulation in such municipality, the fact of such certification
371 and that a list of the persons endorsed as candidates is on file in his
372 office and copies thereof are available for public distribution. If, with
373 respect to any office or position to be filled, the clerk of the
374 municipality has failed to receive the certification of the name of any
375 person as a party-endorsed candidate within the time limited in

376 section 9-391, such fact shall be published by the clerk of the
377 municipality. Together with such information, the clerk shall publish a
378 notice that a primary will be held for the nomination by such political
379 party of a candidate for the offices to be filled or for the election of
380 members of the town committee, as the case may be, if a candidacy is
381 filed in accordance with the provisions of sections 9-382 to 9-450,
382 inclusive. Such notice shall specify the final date for the filing of such
383 candidacy and the date of the primary, shall state where forms for
384 petitions may be obtained and shall generally indicate the method of
385 procedure in the filing of such candidacy. The Secretary of the State
386 shall prescribe the form of such notice. The clerk shall forthwith
387 publish any change in the party-endorsed candidates, listing such
388 changes.

389 (b) In any year in which a state election is to be held, the notice
390 described in subsection (a) of this section shall: (1) Be published not
391 later than the seventy-sixth day preceding the day of the primary, (2)
392 indicate that certification provided in section 9-391 can be made, and
393 (3) indicate that a list of persons endorsed as candidates will be on file
394 in the clerk's office, as provided in subsection (a) of this section. The
395 requirement contained in subsection (a) of this section to publish the
396 fact that the clerk of the municipality has failed to receive the
397 certification of the name of any person as a party-endorsed candidate
398 within the time limit in section 9-391, shall not apply to the notice
399 required by this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-65
Sec. 2	<i>from passage</i>	9-258
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	9-453n
Sec. 5	<i>from passage</i>	9-50b
Sec. 6	<i>from passage</i>	9-452
Sec. 7	<i>from passage</i>	9-453o(b)

Sec. 8	<i>from passage</i>	9-453i(a)
Sec. 9	<i>from passage</i>	9-460
Sec. 10	<i>from passage</i>	9-446
Sec. 11	<i>from passage</i>	3-85
Sec. 12	<i>from passage</i>	9-395

Statement of Purpose:

To make certain technical and procedural changes to the election law statutes.

[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.]