



General Assembly

January Session, 2009

Raised Bill No. 6436

LCO No. 3412

03412_____GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING BALLOT ACCESS.

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

1 Section 1. Section 9-453d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 Each petition shall be signed by a number of qualified electors equal
4 to the lesser of (1) one per cent of the votes cast for the same office or
5 offices at the last-preceding election, or the number of qualified
6 electors prescribed by section 9-380 with regard to newly-created
7 offices, or (2) [seven thousand five hundred] one thousand. "Qualified
8 electors" means electors eligible to vote for all the candidates proposed
9 by the petition. "Votes cast for the same office at the last-preceding
10 election" means, in the case of multiple openings for the same office,
11 the total number of electors checked as having voted at the last-
12 preceding election at which such office appeared on the ballot label.

13 Sec. 2. Section 9-453f of the general statutes is repealed and the
14 following is substituted in lieu thereof (*Effective October 1, 2009*):

15 Before any signatures may be obtained on a petition signatures
16 page, above the space provided for signatures shall be indicated the
17 party designation, if any, the name and address of the candidate, the
18 office sought, the election and the date thereof, and the town and
19 district, if such is the case, in which such petition page is to be
20 circulated. Such indication may not be altered or amended after any
21 person has signed the page. Each page of a nominating petition shall
22 contain the names and street addresses of the signers. [No page of a
23 nominating petition shall be certified by the clerks of two or more
24 towns and signatures on any page so certified shall not be counted by
25 the Secretary of the State.]

26 Sec. 3. Section 9-453i of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective October 1, 2009*):

28 (a) Each page of a nominating petition proposing a candidate for an
29 office to be filled at a regular election shall be submitted to the
30 [appropriate town clerk or to the] Secretary of the State not later than
31 four o'clock p.m. on the ninetieth day preceding the day of the regular
32 election.

33 (b) Each page of a nominating petition proposing a candidate for an
34 office to be filled at a special election, except petitions filed under
35 section 9-216, shall be submitted to [the appropriate town clerk or to]
36 the Secretary of the State not later than four o'clock p.m. on the
37 seventieth day prior to such election, unless (1) such special election is
38 held in conjunction with a regular election, and (2) the writ of such
39 special election is issued at least fourteen days before the final day for
40 the filing of primary petitions for municipal offices to be filled at such
41 regular election pursuant to section 9-405, in which case the deadline
42 for submitting such nominating petition pages shall be the same as the
43 deadline for such submission in connection with such regular election
44 as provided in subsection (a) of this section.

45 (c) Each page of a nominating petition proposing a candidate at an
46 election shall be so submitted [either (1) to the town clerk of the town

47 in which the signers reside, or (2)] to the Secretary of the State. [, in
48 which case the Secretary of the State shall submit the petition pages to
49 the appropriate town clerk for the purpose of certifying the signatures
50 on such pages.]

51 [(d) On such last day for submitting such nominating petition pages,
52 in each town in which an election is to be held, the office of the town
53 clerk shall open not later than one o'clock p.m. and remain open until
54 at least four o'clock p.m., and the town clerk or his assistant town clerk
55 shall be present therein.]

56 Sec. 4. Section 9-453j of the general statutes is repealed and the
57 following is substituted in lieu thereof (*Effective October 1, 2009*):

58 Each page of a nominating petition submitted to the [town clerk or
59 the] Secretary of the State [and filed with the Secretary of the State]
60 under the provisions of sections 9-453a to 9-453s, inclusive, as
61 amended by this act, or section 9-216 shall contain a statement as to the
62 residency in this state and eligibility of the circulator and authenticity
63 of the signatures thereon, signed under penalties of false statement, by
64 the person who circulated the same. Such statement shall set forth (1)
65 such circulator's residence address, including the town in this state in
66 which such circulator is a resident, (2) the circulator's date of birth and
67 that the circulator is at least eighteen years of age, (3) that the circulator
68 is a United States citizen and not on parole for conviction of a felony,
69 and (4) that each person whose name appears on such page signed the
70 same in person in the presence of such circulator and that either the
71 circulator knows each such signer or that the signer satisfactorily
72 identified himself to the circulator. Any false statement committed
73 with respect to such statement shall be deemed to have been
74 committed in the town in which the petition was circulated.

75 Sec. 5. Section 9-453k of the general statutes is repealed and the
76 following is substituted in lieu thereof (*Effective October 1, 2009*):

77 (a) The [town clerk or] Secretary of the State shall not accept any

78 page of a nominating petition unless the circulator thereof has signed
79 before him or an appropriate person as provided in section 1-29, the
80 statement as to the residency in this state and eligibility of the
81 circulator and authenticity of the signatures thereon required by
82 section 9-453j, as amended by this act.

83 (b) The [town clerk or] Secretary of the State or an appropriate
84 person as provided in section 1-29 shall certify on each such page that
85 the circulator thereof signed such statement in his presence and that
86 either he knows the circulator or that the circulator satisfactorily
87 identified himself to the individual certifying.

88 (c) The [town clerk or] Secretary of the State shall forthwith give to
89 each circulator submitting a page or pages of a nominating petition a
90 receipt indicating the number of such pages so submitted and the date
91 upon which such pages were submitted.

92 (d) [Such town clerk] The Secretary of the State shall certify on each
93 such page the date upon which it was submitted to the [town clerk by
94 the circulator or the] Secretary of the State and the number of names of
95 electors on such petition page, which names were on the registry list
96 last-completed or are names of persons admitted as electors since the
97 completion of such list. In the checking of signatures on such
98 nominating petition pages, the [town clerk] secretary shall reject any
99 name if such name is not the name of an elector as specified above.
100 Such rejection shall be indicated by placing a mark in a manner
101 prescribed by the Secretary of the State before the name so rejected.
102 The [town clerk] secretary shall not reject any name for which the
103 street address on the petition is different from the street address on the
104 registry list, if (1) such person is eligible to vote for the candidate or
105 candidates named in the petition, and (2) the person's date of birth, as
106 shown on the petition page, is the same as the date of birth on the
107 person's registration record. [Such clerk] The secretary may place a
108 check mark before each name appearing on such registry list or each
109 name of a person admitted as an elector since the completion of such

110 list, but shall place no other mark on such page except as provided in
111 this section.

112 Sec. 6. Section 9-453o of the general statutes is repealed and the
113 following is substituted in lieu thereof (*Effective October 1, 2009*):

114 (a) The Secretary of the State may not count for purposes of
115 determining compliance with the number of signatures required by
116 section 9-453d the signatures [certified by the town clerk] on any
117 petition page filed under sections 9-453a to 9-453s, inclusive, as
118 amended by this act, or 9-216 if: (1) The name of the candidate, his
119 address or the party designation, if any, has been omitted from the face
120 of the petition; or (2) the page does not contain a statement by the
121 circulator as to the residency in this state and eligibility of the
122 circulator and authenticity of the signatures thereon as required by
123 section 9-453j, as amended by this act, or upon which such statement of
124 the circulator is incomplete in any respect. [; or (3) the page does not
125 contain the certifications required by sections 9-453a to 9-453s,
126 inclusive, by the town clerk of the town in which the signers reside.
127 The town clerk shall cure any omission on his part by signing any such
128 page at the office of the Secretary of the State and making the
129 necessary amendment or by filing a separate statement in this regard,
130 which amendment shall be dated.]

131 (b) Except as otherwise provided in this subsection, the Secretary of
132 the State shall approve every nominating petition which contains
133 sufficient signatures counted and certified on approved pages by the
134 [town clerks] secretary. In the case of a candidate who petitions under
135 a reserved party designation the secretary shall approve the petition
136 only if it meets the signature requirement and if a statement endorsing
137 such candidate is filed with the secretary by the party designation
138 committee not later than four o'clock p.m. on the fifty-fifth day before
139 the election. In the case of a candidate who petitions under a party
140 designation which is the same as the name of a minor party the
141 secretary shall approve the petition only if it meets the signature

142 requirement and if a statement endorsing such candidate is filed in the
143 office of the secretary by the chairman or secretary of such minor party
144 not later than four o'clock p.m. on the fifty-fifth day before the election.
145 No candidate shall be qualified to appear on any ballot by nominating
146 petition unless the candidate's petition is approved by the secretary
147 pursuant to this subsection.

148 (c) The Secretary of the State may approve a nominating petition
149 received under section 9-453k, as amended by this act, at any time
150 except such approval shall be withdrawn if sufficient signatures are
151 withdrawn under section 9-453h.

152 Sec. 7. Sections 9-453l and 9-453n of the general statutes are
153 repealed. (*Effective October 1, 2009*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	9-453d
Sec. 2	<i>October 1, 2009</i>	9-453f
Sec. 3	<i>October 1, 2009</i>	9-453i
Sec. 4	<i>October 1, 2009</i>	9-453j
Sec. 5	<i>October 1, 2009</i>	9-453k
Sec. 6	<i>October 1, 2009</i>	9-453o
Sec. 7	<i>October 1, 2009</i>	Repealer section

Statement of Purpose:

To make ballot access easier for petitioning candidates and to have the Secretary of the State certify such petitions, rather than the town clerks.

[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.]