



General Assembly

February Session, 2008

**Raised Bill No. 5663**

LCO No. 2097

\*02097\_\_\_\_\_GAE\*

Referred to Committee on Government Administration and Elections

Introduced by:  
(GAE)

**AN ACT CONCERNING UNITED STATES SENATE VACANCIES.**

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

1 Section 1. Section 9-211 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) In case of a vacancy in the office of senator in Congress, the  
4 Governor, [is empowered to fill such vacancy by appointment as  
5 herein provided. If such vacancy occurs one hundred fifty or more  
6 days prior to a state election, the appointee shall serve until the third  
7 day of January following such election, and at such election there shall  
8 be elected a senator in Congress to serve for the remaining portion, if  
9 any, of the term vacated. If such vacancy occurs within less than one  
10 hundred fifty days of a state election and the term vacated does not  
11 expire on the third day of January following such election, the  
12 appointee shall serve until the third day of January following the next  
13 such election but one, and at such next election but one there shall be  
14 elected a senator in Congress to serve for the remaining portion, if any,  
15 of the term vacated. If such vacancy occurs within less than one  
16 hundred fifty days of a state election and the term vacated expires on

17 the third day of January following, the appointee shall serve until such  
18 third day of January] except as otherwise provided by law, shall, not  
19 more than ten days after the occurrence of such vacancy, issue writs of  
20 election directed to the town clerks or assistant town clerks ordering  
21 an election to be held on the sixtieth day after the issue of such writs  
22 on a day, other than a Saturday or Sunday, to fill such vacancy,  
23 provided (1) if such a vacancy occurs between the one hundred  
24 twenty-fifth day and the sixty-third day before the day of a regular  
25 state or municipal election in November of any year, the Governor  
26 shall so issue such writs on the sixtieth day before the day of such  
27 regular election, ordering an election to be held on the day of such  
28 regular election, (2) if such a vacancy occurs after the sixty-third day  
29 before the day of a regular state election but before the regular state  
30 election, the Governor shall not issue such writs and no election shall  
31 be held under this section, unless the position vacated is that of  
32 member-elect, in which case the Governor shall issue such writs and  
33 an election shall be held as provided in this section, and (3) if a  
34 primary for such office occurs pursuant to subparagraph (C) of  
35 subdivision (1) of section 9-450, the Governor shall, not later than ten  
36 days following the filing of a candidacy for nomination by a person  
37 other than the party-endorsed candidate, issue new writs of election, in  
38 place of those first issued pursuant to this section.

39 (b) The Governor shall cause writs of election issued pursuant to  
40 subsection (a) of this section to be conveyed to a state marshal, who  
41 shall forthwith transmit an attested copy thereof to such clerks or  
42 assistant clerks. Such clerks or assistant clerks, on receiving such writs,  
43 shall warn elections to be held on the day appointed therein in the  
44 same manner as state elections are warned, which elections shall be  
45 organized and conducted as are state elections, and the vote shall be  
46 declared, certified, directed, deposited, returned and transmitted in the  
47 same manner as at a state election.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	9-211
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**Statement of Purpose:**

To establish a new procedure for the holding of an election in the event of a senate vacancy in Congress.

*[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.]*