



General Assembly

January Session, 2009

**Committee Bill No. 615**

LCO No. 3988

\*03988SB00615GAE\*

Referred to Committee on Government Administration and Elections

Introduced by:  
(GAE)

**AN ACT CONCERNING THE FILLING OF NOMINATION VACANCIES BY POLITICAL PARTIES.**

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

1 Section 1. Section 9-460 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) If any party has nominated a candidate for office, or, on and after  
4 November 4, 1981, if a candidate has qualified to appear on any ballot  
5 by nominating petition under a reserved party designation, in  
6 accordance with the provisions of this chapter, and such nominee  
7 thereafter, but prior to twenty-four days before the opening of the  
8 polls on the day of the election for which such nomination has been  
9 made, dies, withdraws such nominee's name or for any reason  
10 becomes disqualified to hold the office for which such nominee has  
11 been nominated (1) such party or, on and after November 4, 1981, the  
12 party designation committee may make a nomination to fill such  
13 vacancy or provide for the making of such nomination as its rules  
14 prescribe, and (2) if another party that is qualified to nominate a  
15 candidate for such office does not have a nominee for such office, such

16 party may also nominate a candidate for such office as its rules  
17 prescribe. No withdrawal, and no nomination to replace a candidate  
18 who has withdrawn, under this section shall be valid unless the  
19 candidate who has withdrawn has filed a letter of withdrawal signed  
20 by such candidate with the Secretary of the State in the case of a state  
21 or district office or the office of state senator or state representative  
22 from any district, or with the municipal clerk in the case of a municipal  
23 office other than state senator or state representative. A copy of such  
24 candidate's letter of withdrawal to the municipal clerk shall also be  
25 filed with the Secretary of the State. No nomination to fill a vacancy  
26 under this section shall be valid unless it is certified to the Secretary of  
27 the State in the case of a state or district office or the office of state  
28 senator or state representative from any district, or to the municipal  
29 clerk in the case of a municipal office other than state senator or state  
30 representative, by the organization or committee making such  
31 nomination, at least twenty-one days before the opening of the polls on  
32 the day of the election, except as otherwise provided by this section. If  
33 a nominee dies within twenty-four days, but prior to twenty-four  
34 hours before the opening of the polls on the day of the election for  
35 which such nomination has been made, the vacancy may be filled in  
36 the manner prescribed in this section by two o'clock p.m. of the day  
37 before the election with the municipal clerk or the Secretary of the  
38 State, as the case may be. If a nominee dies within twenty-four hours  
39 before the opening of the polls and prior to the close of the polls on the  
40 day of the election for which such nomination has been made, such  
41 nominee shall not be replaced and the votes cast for such nominee  
42 shall be canvassed and counted, and if such nominee receives a  
43 plurality of the votes cast, a vacancy shall exist in the office for which  
44 the nomination was made. The vacancy shall then be filled in a manner  
45 prescribed by law. A copy of such certification to the municipal clerk  
46 shall also be filed with the Secretary of the State. Such nomination to  
47 fill a vacancy due to death or disqualification shall include a statement  
48 setting forth the reason for such vacancy. If at the time such  
49 nomination is certified to the Secretary of the State or to the municipal

50 clerk, as the case may be, the ballot labels have already been printed,  
51 the Secretary of the State shall direct the municipal clerk in each  
52 municipality affected to (A) have the ballot labels reprinted with the  
53 nomination thus made included thereon, (B) cause printed stickers to  
54 be affixed to the ballot labels so that the name of any candidate who  
55 has died, withdrawn or been disqualified is deleted and the name of  
56 any candidate chosen to fill such vacancy appears in the same position  
57 as that in which the vacated candidacy appeared, or (C) cause blank  
58 stickers to be so affixed if the vacancy is not filled.

59 (b) Notwithstanding the provisions of subsection (a) of this section,  
60 if any party has nominated a candidate for the office of state senator or  
61 state representative and thereafter such nominee withdraws the  
62 nominee's name to hold such office for other than the serious,  
63 verifiable illness of such nominee, such party may make a nomination  
64 to fill such vacancy or provide for the making of such nomination as its  
65 rules prescribe, provided such vacancy is filled not later than July  
66 thirty-first.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	9-460

**Statement of Purpose:**

To ensure fair campaign practices and the efficient use of public financing.

*[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: SEN. DEFRONZO, 6th Dist.

S.B. 615