



# House of Representatives

General Assembly

**File No. 482**

February Session, 2010

Substitute House Bill No. 5441

*House of Representatives, April 13, 2010*

The Committee on Government Administration and Elections reported through REP. SPALLONE of the 36th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING CERTAIN REVISIONS TO ELECTIONS RELATED STATUTES.***

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

1 Section 1. Section 9-35c of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 Notwithstanding the provisions of sections 9-238, 9-406 and 9-436,  
4 as amended by this act, and other provisions of the general statutes,  
5 the names of electors on the inactive registry list compiled under  
6 section 9-35 shall not be counted for purposes of computing the  
7 number of [voting machines required and the number of] petition  
8 signatures required. Each elector on such inactive registry list who, in  
9 the determination of the registrars, has signed a petition pursuant to  
10 the general statutes, giving the same address as appears on the inactive  
11 registry list, shall forthwith be placed on the active registry list  
12 compiled under said section 9-35. Each such elector shall be counted  
13 for purposes of future computations of the number of [voting

14 machines required and the number of] signatures required on future  
15 petitions issued for other electoral events. The names of electors on the  
16 inactive registry list compiled pursuant to section 9-35 shall not be  
17 counted for purposes of computing the minimum percentage of the  
18 number of electors required in any charter or special act, if such charter  
19 or special act requires approval of a referendum by a minimum  
20 percentage of electors qualified on the last-completed registry list or  
21 has a similar requirement.

22 Sec. 2. Section 9-36 of the general statutes is repealed and the  
23 following is substituted in lieu thereof (*Effective from passage*):

24 The list for which provision is made in section 9-35 shall be termed  
25 the preliminary registry list and such list shall be [completed, certified  
26 by such registrars and deposited in the town clerk's office, at least  
27 thirty-one days before the regular election, and shall be on file in such  
28 office] available in the office of the registrars of voters for public  
29 inspection [until the next preliminary registry list has been completed  
30 and filed. In each municipality having a population of more than five  
31 thousand, a certified copy of such preliminary registry list for each  
32 voting district therein shall be completed, reproduced, certified by the  
33 registrars and posted in such municipality for public inspection on or  
34 before the Saturday of the fifth week before each regular election,] and  
35 copies shall be made available for distribution by the registrars of  
36 voters. Whenever the registrars of voters are not in their office, such  
37 list shall be placed outside of the office for public inspection. The  
38 registrars of voters shall, upon request, give to [a] any candidate for  
39 election [to the General Assembly] a copy of the preliminary registry  
40 list for each voting district [included in the General Assembly district]  
41 for which such person is a candidate.

42 Sec. 3. Section 9-37 of the general statutes is repealed and the  
43 following is substituted in lieu there of (*Effective from passage*):

44 [Each registrar shall keep a copy of the preliminary registry list for  
45 his use in revision. Such registrars shall give notice in such list of the  
46 times and places at which they will hold one or more sessions during

47 the period between the Saturday of the fifth week before the regular  
48 election and the Saturday of the fourth week before the regular  
49 election, for the revision and correction of such list which, when  
50 completed, shall be termed the "final registry list" for such election. In  
51 each municipality having a population of more than five thousand,  
52 they shall also give notice of such times and places by publication in a  
53 newspaper circulating in such municipality and by posting the same  
54 on the signpost therein, if any, and at the office of the town clerk at  
55 least five days before the first of such sessions. The number of sessions  
56 shall be fixed by the registrars of each municipality. The registrars  
57 shall also hold sessions, of which no public notice need be given, for  
58 the purpose of correcting such preliminary list, and for the purpose of  
59 adding to such list the names of persons entitled to be registered  
60 thereon, on each day they are in session for the admission of electors  
61 pursuant to section 9-17, and they may also hold sessions for revision  
62 and correction of the registry list on any other day, except during the  
63 period of six days preceding any regular election. On the fourteenth  
64 day before a primary, the registrars shall hold an additional session to  
65 hear such requests for adding names to the registry list, in accordance  
66 with the procedure provided in this section, and the registrars shall  
67 publish notice of such sessions in a newspaper having general  
68 circulation in such municipality at least five days before such sessions.  
69 Nothing in this section shall require that such publication be in the  
70 form of a legal advertisement.] The registrars of voters shall be  
71 available before all elections for revisions and corrections of the  
72 preliminary list which, when completed, shall be termed "the final  
73 registry list" for such election. In each municipality, availability of the  
74 registrars of voters shall be the posted office hours in such  
75 municipality for the registrars of voters.

76 Sec. 4. Section 9-38 of the general statutes is repealed and the  
77 following is substituted in lieu thereof (*Effective from passage*):

78 The registrars of voters in all towns shall [, on the second Friday  
79 preceding a regular election, deposit in the town clerk's office the final  
80 registry list arranged as provided in section 9-35 and certified by them

81 to be correct, and shall retain a sufficient number of copies to be used  
82 by them at such election for the purpose of checking the names of  
83 those who vote. They shall place on such final list, in the order  
84 provided in section 9-35, the names of all persons who have been  
85 admitted as electors. In each municipality said registrars shall also  
86 cause to be prepared and printed and deposited in the town clerk's  
87 office a supplementary or updated list containing the names and  
88 addresses of electors to be transferred, restored or added to such list  
89 prior to the fourth day before such election, provided in municipalities  
90 having a population of less than twenty-five thousand, such additional  
91 names may be inserted in writing in such final list. Such final registry  
92 list and supplementary or updated list deposited in the town clerk's  
93 office shall be on file in such office for public inspection for a period of  
94 two years, and any elector may make copies thereof] produce a final  
95 registry list arranged in accordance with the provisions of section 9-35  
96 and certified by such registrars of voters to be correct. Such final  
97 registry list and a supplementary or updated list that contains the  
98 names and addresses of electors to be transferred, restored or added to  
99 such list, shall be on file in the municipal clerk's office not later than  
100 the day before election day and shall be available in the registrars of  
101 voters' office for public inspection. Whenever the registrars of voters  
102 are not in their office, such list shall be placed outside of the office for  
103 public inspection.

104 Sec. 5. Section 9-39 of the general statutes is repealed and the  
105 following is substituted in lieu thereof (*Effective from passage*):

106 The registrars of voters of each municipality shall print copies of the  
107 final registry list for distribution in such municipality and in all the  
108 voting districts located therein. [, provided nothing in sections 9-12 to  
109 9-45, inclusive, shall require the printing of more than one final  
110 registry list for any voting district in any one year. With each printing  
111 such registrars shall retain at least two copies of such lists and such  
112 copies shall be available for public use in the office of the registrars for  
113 a period of two years.] The registrars shall, upon request, give to [a]  
114 any candidate for election [to the General Assembly] a copy of the final

115 registry list for each voting district [included in the General Assembly  
116 district] for which such person is a candidate and shall maintain such  
117 list, either on paper or in electronic format, for a period of two years.

118 Sec. 6. Section 9-42 of the general statutes is repealed and the  
119 following is substituted in lieu thereof (*Effective from passage*):

120 (a) If it appears at any time that the name of an elector who was  
121 formerly admitted or registered as an elector in a town and who is a  
122 bona fide resident of such town has been omitted from the active  
123 registry list compiled under section 9-35 by clerical error, the registrars  
124 of voters shall add such name to such list; provided no name shall be  
125 added to the active registry list on election day [, under the authority  
126 conferred by this section,] without the consent of both registrars of  
127 voters.

128 (b) If it appears at any time that the name of an elector who was  
129 formerly admitted or registered as an elector in a town and who is a  
130 bona fide resident of such town has been omitted from the active  
131 registry list, the registrars of voters shall, upon [a written request]  
132 submission of a new application for voter registration signed by the  
133 elector under penalties of false statement, [to the registrar stating that  
134 such elector is still a bona fide resident of such town and is not an  
135 elector of any other town,] add such name to [such] the supplementary  
136 list, provided no name shall be added to the active registry list on  
137 election day [, pursuant to this section,] without the consent of both  
138 registrars of voters.

139 (c) The registrars of voters shall cause the inactive registry list  
140 compiled under section 9-35 to be completed and printed and  
141 [deposited in the town clerk's office and] available to the public. The  
142 registrars of voters shall provide [a sufficient number of] copies for use  
143 in the polling place on election day. If on election day the name of an  
144 elector appears on such inactive registry list, including the name of an  
145 elector who has not responded to a confirmation of voting residence  
146 notice under subsection (e) of section 9-35 and has not voted in two  
147 consecutive federal elections, such name shall be added to the [active

148 registry] supplementary list upon [written affirmation] submission of a  
149 new application for voter registration signed by the elector, under  
150 penalties of false statement, before an election official at the polling  
151 place [, that such elector is still a bona fide resident of such town,] and  
152 upon the consent of both registrars of voters or assistant registrars of  
153 voters, as the case may be, in the polls.

154 (d) The name of no elector shall be added to the active registry list  
155 under the provisions of this section, unless [his] the elector's name [or  
156 some name intended for his name] was on the active registry list for at  
157 least one of the four years previous. [or on one of the preliminary  
158 active registry lists for the year in which the registrars are in session.]

159 Sec. 7. Section 9-42a of the general statutes is repealed and the  
160 following is substituted in lieu thereof (*Effective from passage*):

161 [(a) As used in this section, the term "municipal office" shall be  
162 construed as defined in section 9-372, except that such term shall not  
163 include the municipal offices of state senator and state representative.]

164 [(b)] (a) On the written request of any elector who identifies himself  
165 to the satisfaction of the registrars of voters, such registrars shall make  
166 any changes in the name of such elector as it appears on the registry  
167 list, provided such elector furnishes reasonable evidence to the  
168 registrars that the name as changed is a lawful name of such elector.  
169 No such change shall be made between the Tuesday of the fifth week  
170 before a regular election and the day of such election.

171 [(c)] (b) No such change in the name of a candidate at a primary  
172 shall affect the name of the candidate as it appears on the primary  
173 ballot. [unless the elector is a candidate for town committee or  
174 municipal office and the change is made not later than the twenty-  
175 ninth day preceding the day of the primary.] No such change in the  
176 name of a major party candidate at an election shall affect the name of  
177 such candidate as it appears on the election ballot. [unless the elector is  
178 a candidate for municipal office and the change is made not later than  
179 the fifty-fifth day preceding the day of such election.] No such change

180 in the name of a minor party candidate or a nominating petition  
181 candidate for any office at an election shall affect the name of such  
182 candidate as it appears on the election ballot. [unless the change is  
183 made not later than the fifty-fifth day preceding the day of the  
184 election.]

185 Sec. 8. Section 9-50a of the general statutes is repealed and the  
186 following is substituted in lieu thereof (*Effective from passage*):

187 The registrars of voters of each town shall [, on a monthly basis,]  
188 compile a list of (1) all persons whose names were added, restored,  
189 removed or erased from the active and inactive registry lists, [during  
190 the preceding month,] (2) all electors who changed either their names  
191 or addresses, [during such period] and (3) all persons sent notices  
192 required under the National Voter Registration Act of 1993, P.L. 103-  
193 31, as amended from time to time, and all persons who have replied to  
194 such notices. Such list shall include, but not be limited to, each such  
195 person's or elector's (A) name, (B) former name, [if changed during  
196 such period,] (C) address, [including zip code,] (D) former address,  
197 [including zip code, if changed during such period,] (E) voting district,  
198 and (F) party affiliation, if any. The registrars shall make each such list  
199 available to the public in accordance with the provisions of section 1-  
200 210.

201 Sec. 9. Subsection (d) of section 9-50b of the general statutes is  
202 repealed and the following is substituted in lieu thereof (*Effective from*  
203 *passage*):

204 (d) [After] Not later than sixty days after each election or primary,  
205 the registrars of voters shall [promptly] update the state-wide  
206 centralized voter registration system and indicate whether the eligible  
207 voters on the official registry list for such election or primary voted  
208 and, if so, if they voted in person or by absentee ballot.

209 Sec. 10. Section 9-55 of the general statutes is repealed and the  
210 following is substituted in lieu thereof (*Effective from passage*):

211 (a) The registrars of voters shall cause to be printed at least once  
212 during the calendar year [a sufficient number of copies of complete,  
213 corrected enrollment lists certified by them as correct, provided a  
214 supplementary or updated list shall be printed within one week after a  
215 session held on the fourteenth day before a primary] a complete  
216 enrollment list and shall make such list available to the public upon  
217 request.

218 (b) If a political party authorizes unaffiliated electors to vote in a  
219 primary, under section 9-431, and a notice of primary is published, the  
220 registrars shall cause a list of all unaffiliated electors eligible to vote in  
221 the primary to be printed [within one week after the session held on  
222 the fourteenth day] before such primary. If unaffiliated electors are  
223 authorized to vote in only one party's primary and are authorized to  
224 vote for all offices to be contested at the primary, the registrars may  
225 print the list of unaffiliated electors in combination with such party's  
226 enrollment list, indicating party affiliation where applicable.

227 (c) If the legislative body of the municipality votes to eliminate  
228 separate enrollment lists under section 9-54 and:

229 (1) Notices of primaries are published for two parties to be held on  
230 the same day, the registrars of voters shall print complete separate  
231 enrollment lists [within one week after the enrollment session held on  
232 the fourteenth day before the primary] and, if unaffiliated electors are  
233 authorized to vote in the primary, the registrars of voters shall print a  
234 separate list of unaffiliated electors as provided in subsection (b) of this  
235 section; or

236 (2) A notice of primary is published for one party in which  
237 unaffiliated electors are authorized to vote for some but not all offices  
238 to be contested at the primary, the registrars of voters shall print a  
239 complete separate enrollment list and a separate list of unaffiliated  
240 electors as provided in subsection (b) of this section; or

241 (3) A notice of primary is published for only one party and (A)  
242 unaffiliated electors are not authorized to vote, or (B) unaffiliated

243 electors are authorized to vote for all offices to be contested at the  
244 primary, a registry list may be used as a checklist at the primary and  
245 the registrars of voters shall [, within one week after the session held  
246 on the fourteenth day before such primary,] print a supplementary or  
247 updated list indicating those electors who have become eligible to vote  
248 in the primary since the printing of the registry list.

249 (d) Whenever a list is required by this section to be printed, [within  
250 one week after the session held on the fourteenth day before the  
251 primary,] a supplement to such list shall be compiled by the registrars  
252 of voters of persons who after such date and prior to twelve o'clock  
253 noon of the last business day before the primary become eligible to  
254 vote in such primary. The registrars of voters may combine such  
255 separate compilation with the foregoing printed list [either by inserting  
256 the names in writing or] by reprinting the list or incorporating the  
257 supplementary [or updated list into a single printed] list.

258 (e) The registrars of voters shall [file one copy of each such list with  
259 the town clerk which copy shall be] make available for public use such  
260 list in the office of the [town clerk] registrars of voters until the  
261 printing of the next completed [, corrected] enrollment list; and they  
262 shall deliver to the chairman of the town committee of each political  
263 party [five] copies of each such list for each voting district in the town,  
264 provided any such chairman may request that the list be provided in  
265 electronic format, in which case only one copy need be delivered.  
266 Whenever the registrars of voters are not in their office, such list shall  
267 be placed outside of the office for public inspection. Upon request, the  
268 registrars of voters shall give one complete set of such lists to each  
269 candidate for nomination for any office or for election as a town  
270 committee member, provided any such candidate may request that the  
271 list be provided in electronic format. [They] The registrars of voters  
272 shall deliver a sufficient number of copies thereof to the moderator of  
273 each primary. [With each printing the registrars shall retain at least six  
274 copies of each such list and such copies shall be available for public use  
275 in the office of the registrars until the printing of the next complete,  
276 corrected enrollment list.] No petition brought under the provisions of

277 section 9-63 shall operate to delay the completion and printing of such  
278 lists. If the petition of any elector is granted after any such list has been  
279 completed, the [registrar or assistant registrar] registrars of voters or  
280 assistant registrars of voters, as the case may be, shall issue to such  
281 elector a certificate showing that the elector is entitled to the privileges  
282 accompanying enrollment in the political party named in the elector's  
283 petition.

284 Sec. 11. Subsections (e) to (h), inclusive, of section 9-140c of the  
285 general statutes are repealed and the following is substituted in lieu  
286 thereof (*Effective from passage*):

287 (e) Ballots received not later than eleven o'clock a.m. on such last  
288 day before the election, primary or referendum shall be delivered by  
289 the clerk to the registrars not earlier than ten o'clock a.m. and not later  
290 than twelve o'clock noon on the day of the election or primary and at  
291 twelve o'clock noon on the day of a referendum. [for counting,  
292 provided that the registrars may at their discretion direct the clerk to  
293 retain for later delivery as many of such ballots as they deem necessary  
294 to preserve the secrecy of ballots to be counted at later times as  
295 provided in this section.] If central counting has been designated  
296 pursuant to section 9-147a, the clerk shall also deliver to the registrars  
297 at this time the duplicate checklist provided for in subsection (b) of this  
298 section, for the use of the absentee ballot counters pursuant to  
299 subsection (i) of this section.

300 (f) Absentee ballots timely received by the clerk after eleven o'clock  
301 a.m. of such last day before an election, primary or referendum shall be  
302 sorted into voting districts by the clerk and retained by him separately  
303 until delivered [at the times provided in this section] to the registrars  
304 of voters for checking. [and counting.]

305 (g) Any or all of such ballots received after eleven o'clock a.m. of  
306 such last day before an election, primary or referendum and before six  
307 o'clock p.m. on the day of the election, primary or referendum shall,  
308 upon request of the registrars, be delivered to the registrars by the  
309 municipal clerk at six o'clock p.m. on the day of the election, primary

310 or referendum for checking. [and counting.]

311 (h) Absentee ballots received after six o'clock p.m. and any ballots  
312 received prior to six which were not delivered earlier shall be  
313 delivered to the registrars at the close of the polls for checking. [and  
314 counting] Although absentee ballots shall be checked by the registrars  
315 of voters at various times throughout the election, primary or  
316 referendum day, absentee ballots may be counted at one single time  
317 during such day.

318 Sec. 12. Section 9-150a of the general statutes is repealed and the  
319 following is substituted in lieu thereof (*Effective from passage*):

320 (a) [Not earlier than ten o'clock a.m. and not later than twelve  
321 o'clock noon on the day of the election or primary and not earlier than  
322 twelve o'clock noon on the day of a referendum the] The absentee  
323 ballot counters shall proceed to the polling places for which they have  
324 been assigned ballots or to the central counting location at the times  
325 designated by the registrars of voters.

326 (b) At the time each group of ballots is delivered to them pursuant  
327 to section 9-140c, as amended by this act, the counters shall perform  
328 any checking of such ballots required by subsection (i) of said section  
329 and shall then proceed as hereinafter provided.

330 (c) Except with respect to ballots marked "Rejected" pursuant to said  
331 section 9-140c or other applicable law, the counters shall remove the  
332 inner envelopes from the outer envelopes, shall note the total number  
333 of absentee ballots received and shall report such total to the  
334 moderator. They shall similarly note and separately so report the total  
335 numbers of presidential ballots and overseas ballots received pursuant  
336 to sections 9-158a to 9-158m, inclusive.

337 (d) (1) If the statement on the inner envelope has not been signed as  
338 required by section 9-140a, such inner envelope shall not be opened or  
339 the ballot removed therefrom, and such inner envelope shall be  
340 replaced in the opened outer envelope which shall be marked

341 "Rejected" and the reason therefor endorsed thereon by the counters.  
342 (2) If such statement is signed but the individual completing the ballot  
343 is an individual described in subsection (a) of section 9-23r and has not  
344 met the requirements of subsection (e) of section 9-23r, as amended by  
345 this act, the counters shall replace the ballot in the opened inner  
346 envelope, replace the inner envelope in the opened outer envelope and  
347 mark "Rejected as an Absentee Ballot" and endorse the reason for such  
348 rejection on the outer envelope, and the ballot shall be treated as a  
349 provisional ballot [for federal offices only,] pursuant to sections 9-232i  
350 to 9-232o, inclusive, as amended by this act.

351 (e) The counters shall then remove the absentee ballots from the  
352 remaining inner envelopes.

353 (f) Before the ballots are counted, all opened outer and inner  
354 envelopes from which such ballots have been removed, and all outer  
355 envelopes marked "Rejected" as required by law, shall be placed and  
356 sealed by the counters, separately by voting district, in depository  
357 envelopes prescribed by the Secretary of the State and provided by the  
358 municipal clerk. The counters shall seal such depository envelopes by  
359 wrapping them lengthwise and sideways with nonreusable tape,  
360 endorse on each such envelope their names, the voting district and the  
361 time of the count, and deliver such envelopes to the moderator.

362 (g) The counters shall then count such ballots as provided in this  
363 section. The moderator shall supervise the counting.

364 (h) The Secretary of the State shall provide a procedure manual for  
365 counting absentee ballots. The manual shall include a description of  
366 the steps to be followed in receiving, handling, counting and  
367 preserving absentee ballots. Facsimile ballots shall be printed in the  
368 manual, illustrating potential variations in ballot markings along with  
369 the correct interpretation to be given in each situation illustrated.

370 (i) (1) Except as otherwise provided in this section the provisions of  
371 section 9-265, as amended by this act, shall apply to write-in votes on  
372 absentee ballots at elections.

373 (2) Votes cast by absentee ballot at a primary may be counted only  
374 for candidates whose names appear on the ballot [label] on primary  
375 day, and no write-in vote shall be counted except as provided in  
376 subdivision (3) of this subsection.

377 (3) If a write-in vote on an absentee ballot is cast for a candidate for  
378 any office whose name appears on the ballot [label] for that office on  
379 election or primary day, such candidate's name shall be deemed to  
380 have been checked on such ballot and, except as otherwise provided in  
381 subsection (j) of this section, one vote shall be counted and recorded  
382 for such candidate for such office.

383 (4) Except as otherwise provided in said section 9-265, if the name of  
384 a registered write-in candidate for an office is written in for such office  
385 on an absentee ballot it shall be deemed validly written in for purposes  
386 of subsection (j) of this section.

387 (j) In the counting of absentee ballots the intent of the voter shall  
388 govern, provided the following conclusive presumptions, where  
389 applicable, shall prevail in determining such intent:

390 (1) If the names of more candidates for an office than the voter is  
391 entitled to vote for are checked or validly written in, then the vote cast  
392 for that office shall be deemed an invalid overvote.

393 (2) If the name of a candidate who has vacated his candidacy is  
394 checked such vote shall not be counted.

395 (3) On an absentee ballot on which candidates' names are printed, a  
396 vote shall be deemed cast only for each candidate whose name is  
397 individually checked or validly written in, except as otherwise  
398 provided in this subsection. If a party designation is circled, checked,  
399 underscored or similarly marked in any manner, or written in, no vote  
400 shall be deemed cast or cancelled for any candidate by virtue of such  
401 marking or writing.

402 (k) If the intent of an absentee voter is difficult to ascertain due to  
403 uncertain, conflicting or incorrect ballot markings which are not clearly

404 addressed in this section or in the procedure manual for counting  
405 absentee ballots provided by the Secretary of the State, the absentee  
406 ballot counters shall submit the ballot and their question to the  
407 moderator. They shall then count the ballot in accordance with the  
408 moderator's decision as to the voter's intent, if such intent is  
409 ascertainable. A ballot or part of a ballot on which the intent is  
410 determined by the moderator to be not ascertainable, shall not be  
411 counted. The moderator shall endorse on the ballot the question and  
412 his decision.

413 (l) No absentee ballot shall be rejected as a marked ballot unless, in  
414 the opinion of the moderator, it was marked for the purpose of  
415 providing a means of identifying the voter who cast it.

416 (m) After the absentee ballots have been so counted they shall be  
417 placed by the counters, separately by voting district, in depository  
418 envelopes prescribed by the Secretary of the State and provided by the  
419 municipal clerk. Any notes, worksheets, or other written materials  
420 used by the counters in counting such ballots shall be endorsed by  
421 them with their names, the date and the time of the count and shall  
422 also be placed in such depository envelopes together with the ballots,  
423 and with the separate record of the number of votes cast on such  
424 ballots for each candidate as required by section 9-150b. Such  
425 depository envelopes shall then be sealed, endorsed and delivered to  
426 the moderator by the counters in the same manner as provided in  
427 subsection (f) of this section.

428 Sec. 13. Subsections (a) and (b) of section 9-172b of the general  
429 statutes are repealed and the following is substituted in lieu thereof  
430 (*Effective from passage*):

431 (a) In each municipality or political subdivision in which a special  
432 election or referendum is to be held, the registrars of voters shall  
433 prepare a supplementary or updated list of the names and addresses of  
434 those persons who acquired voting privileges after the completion of  
435 the revised registry list and prior to the day of such special election or  
436 referendum. In each such municipality or political subdivision, not

437 later than the day before such special election or referendum, such  
438 registrars of voters shall cause to be completed and printed [and  
439 deposited in the town clerk's office] such list arranged as provided in  
440 section 9-35 and certified by them to be correct, and shall retain a  
441 sufficient number of copies to be used by them at such election or  
442 referendum for the purpose of checking the names of those who vote,  
443 provided the names of any persons who acquired such voting  
444 privileges within thirty days before such special election or  
445 referendum may be inserted on such printed list in writing.

446 (b) In the case of a special election or referendum, no person  
447 admitted as an elector on the day of the special election or referendum  
448 shall be entitled to vote in that election.

449 Sec. 14. Section 9-190 of the general statutes is repealed and the  
450 following is substituted in lieu thereof (*Effective January 1, 2011*):

451 [Any town divided into two voting districts may, by vote of its  
452 legislative body, provide for the election of] On and after January 9,  
453 2013, each municipality shall have two registrars of voters for [each  
454 voting district instead of two registrars of voters for the entire town]  
455 the entire municipality. Each registrar of voters shall reside in the  
456 [town and district] municipality for which [he] the registrar of voters is  
457 elected. [Any special act to the contrary notwithstanding]  
458 Notwithstanding any special act, for elections held on and after  
459 November 6, 2012, in each municipality in which registrars of voters  
460 are elected, no elector shall vote for more than one registrar of voters  
461 [for the voting district in which the elector resides, or, as the case may  
462 be,] for the municipality. [at large.] The candidate having the highest  
463 number of votes and the candidate having the next highest number of  
464 votes for the office of registrar of voters, who does not belong to the  
465 same political party as the candidate having the highest number, shall  
466 be declared elected registrars of voters for the municipality, [or  
467 district,] provided, if the candidate for registrar of voters of a major  
468 party is not one of the registrars so elected, such candidate of such  
469 major party shall also be declared elected registrar of voters. For

470 purposes of this section, a major party shall be one having the largest  
471 or next largest total number of enrolled party members in the state, as  
472 determined by the latest enrollment records in the office of the  
473 Secretary of the State submitted in accordance with the provisions of  
474 section 9-65. The term of office of all registrars of voters for voting  
475 districts in office on [January 7, 1995] January 6, 2011, shall expire on  
476 [January 8, 1997, and on November 5, 1996, two registrars shall be  
477 elected for each municipality with more than two voting districts  
478 which previously elected registrars of voters for voting districts]  
479 January 9, 2013.

480 Sec. 15. Section 9-190a of the general statutes is repealed and the  
481 following is substituted in lieu thereof (*Effective January 1, 2011*):

482 [Any provision of any special act to the contrary notwithstanding,  
483 the registrars of voters in each municipality which elects registrars of  
484 voters shall be elected at the state election to be held in 1964, and  
485 biennially thereafter, to hold office for the term of two years from the  
486 Wednesday following the first Monday of the January next succeeding  
487 their election until the Wednesday following the first Monday of the  
488 third January succeeding their election.] Notwithstanding any  
489 provision of any special act, the term of office for all registrars of voters  
490 in office on January 6, 2011, shall expire on January 9, 2013. Registrars  
491 of voters shall be elected at the state election to be held in 2012 and  
492 quadrennially thereafter, to hold office for a term of four years from  
493 the Wednesday following the first Monday of January next succeeding  
494 their election until the Wednesday following the first Monday of the  
495 fifth January succeeding their election.

496 Sec. 16. Subsection (e) of section 9-23r of the general statutes is  
497 repealed and the following is substituted in lieu thereof (*Effective from*  
498 *passage*):

499 (e) If an individual described in subsection (a) of this section does  
500 not submit the identification described in subsection (a) of this section  
501 as part of the individual's application for admission as an elector, and  
502 if the individual votes by absentee ballot in an election for federal

503 office, the individual shall enclose in the outer absentee ballot  
504 envelope, and not in the inner envelope with the ballot: (1) A copy of a  
505 current and valid photo identification, or (2) a copy of a current utility  
506 bill, bank statement, government check, paycheck, or other  
507 government document that shows the name and address of the voter.  
508 If an individual does not meet the requirements of this subsection in an  
509 election for federal office, such individual's absentee ballot shall be  
510 processed in accordance with the provisions of subdivision (2) of  
511 subsection (d) of section 9-150a, as amended by this act, and treated as  
512 a provisional ballot [for federal office only,] pursuant to sections 9-232i  
513 to 9-232o, inclusive, as amended by this act.

514 Sec. 17. Section 9-232c of the general statutes is repealed and the  
515 following is substituted in lieu thereof (*Effective from passage*):

516 The moderator shall keep an accurate memorandum of the  
517 challenge which shall include (1) the name of the challenged voter; (2)  
518 his registry list address; (3) the reason for the challenge; (4) the name  
519 and address of the challenger; (5) pertinent facts concerning the  
520 challenge; and (6) the result of the moderator's decision. The  
521 challenged voter shall also sign such memorandum and it shall be  
522 assigned the same number as the [challenged] provisional ballot.

523 Sec. 18. Section 9-232i of the general statutes is repealed and the  
524 following is substituted in lieu thereof (*Effective from passage*):

525 As used in this section and [sections] section 9-23r, as amended by  
526 this act, [and 9-232l,] "election for federal office" means an election for  
527 electors of President and Vice-President, an election or primary for  
528 United States Senator and an election or primary for Representative in  
529 Congress.

530 Sec. 19. Section 9-232j of the general statutes is repealed and the  
531 following is substituted in lieu thereof (*Effective from passage*):

532 The moderator of the election in each voting district shall appear at  
533 the office of the [town clerk] registrar of voters not later than eight

534 o'clock p.m. of the day before an election. [for federal office.] At such  
535 time, the [town clerk] registrars of voters shall provide a provisional  
536 ballot packet to such moderator or moderators. Each packet shall  
537 include: (1) The appropriate number of provisional ballots, [for federal  
538 office provided by the Secretary of the State,] which shall be equal to  
539 not less than one per cent of the number of electors who are eligible to  
540 vote in the voting district served by the moderator, or such other  
541 number as the [municipal clerk and the] registrars of voters agree is  
542 sufficient to protect electors' voting rights, (2) the appropriate number  
543 of serially-numbered envelopes prescribed by the Secretary, (3) a  
544 provisional ballot inventory form, (4) a provisional ballot depository  
545 envelope, and (5) other necessary forms prescribed by the Secretary.

546 Sec. 20. Section 9-232k of the general statutes is repealed and the  
547 following is substituted in lieu thereof (*Effective from passage*):

548 The Secretary of the State shall prescribe [and provide to town  
549 clerks] the provisional ballot which shall be [a] the regular ballot of  
550 candidates. [for federal office.] The Secretary may prescribe that the  
551 provisional ballot be the [overseas] ballot prepared under section [9-  
552 158i] 9-135b.

553 Sec. 21. Section 9-232l of the general statutes is repealed and the  
554 following is substituted in lieu thereof (*Effective from passage*):

555 (a) An individual may apply for and be issued a provisional ballot if  
556 (1) the individual appears at the polling place and declares that such  
557 individual is an elector in the town in which the individual desires to  
558 vote and that the individual is eligible to vote in the primary or  
559 election [for federal office] in the polling place, but the name of the  
560 individual does not appear on the official registry list for such polling  
561 place, and (2) the registrars determine that such name cannot be  
562 restored under section 9-42, as amended by this act, or transferred  
563 from another polling place under section 9-35.

564 (b) If the moderator decides that an elector, whose name appears on  
565 the registry list and who has been challenged pursuant to [sections]

566 section 9-232, [to 9-232f, inclusive,] is not eligible to vote in the primary  
567 or election, [for federal office,] such elector may apply for and cast a  
568 provisional ballot upon the execution of a written affirmation by the  
569 elector at the polling place affirming that the elector is qualified to vote  
570 in the election or primary [for federal office] in the polling place and  
571 has neither offered himself or herself to vote nor voted in person or by  
572 absentee ballot at said election or primary [for federal office] at the  
573 polling place.

574 (c) Such application for provisional ballot shall be prescribed by the  
575 Secretary of the State, executed before an election official and include a  
576 written affirmation, under penalty of false statement in absentee  
577 balloting pursuant to section 9-359a, which shall be in the form  
578 substantially as follows:

579 AFFIRMATION: I, the undersigned, do hereby state, under  
580 penalties of false statement, that:

581 1. I am an elector in the town indicated.

582 2. I am eligible to vote in the election or primary indicated [for  
583 federal office] today in the town and polling place indicated.

584 3.a. My name does not appear on the official list of eligible voters for  
585 the polling place indicated, and the polling place officials called the  
586 registrars of voters and were told that my name did not appear on the  
587 active registry list for this town for at least one of the four years  
588 previous or on one of the preliminary active registry lists for this year;  
589 or

590 b. The moderator decided that I am not eligible to vote [for federal  
591 office] in the town indicated for the reason of disfranchisement, lack of  
592 identity, lack of bona fide residence or failure to present the prescribed  
593 identification required for new electors after January 1, 2003, indicated.

594 4. My residence address is located in the voting district that this  
595 polling place serves.

596 5. I have not voted and I will not vote otherwise than by this ballot  
597 in person or by absentee ballot at this election or primary. [for federal  
598 office.]

599 6. I apply for a provisional ballot. [for federal office.]

600 Sec. 22. Section 9-232n of the general statutes is repealed and the  
601 following is substituted in lieu thereof (*Effective from passage*):

602 Immediately after the close of the polls, the moderator shall seal the  
603 provisional ballot depository envelope and deliver such envelope to  
604 the registrars of voters of the town. The registrars of voters shall  
605 forthwith verify the information contained with each provisional  
606 ballot. If the registrars of voters determine that the applicant is eligible  
607 to vote, they shall note their decision on the outer envelope of the  
608 ballot and open and count the provisional ballot in accordance with  
609 the provisions of sections 9-232i to 9-232o, inclusive, as amended by  
610 this act, and procedures prescribed by the Secretary of the State. If the  
611 registrars of voters are unable to determine that the applicant is  
612 eligible to vote or determine that the applicant is not eligible to vote,  
613 the applicant's provisional ballot sealed envelope shall be marked  
614 "rejected", along with the reason for such rejection, and signed by the  
615 registrars of voters. The registrars of voters shall verify and count all  
616 provisional ballots in their town not later than six days after the  
617 election or primary. The registrars of voters shall forthwith prepare  
618 and sign in duplicate a report showing the number of provisional  
619 ballots received from electors, the number rejected and the number  
620 counted, and showing the additional votes counted for each candidate  
621 [for federal office] on the provisional ballots. The registrars of voters  
622 shall file one report with the town clerk and shall seal one in the  
623 depository envelope with the provisional ballots and file such  
624 depository envelope with the town clerk. The depository envelope  
625 shall be preserved by the town clerk for the period of time required to  
626 preserve counted absentee ballots. [for federal elections.] The head  
627 moderator shall forthwith file a corrected return [for federal offices]  
628 with the town clerk and the Secretary showing (1) the final votes after

629 any recanvass, pursuant to sections 9-311 to 9-311b, inclusive, as  
630 amended by this act, the votes on provisional ballots and the totals,  
631 and (2) the number of provisional ballots received from electors, the  
632 number rejected and the number counted, as reported by the registrars  
633 of voters.

634 Sec. 23. Subsection (e) of section 9-236b of the general statutes is  
635 repealed and the following is substituted in lieu thereof (*Effective from*  
636 *passage*):

637 (e) For use at elections [for federal office] and primaries, the  
638 Secretary of the State shall prescribe and the [municipal clerk]  
639 registrars of voters shall provide for all polling places in the  
640 municipality: (1) Instructions on how to cast a provisional ballot, (2)  
641 instructions for mail-in registrants and first-time voters who register to  
642 vote by mail on or after January 1, 2003, (3) general information  
643 concerning voting rights under federal and Connecticut laws,  
644 including information on the right of an individual to cast a  
645 provisional ballot and instructions on how to contact the appropriate  
646 officials if these rights are alleged to have been violated, and (4)  
647 general information on federal and state laws concerning prohibitions  
648 on acts of fraud and misrepresentation.

649 Sec. 24. Section 9-244 of the general statutes is repealed and the  
650 following is substituted in lieu thereof (*Effective from passage*):

651 (a) Such registrars of voters shall give written notice to the  
652 chairpersons of the town committees of the political parties of the day  
653 and place a [mechanic or mechanics] registrar or registrars will begin  
654 the preparation, test voting and sealing of the [machines] tabulators for  
655 the election, including any additional [machines] tabulators required  
656 under section 9-238. Such notice shall be given at least one day before  
657 the work on the preparation of such [machines] tabulators begins.

658 (b) Each such chairperson and any candidate for an office appearing  
659 on the ballot may be present, or may designate a watcher who may be  
660 present, during the preparation of such [machines] tabulators, but such

661 chairpersons, candidates and watchers shall not interfere with, or  
662 assist in, the preparation of the [machines] tabulators.

663 (c) After the [mechanic or mechanics] registrar or registrars have  
664 prepared the [machines, (1)] tabulators, the registrars of voters, or their  
665 designees, [who shall not include any such mechanics, and (2) all  
666 mechanics who prepared such machines shall be present together  
667 when the machines are tested and sealed] shall test and seal such  
668 tabulators for use in the election. The chairpersons of the town  
669 committees of the political parties and any candidate for an office  
670 appearing on the ballot may also be present, or may designate a  
671 watcher who may be present, during the testing and sealing, but such  
672 chairpersons, candidates and watchers shall not interfere with the  
673 testing or sealing. All such persons who are present for the testing and  
674 sealing of the [machines, except the mechanics,] tabulators shall file a  
675 written report, as provided in section 9-245, certifying [(A)] (1) to the  
676 numbers of the [machines, (B)] tabulators, (2) as to whether all the  
677 candidate and question counters are set at zero (000), [(C)] (3) as to the  
678 numbers registered on the protective counters, if provided, and the  
679 numbers on the seals, [(D)] (4) that the ballot [labels are] is properly  
680 [placed on the machines] prepared, and [(E)] (5) that the [machines]  
681 tabulators have been test-voted and found to be working properly.

682 Sec. 25. Section 9-246 of the general statutes is repealed and the  
683 following is substituted in lieu thereof (*Effective from passage*):

684 (a) The [mechanic or mechanics] registrar or registrars shall file a  
685 written report of the condition of each [machine] tabulator certifying  
686 that (1) they have prepared the [machines] tabulators, (2) all the  
687 counters are set at zero (000), (3) [all] the ballot [labels are] is properly  
688 placed thereon, (4) the [grouping mechanism] tabulator has been  
689 properly adjusted according to the [ballot labels] ballots, and (5) each  
690 [machine] tabulator is otherwise in readiness for the election. This  
691 report shall include the number of each [machine] tabulator and a  
692 statement of any defects or features of the [machine] tabulator that  
693 need attention or correction. The [mechanic or mechanics] registrar or

694 registrars shall also place upon each of the [machines] tabulators a  
695 numbered [metal] seal, secured in such a way that, before any  
696 movement of the registering or voting mechanism can be effected,  
697 such seal will be destroyed or broken. All voting [machines] tabulators  
698 shall be transferred to the polling places in charge of an elector  
699 authorized by the registrars of voters under whose direction the voting  
700 [machines] tabulators are to be prepared, as provided in section 9-240a;  
701 and such elector shall certify to their delivery in good order.  
702 Additional [machines] tabulators required under section 9-238 shall be  
703 so located by the registrars of voters as to be available for immediate  
704 transfer to the polling places within the municipality. The [mechanic or  
705 mechanics] registrar or registrars shall have custody of the keys of the  
706 voting [machines only when they are at work on such machines, and  
707 immediately thereafter such keys shall be returned to the municipal  
708 clerk. The return of such keys shall, in each case, be made before the  
709 day of election] tabulators.

710 (b) The [mechanic or mechanics] registrar or registrars shall file a  
711 written report detailing any repairs made to a [machine] tabulator on  
712 the day of an election. This report shall certify (1) the number of the  
713 [machine] tabulator, (2) the time when the problem occurred, (3) a  
714 summary description of the work performed, and (4) that no repairs  
715 were made to the [machine] tabulator, after any vote was cast on the  
716 day of an election, that would affect the manner in which votes were  
717 recorded on the [machine] tabulator.

718 Sec. 26. Section 9-247 of the general statutes is repealed and the  
719 following is substituted in lieu thereof (*Effective from passage*):

720 The registrars of voters shall, before the day of the election, cause  
721 the [mechanic or mechanics to insert on each machine the ballot labels  
722 corresponding with the sample diagrams provided and to put each  
723 such machine in order in every way and set and adjust the same so  
724 that it shall be] test ballots to be inserted in each tabulator to ensure  
725 that each tabulator is prepared and ready for use in voting when  
726 delivered at the polling place. Such registrars shall cause the [machine]

727 tabulator so [labeled] prepared, in order and set and adjusted, to be  
728 delivered at the polling place, together with all necessary furniture and  
729 appliances that go with the same, at the room where the election is to  
730 be held, not later than six o'clock in the afternoon of the day preceding  
731 the election. [Each voting machine shall be furnished with light  
732 sufficient to enable electors while voting to read the ballot labels and  
733 suitable for use by the election officials in examining the counters. A  
734 pencil shall also be provided, within each voting machine, for use in  
735 casting a write-in ballot.]

736 Sec. 27. Section 9-247a of the general statutes is repealed and the  
737 following is substituted in lieu thereof (*Effective from passage*):

738 No candidate, as defined in section 9-601, [or] member of the  
739 immediate family, as defined in section 1-79, of a candidate or business  
740 entity that a candidate is a member of in any capacity shall transport,  
741 prepare, repair or maintain a voting [machine] tabulator. No provision  
742 of this section shall prohibit [(1)] a member of the immediate family of  
743 a candidate from serving as a moderator, [or (2) a candidate for the  
744 office of registrar of voters or a member of the immediate family of  
745 such a candidate from serving as a voting machine mechanic.]

746 Sec. 28. Section 9-250 of the general statutes is repealed and the  
747 following is substituted in lieu thereof (*Effective from passage*):

748 Ballots shall be printed in [black ink, in] plain clear type [,] and on  
749 [clear white] material of such size as will fit the tabulator, and shall be  
750 furnished by the registrar of voters. The size and style of the type used  
751 to print the name of a political party on a ballot shall be identical with  
752 the size and style of the type used to print the names of all other  
753 political parties appearing on such ballot. The name of each major  
754 party candidate for a municipal office, as defined in section 9-372,  
755 except for the municipal offices of state senator and state  
756 representative, shall appear on the ballot as it appears on the registry  
757 list of the candidate's town of voting residence, except as provided in  
758 section 9-42a, as amended by this act. The name of each major party  
759 candidate for a state or district office, as defined in section 9-372, or for

760 the municipal office of state senator or state representative shall appear  
761 on the ballot as it appears on the certificate or statement of consent  
762 filed under section 9-388, subsection (b) of section 9-391, or section 9-  
763 400 or 9-409. The name of each minor party candidate shall appear on  
764 the ballot as it appears on the registry list in accordance with the  
765 provisions of section 9-452. The name of each nominating petition  
766 candidate shall appear on the ballot as it is verified by the town clerk  
767 on the application filed under section 9-453b. The size and style of the  
768 type used to print the name of a candidate on a ballot shall be identical  
769 with the size and style of the type used to print the names of all other  
770 candidates appearing on such ballot. Such ballot shall contain the  
771 names of the offices and the names of the candidates arranged thereon.  
772 The names of the political parties and party designations shall be  
773 arranged on the ballots, either in columns or horizontal rows as set  
774 forth in section 9-249a, immediately adjacent to the column or row  
775 occupied by the candidate or candidates of such political party or  
776 organization. [When two or more candidates are to be elected to the  
777 same office, the] The ballot shall be printed in such manner as to  
778 indicate [that] how many candidates the elector may vote for, [any two  
779 or such other number as he is entitled to vote for,] provided in the case  
780 of a town adopting the provisions of section 9-204a, such ballot shall  
781 indicate the maximum number of candidates who may be elected to  
782 such office from any party. If two or more candidates are to be elected  
783 to the same office for different terms, the term for which each is  
784 nominated shall be printed on the official ballot as a part of the title of  
785 the office. If, at any election, one candidate is to be elected for a full  
786 term and another to fill a vacancy, the official ballot containing the  
787 names of the candidates in the foregoing order shall, as a part of the  
788 title of the office, designate the term which such candidates are  
789 severally nominated to fill. No column, under the name of any political  
790 party or independent organization, shall be printed on any official  
791 ballot, which contains more candidates for any office than the number  
792 for which an elector may vote for that office.

793 Sec. 29. Section 9-253 of the general statutes is repealed and the  
794 following is substituted in lieu thereof (*Effective from passage*):

795 When a major or minor party is entitled to nominate two or more  
796 candidates for a particular office, the order of the names of its  
797 candidates for such office appearing on the [voting machine ballot  
798 label] ballot shall be determined by the registrars of voters by lot in a  
799 ceremony which shall be open to the public, except as hereinafter  
800 provided. When such a candidate is nominated for the same office by  
801 more than one party, his name shall appear on each appropriate row  
802 on the [voting machine ballot label in the same column in which it  
803 appears under the foregoing provision in either (1) the party row of the  
804 party with which he is enrolled, or (2) the first party row on which his  
805 name is to appear if such candidate is an unaffiliated elector] ballot in  
806 the order that such candidate's name was drawn for each political  
807 party. The registrars of voters shall provide at least five days' public  
808 notice for each ceremony held under this section. The ballot order of  
809 nominating petition candidates for multiple-opening offices shall be as  
810 prescribed in section 9-453r.

811 Sec. 30. Section 9-254 of the general statutes is repealed and the  
812 following is substituted in lieu thereof (*Effective from passage*):

813 Each municipal clerk shall, not later than the one hundred eightieth  
814 day prior to the day of any regular municipal election, file with the  
815 Secretary of the State, on a form approved by said secretary, a list of  
816 the offices to be filled at such election and the terms thereof and the  
817 number of candidates for which each elector may vote. Said secretary  
818 shall, within seventy days from the date of receipt of such list, return a  
819 copy of such list to the municipal clerk. Each municipal clerk shall,  
820 within ten days after the receipt of the returned list, mail a copy  
821 thereof to the chairman of the town committee of each major political  
822 party within the municipality.

823 Sec. 31. Section 9-258 of the general statutes is repealed and the  
824 following is substituted in lieu thereof (*Effective from passage*):

825 (a) For municipalities with more than one voting district, the  
826 election officials of each polling place [, including voting tabulator  
827 technicians,] shall be electors of the state and shall consist of one

828 moderator, at least one but not more than two official checkers, two  
829 assistant registrars of voters of opposite political parties, each of whom  
830 shall be residents of the town, not more than two challengers if the  
831 registrars of voters have appointed challengers pursuant to section 9-  
832 232, and at least one and not more than two ballot clerks and at least  
833 one but not more than two voting tabulator tenders for each voting  
834 tabulator in use at the polling place. A known candidate for any office  
835 shall not serve as an election official on election day or serve at the  
836 polls in any capacity, except that a municipal clerk or a registrar of  
837 voters, who is a candidate for the same office, may perform his or her  
838 official duties. If, in the opinion of the registrar of voters, the public  
839 convenience of the electors in any voting district so requires, provision  
840 shall be made for an additional line or lines of electors at the polling  
841 place and, if more than one line of electors is established, at least one  
842 but not more than two additional official checkers and at least one but  
843 not more than two ballot clerks for each line of electors shall be  
844 appointed and, if more than one tabulator is used in a polling place, at  
845 least one and not more than two additional voting tabulator tenders  
846 shall be appointed for each additional machine so used. Head  
847 moderators, central counting moderators [,] and absentee ballot  
848 counters [and voting tabulator technicians] appointed pursuant to law  
849 shall also be deemed election officials.

850 (b) For municipalities with one voting district, the election officials  
851 of such polling place [, except voting tabulator technicians,] shall be  
852 electors of the [town] state and shall consist of [: One] one moderator,  
853 at least one, but not more than two official checkers, not more than two  
854 challengers if the registrars of voters have appointed challengers  
855 pursuant to section 9-232, at least one and not more than two voting  
856 tabulator tenders for each voting tabulator in use at the polling place  
857 and at least one but not more than two ballot clerks. Additionally, such  
858 election officials may consist of two registrars of voters of opposite  
859 political parties, or two assistant registrars of voters of opposite  
860 political parties, as the case may be, subject to the requirements of  
861 sections 9-259 and 9-439, [who shall: (1) Be available by telephone and  
862 notify all registrars of voters' offices in the state of such telephone

863 number, (2) be connected to the state-wide computerized registry list,  
864 and (3) have all voter card files in the polling place for reference]  
865 provided, if the registrars of voters are present in the polling place,  
866 they shall appoint at least one designee to be present in their office. A  
867 known candidate for any office shall not serve as an election official on  
868 election day or serve at the polls in any capacity, except that a  
869 municipal clerk or a registrar of voters, who is a candidate for the same  
870 office, may perform his or her official duties. If, in the opinion of the  
871 registrar of voters, the public convenience of the electors in any voting  
872 district so requires, provision shall be made for an additional line or  
873 lines of electors at the polling place and, if more than one line of  
874 electors is established, at least one, but not more than two, additional  
875 official checkers for each line of electors shall be appointed and, if  
876 more than one tabulator is used in a polling place, at least one and not  
877 more than two additional voting tabulator tenders shall be appointed  
878 for each additional tabulator so used. Head moderators, central  
879 counting moderators [,] and absentee ballot counters [and voting  
880 tabulator technicians] appointed pursuant to law shall be deemed to be  
881 election officials.

882 (c) No election official shall perform services for any party or  
883 candidate on election day nor appear at any political party  
884 headquarters prior to eight o'clock p.m. on election day.

885 Sec. 32. Section 9-260 of the general statutes is repealed and the  
886 following is substituted in lieu thereof (*Effective from passage*):

887 A [metal] demonstrator [machine or spare voting machine] device  
888 shall be provided inside the polling place for the instruction of electors.  
889 [Any such spare voting machine shall not be used for voting and shall  
890 be provided in addition to any additional voting machines required  
891 pursuant to section 9-238.] Any such demonstrator [machine shall  
892 represent at least five office columns of the two upper rows on the  
893 voting machine. Such demonstrator or spare voting machine shall  
894 contain, in each space provided for the name of a party, the  
895 designation "name of party", in each space provided for the name of a

896 candidate, the designation "name of candidate", in each space  
897 provided for the name of an office, the designation, "office", and in  
898 each space provided for a question, the designation, "Question-  
899 Statement of Question-Yes-No". A spare voting machine provided for  
900 the purposes of this section shall contain, in the upper left-hand corner,  
901 directly opposite the write-in slides, the designation "write-in slides".  
902 The party levers on such demonstrator or spare voting machine shall  
903 be covered. At a primary, each space provided for a question shall be  
904 left blank] device shall instruct electors on the proper method to cast  
905 their vote, including the proper method to cast a write-in vote using  
906 the voting equipment located in each polling place. Upon request by  
907 any elector who desires instruction after he has entered the polling  
908 place and prior to casting his vote, two election officials of different  
909 political parties jointly shall instruct such elector on the demonstrator  
910 [or spare voting machine by causing such elector himself to operate the  
911 parts of such demonstrator or spare voting machine] device.

912 Sec. 33. Section 9-265 of the general statutes is repealed and the  
913 following is substituted in lieu thereof (*Effective from passage*):

914 (a) A write-in vote for an office, cast for a person who has registered  
915 as a write-in candidate for the office pursuant to subsection (b) of  
916 section 9-175 or section 9-373a, shall be counted and recorded. Except  
917 as otherwise provided in this section, a write-in vote cast for a person  
918 who has not registered shall not be counted or recorded.

919 (b) Except as otherwise provided in this section, in the case of an  
920 office for which an elector may vote for only one candidate, a write-in  
921 vote cast for a person nominated for that office by a major or minor  
922 party or by nominating petition shall be counted and recorded. In the  
923 case of an office for which an elector may vote for more than one  
924 candidate, a write-in vote cast for a person nominated for that office by  
925 a major or minor party or by nominating petition shall [not] be  
926 counted [or] and recorded if it can be determined which candidate  
927 such vote should be attributed to.

928 (c) A write-in vote for the office of Governor or Lieutenant

929 Governor, cast for a person nominated for either of those offices by a  
930 major or minor party or by nominating petition, in conjunction with a  
931 write-in vote for the other such office cast for a person nominated for  
932 either office by a different party or petition, shall not be counted or  
933 recorded for either office.

934 (d) Except as hereinafter provided, a write-in vote for the office of  
935 President or Vice-President cast for a person nominated for such office  
936 by a major or minor party or by nominating petition shall be counted  
937 and recorded and deemed to be a vote for each of the duly-nominated  
938 candidates for the office of presidential elector represented by such  
939 candidate for President or Vice-President. A write-in vote for the office  
940 of President or Vice-President, cast for a person nominated for either of  
941 such offices by a major or minor party or by nominating petition, in  
942 conjunction with a write-in vote for the other such office cast for a  
943 person nominated for either office by a different party or petition, shall  
944 not be counted or recorded for either office.

945 (e) If the name of a person is written in for the office of Governor or  
946 Lieutenant Governor, or President or Vice-President, as the case may  
947 be, and no name is written in for the other office, such write-in vote  
948 shall be counted and recorded if it meets the other requirements of this  
949 section.

950 (f) A write-in vote shall be cast in its appropriate place on the ballot.  
951 A write-in vote for Governor and Lieutenant Governor, or for  
952 President and Vice-President, as the case may be, shall be written in a  
953 single space, provided that if only one name is written in the space it  
954 shall be deemed to be a vote for Governor, or for President, as the case  
955 may be, unless otherwise indicated. A write-in vote shall be written  
956 upon the ballot.

957 (g) A write-in vote which is not cast as provided in this section shall  
958 not be counted or recorded.

959 Sec. 34. Section 9-272 of the general statutes is repealed and the  
960 following is substituted in lieu thereof (*Effective from passage*):

961 If, owing to the number of candidates to be voted upon, [or] owing  
962 to inability to obtain a sufficient number of voting tabulators [,] or, if it  
963 is found impracticable to use voting tabulators at any election, primary  
964 or referenda to be held in any municipality, or in one or more of the  
965 voting districts therein, the registrars of voters may discontinue the use  
966 of such tabulators for such election in any of the voting districts  
967 therein, and shall thereupon cause ballots to be procured and used at  
968 such election, [as provided by this part,] primary or referenda in each  
969 of the voting districts wherein the use of voting tabulators has been so  
970 discontinued. The procedures for securing and counting the paper  
971 ballots described in this section shall comply as nearly as may be, in  
972 the manner prescribed by the Secretary of the State, to the counting of  
973 absentee ballots.

974 Sec. 35. Section 9-311 of the general statutes is repealed and the  
975 following is substituted in lieu thereof (*Effective from passage*):

976 (a) If, within three days after an election, it appears to the moderator  
977 that there is a discrepancy in the returns of any voting district, such  
978 moderator shall forthwith within said period summon, by written  
979 notice delivered personally, the recanvass officials, consisting of [the  
980 mechanic or mechanics,] at least two checkers of different political  
981 parties and at least two absentee ballot counters of different political  
982 parties who served at such election, and the registrars of voters [and  
983 the clerk] of the municipality in which the election was held and such  
984 other officials as may be required to conduct such recanvass. Such  
985 written notice shall require [such] the clerk or registrars of voters, as  
986 the case may be, to bring with [him] them the depository envelopes  
987 required by section 9-150a, as amended by this act, the package of  
988 write-in ballots provided for in section 9-310, the absentee ballot  
989 applications, the list of absentee ballot applications, the registry list  
990 and the moderators' returns and shall require such recanvass officials  
991 to meet at a specified time not later than the fifth business day after  
992 such election to recanvass the returns of a voting [machine] tabulator  
993 or voting [machines] tabulators or absentee ballots or write-in ballots  
994 used in such district in such election. If any of such recanvass officials

995 are unavailable at the time of the recanvass, the registrar of voters of  
996 the same political party as that of the recanvass official unable to  
997 attend shall designate another elector having previous training and  
998 experience in the conduct of elections to take his place. Before such  
999 recanvass is made, such moderator shall give notice, in writing, to the  
1000 chairman of the town committee of each political party which  
1001 nominated candidates for the election, and, in the case of a state  
1002 election, not later than twenty-four hours after a determination is made  
1003 regarding the need for a recanvass to the Secretary of the State, of the  
1004 time and place where such recanvass is to be made; and each such  
1005 chairman may send [two] representatives to be present at such  
1006 recanvass. Such representatives may observe, but no one other than a  
1007 recanvass official may take part in the recanvass. If any irregularity in  
1008 the recanvass procedure is noted by such a representative, he shall be  
1009 permitted to present evidence of such irregularity in any contest  
1010 relating to the election.

1011 (b) The moderator shall determine the place or places where the  
1012 recanvass shall be conducted and, if such recanvass is held before the  
1013 [machines] tabulators are boxed and collected in the manner required  
1014 by section 9-266, the moderator may either require that such recanvass  
1015 of such [machines] tabulators be conducted in each place where the  
1016 [machines] tabulators are located, or he may require that they be  
1017 removed to one central place, where such recanvass shall be  
1018 conducted. All recanvassing procedures shall be open to public  
1019 observation. Such recanvass officials shall, in the presence of such  
1020 moderator and [clerk] registrars of voters, make a record of the  
1021 number on the seal and the number on the protective counter, if one is  
1022 provided, on each voting machine specified by such moderator. Such  
1023 [clerk] registrars of voters in the presence of such moderator shall turn  
1024 over the keys of each such [machine] tabulator to such recanvass  
1025 officials, and such recanvass officials, in the presence of such [clerk]  
1026 registrars of voters and moderator, shall immediately proceed to [open  
1027 the counter compartment of each such machine and, without  
1028 unlocking such machine against voting,] recanvass the vote cast  
1029 thereon. [, and] In the course of such recanvass of such tabulators, the

1030 recanvass officials shall count by hand any ballot from which the  
1031 tabulator was unable to record a result. In the counting of any such  
1032 ballot, the intent of the voter shall govern. If the intent of the voter is  
1033 difficult to ascertain due to uncertain, conflicting or incorrect ballot  
1034 markings, the recanvass officials shall submit the ballot and their  
1035 question to the moderator. Such officials shall then count the ballot in  
1036 accordance with the moderator's decision as to the voter's intent, if  
1037 such intent is ascertainable. A ballot or part of a ballot on which the  
1038 intent is determined by the moderator to be not ascertainable, shall not  
1039 be counted. The moderator shall endorse on the ballot the question and  
1040 the moderator's decision. Such recanvass officials shall then open the  
1041 package of absentee ballots and recanvass the vote cast thereon. In the  
1042 course of the recanvass of the absentee ballot vote the recanvass  
1043 officials shall check all outer envelopes for absentee ballots against the  
1044 inner envelopes for such ballots and against the registry list to verify  
1045 postmarks, addresses and registry list markings and also to determine  
1046 whether the number of envelopes from which absentee ballots have  
1047 been removed is the same as the number of persons checked as having  
1048 voted by absentee ballot. The write-in ballots shall also be recanvassed  
1049 at this time. All of the recanvass officials shall use the same forms for  
1050 tallies and returns as were used at the original canvass and the  
1051 absentee ballot counters shall also sign the tallies.

1052 (c) The votes shall be announced and recorded in the manner  
1053 prescribed in section 9-309 on return forms provided by the [municipal  
1054 clerk] registrars of voters and appended thereto shall be a statement  
1055 signed by the moderator indicating the time and place of the recanvass  
1056 and the names, addresses, titles and party affiliations of the recanvass  
1057 officials. The write-in ballots shall be replaced in a properly secured  
1058 sealed package. Upon the completion of such recanvass, [such  
1059 machine] any tabulator used in such recanvass shall be locked and  
1060 sealed, the keys thereof shall immediately be returned to such [clerk]  
1061 registrars of voters and such [machine] tabulator shall remain so  
1062 locked until the expiration of fourteen days after such election or for  
1063 such longer period as is ordered by a court of competent jurisdiction.  
1064 The absentee ballots shall be replaced in their wrappers and be

1065 resealed by the moderator in the presence of the recanvass officials.  
1066 Upon the completion of such recanvass, such moderator and at least  
1067 two of the recanvass officials of different political parties shall  
1068 forthwith prepare and sign such return forms which shall contain a  
1069 written statement giving the result of such recanvass for each  
1070 [machine] tabulator and each package of absentee ballots whose  
1071 returns were so recanvassed, setting forth whether or not the original  
1072 canvass was correctly made and stating whether or not the  
1073 discrepancy still remains unaccounted for. Such return forms  
1074 containing such statement shall forthwith be filed by the moderator in  
1075 the office of such clerk. If such recanvass reveals that the original  
1076 canvass of returns was not correctly made, such return forms  
1077 containing such statement so filed with the clerk shall constitute a  
1078 corrected return. In the case of a state election, a recanvass return shall  
1079 be made in duplicate on a form prescribed and provided by the  
1080 Secretary of the State, and the moderator shall file one copy with the  
1081 Secretary of the State and one copy with the town clerk not later than  
1082 ten days after the election. Such recanvass return shall be substituted  
1083 for the original return and shall have the same force and effect as an  
1084 original return.

1085 (d) As used in this section, (1) "moderator" means, in the case of  
1086 municipalities not divided into voting districts, the moderator of the  
1087 election and, in the case of municipalities divided into voting districts,  
1088 the head moderator of the election, and (2) "registrars of voters", in a  
1089 municipality where there are different registrars of voters for different  
1090 voting districts, means the registrars of voters in the voting district in  
1091 which, at the last-preceding election, the presiding officer for the  
1092 purpose of declaring the result of the vote of the whole municipality  
1093 was moderator.

1094 Sec. 36. Subsections (b) and (c) of section 9-369a of the general  
1095 statutes are repealed and the following is substituted in lieu thereof  
1096 (*Effective from passage*):

1097 (b) When the clerk of the municipality determines that the necessary

1098 action has been taken for submission of the question, he shall, at least  
1099 forty-five days prior to the election, file in the office of the Secretary of  
1100 the State a statement setting forth the designation of the question as it  
1101 is to appear on the [voting machine ballot labels] ballot at the election,  
1102 the date upon which the submitting action was taken and the reference  
1103 to the law under which the action was taken. Such designation shall be  
1104 in the form of a question, as provided in section 9-369. Whenever it is  
1105 specifically provided in the general statutes that any such question  
1106 may be approved for such submission within the period of forty-five  
1107 days prior to such an election, and action is taken to submit a question  
1108 within such period, the clerk of the municipality shall file the  
1109 statement required by this subsection with the Secretary of the State  
1110 immediately upon the taking of such action.

1111 (c) When action is taken for submission of a question, from the time  
1112 of such action through the day of the election, the clerk of the  
1113 municipality shall make the full text of the question and the  
1114 designation which is to appear upon the [voting machine ballot labels]  
1115 ballot available for public inspection. If the designation is not  
1116 prescribed by law, the clerk shall phrase the designation of the  
1117 question in a form suitable for printing on the ballot. [label.] The  
1118 warning of the election shall include a statement that the question is to  
1119 be voted upon, the designation of the question to appear on the ballot  
1120 [labels,] and a statement that the full text of the question is available  
1121 for public inspection in the clerk's office.

1122 Sec. 37. Section 9-435 of the general statutes is repealed and the  
1123 following is substituted in lieu thereof (*Effective from passage*):

1124 Except as provided in sections 9-418 and 9-419, if in any  
1125 municipality, within the time specified in section 9-405, a candidacy for  
1126 nomination by a political party to any municipal office or for election  
1127 as a town committee member is filed with the registrar, in conformity  
1128 with the provisions of sections 9-405 to 9-412, inclusive, and section 9-  
1129 414, by or on behalf of any person other than party-endorsed  
1130 candidates, the registrar shall forthwith after the deadline for

1131 certification of party-endorsed candidates notify the clerk of such  
1132 municipality that a primary is to be held by such party for the  
1133 nomination of such party to such office or for the election by such  
1134 party of town committee members, as the case may be. Such notice  
1135 shall include a list of all the proposed candidates, those endorsed as  
1136 well as those filing candidacies, together with their addresses and the  
1137 titles of the offices or positions for which they are candidates. In the  
1138 case of a primary for justices of the peace, such notice shall also contain  
1139 the complete ballot [label] designation of each slate pursuant to  
1140 subsection (h) of section 9-437. The clerk of the municipality shall  
1141 thereupon cause such notice to be published forthwith in a newspaper  
1142 having a general circulation in such municipality, together with a  
1143 statement of the date upon which the primary is to be held, the hours  
1144 during which the polls shall be open and the location of the polls, [,  
1145 and shall send a copy of such notice to the Secretary of the State and  
1146 record the same.] The clerk of the municipality shall also file such  
1147 notice with the Secretary of the State not later than three business days  
1148 after receipt of such notice from the registrar of voters. The clerk shall  
1149 forthwith publish any change in the proposed candidates, listing such  
1150 changes.

1151 Sec. 38. Section 9-436 of the general statutes is repealed and the  
1152 following is substituted in lieu thereof (*Effective from passage*):

1153 (a) Voting [machines] tabulators shall be used at each primary,  
1154 provided, (1) if, because of the number of offices and positions to be  
1155 voted upon at a primary, there is an insufficient number of vertical  
1156 columns on any [machine] ballot to be used in a municipality, the vote  
1157 in such municipality at such primary for such offices or positions as  
1158 the Secretary of the State determines shall be taken by paper ballots,  
1159 and (2) if, because of the number of candidates for any office or  
1160 position to be voted upon at a primary, there is an insufficient number  
1161 of horizontal rows with respect to such office or position on any  
1162 [machine] ballot to be used in the municipality, the vote in such  
1163 municipality at such primary for such office or position shall be taken  
1164 by paper ballots. More than one voting [machine] tabulator may be

1165 used in any voting district if the registrar so prescribes. The registrar  
1166 shall furnish a number of voting [machines] booths sufficient to  
1167 provide a voting [machine] booth for each [twenty-four] five hundred  
1168 or fraction of [twenty-four] five hundred electors eligible to vote at  
1169 such primary in the municipality or voting district, as the case may be,  
1170 and other necessary equipment. In each polling place in which a party  
1171 has authorized unaffiliated electors, pursuant to section 9-431, to vote  
1172 for some but not all offices to be contested at the primary, a separate  
1173 voting [machine] tabulator shall be used for such unaffiliated electors  
1174 and the registrar shall separately furnish one voting [machine] booth  
1175 for each [twenty-four] five hundred or fraction of [twenty-four] five  
1176 hundred enrolled party members and one voting [machine] booth for  
1177 each [twenty-four] five hundred or fraction of [twenty-four] five  
1178 hundred unaffiliated electors authorized to vote at such primary in  
1179 such district. In determining such number of electors, enrolled party  
1180 members or unaffiliated electors, the registrar shall not count the  
1181 names on the enrollment or registry lists of seventy-five per cent of  
1182 such electors, unaffiliated electors or enrolled party members who  
1183 reside in institutions, as defined in section 9-159q. The registrar may  
1184 provide more than the minimum number of voting [machines] booths  
1185 required by this section.

1186 [(b) The registrar shall appoint a suitable mechanic or mechanics to  
1187 prepare, adjust and place the voting machines for use at the primary  
1188 under the direction of the registrar. A voting machine mechanic shall  
1189 be deemed a primary official but need not be an elector of any town.]

1190 [(c)] (b) Each [machine] tabulator shall be so arranged that the  
1191 elector may vote for as many persons for nomination or election to  
1192 each office or position as there are persons to be nominated or elected,  
1193 as the case may be, and no more, and so that the elector may vote for  
1194 individual candidates; provided the vote for justices of the peace shall  
1195 be by slate, as provided in section 9-443.

1196 [(d)] (c) The registrar shall appoint from among the enrolled party  
1197 members in the municipality or political subdivision holding the

1198 primary, as the case may be, to serve in each polling place, the primary  
1199 polling place officials, who shall consist of one moderator, at least one,  
1200 but not more than two official checkers, not more than two challengers  
1201 if he deems it necessary, and at least one and not more than two ballot  
1202 clerks and at least one but not more than two voting [machine]  
1203 tabulator tenders for each [machine] tabulator in use at such primary  
1204 and, in towns with two or more voting districts at least one and not  
1205 more than two assistant registrars, provided (1) in the case of a  
1206 political subdivision holding a primary, if no enrolled party member  
1207 who resides in the political subdivision and who is a certified  
1208 moderator consents to serve as a moderator, the registrar may appoint  
1209 any enrolled party member who resides in the municipality and is a  
1210 certified moderator to be moderator, (2) in the case of either a  
1211 municipality or a political subdivision holding a primary, if no  
1212 enrolled party member can be found or no such person consents to  
1213 serve as a moderator, the registrar may appoint any elector who  
1214 resides in the municipality and is a certified moderator to be  
1215 moderator, (3) in the case of a political subdivision holding a primary,  
1216 if an insufficient number of enrolled party members who reside in the  
1217 political subdivision consent to serve as checkers, challengers, voting  
1218 machine tenders or assistant registrars, the registrar may appoint any  
1219 enrolled party member who resides in the municipality to be a checker,  
1220 challenger, voting [machine] tabulator tender or assistant registrar, and  
1221 (4) in the case of either a municipality or a political subdivision  
1222 holding a primary, if a sufficient number of enrolled party members  
1223 cannot be found or do not consent to serve in a position described in  
1224 subdivision (3) of this subsection, the registrar may appoint any elector  
1225 who resides in the municipality to any such position. If unaffiliated  
1226 electors are authorized under section 9-431 to vote for some but not all  
1227 of the offices to be contested at the primary, the registrar shall appoint  
1228 two additional checkers to check the list of unaffiliated electors who  
1229 are authorized to vote on the separate [machines] tabulators. If  
1230 unaffiliated electors are authorized under section 9-431 to vote in the  
1231 primary of either of two parties in the same polling place, whether for  
1232 some or for all offices to be contested at the primary, each such

1233 registrar shall appoint two additional checkers to check the list of  
1234 unaffiliated electors who are authorized to vote in either such primary.

1235 [(e)] (d) The registrar shall designate one of the moderators so  
1236 appointed by the registrar to be head moderator or shall appoint as  
1237 head moderator an elector who is not also moderator of a polling place  
1238 and who shall be deemed a primary official. The registrar may also  
1239 appoint a deputy head moderator to assist the head moderator in the  
1240 performance of his duties. A deputy head moderator shall also be  
1241 deemed to be a primary official. Each registrar's appointments of  
1242 primary polling place officials, except moderators of polling places,  
1243 and of designees to conduct supervised voting of absentee ballots  
1244 pursuant to sections 9-159q and 9-159r shall be divided equally, as  
1245 nearly as may be, between designees of the party-endorsed candidates  
1246 and designees of one or more of the contestants, provided, if a party-  
1247 endorsed candidate is a member of a party other than the one holding  
1248 the primary, such primary officials [, except voting machine  
1249 mechanics,] shall be enrolled party members of the party holding the  
1250 primary. Names of designees and alternate designees for such  
1251 positions shall be submitted in writing by party-endorsed candidates  
1252 and contestants to the registrar not later than ten days before the  
1253 primary, except that names of designees and alternate designees for  
1254 the position of moderator shall be so submitted not later than twenty-  
1255 one days before the primary and, if such lists are not so presented, all  
1256 such appointments shall be made by the registrar but in the above-  
1257 mentioned proportion. The registrar shall notify all such candidates  
1258 and contestants of their right to submit a list of designees under this  
1259 section. Notwithstanding any other provision of this section, the  
1260 registrar shall appoint as moderators only persons who are certified to  
1261 serve as moderators or alternate moderators pursuant to section 9-229,  
1262 unless there is an insufficient number of such persons who are enrolled  
1263 members of the registrar's party in the municipality or political  
1264 subdivision holding the primary, in which case the registrar may  
1265 appoint a new moderator in accordance with section 9-229, but only to  
1266 the extent of such insufficiency. Primary central counting moderators  
1267 and absentee ballot counters shall also be deemed primary officials. No

1268 primary official shall perform services for any candidate at the primary  
1269 on primary day.

1270 [(f)] (e) If paper ballots are required for the vote on any office or  
1271 position in a municipality, in consultation with the registrars of voters,  
1272 the clerk of the municipality shall print a paper ballot for use in such  
1273 primary for nomination to such office or election to such position. The  
1274 Secretary of the State shall prescribe the form of such paper ballot. The  
1275 Secretary of the State may prescribe general rules for the use of paper  
1276 ballots in any primary, including the duties of officials at the polls with  
1277 regard to the same, the marking of the same and the counting of the  
1278 same. The procedure to be followed when paper ballots are so used  
1279 shall conform, as nearly as may be, to the procedure applicable to  
1280 voting [machines] tabulators provided in this chapter and to the law  
1281 governing the use of paper ballots in regular elections and such rules  
1282 shall have the force and effect of law. Chapter 54 shall not apply to  
1283 rules made pursuant to this section.

1284 [(g)] (f) The provisions of section 9-258, as amended by this act,  
1285 concerning additional lines of electors at a polling place, and of section  
1286 9-258a concerning two shifts of officials at a polling place, shall apply  
1287 to a primary. Except as otherwise provided in this chapter, the  
1288 provisions of the general statutes relating to the use of voting  
1289 [machines] tabulators at regular elections shall apply as nearly as may  
1290 be to the use of voting [machines] tabulators at primaries.

1291 Sec. 39. Subsection (b) of section 9-453o of the general statutes is  
1292 repealed and the following is substituted in lieu thereof (*Effective from*  
1293 *passage*):

1294 (b) Except as otherwise provided in this subsection, the Secretary of  
1295 the State shall approve every nominating petition which contains  
1296 sufficient signatures counted and certified on approved pages by the  
1297 town clerks. In the case of a candidate who petitions under a reserved  
1298 party designation the secretary shall approve the petition only if it  
1299 meets the signature requirement and if a statement endorsing such  
1300 candidate is filed with the secretary by the party designation

1301 committee not later than four o'clock p.m. on the [fifty-fifth] sixty-  
1302 second day before the election. In the case of a candidate who petitions  
1303 under a party designation which is the same as the name of a minor  
1304 party the secretary shall approve the petition only if it meets the  
1305 signature requirement and if a statement endorsing such candidate is  
1306 filed in the office of the secretary by the chairman or secretary of such  
1307 minor party not later than four o'clock p.m. on the [fifty-fifth] sixty-  
1308 second day before the election. No candidate shall be qualified to  
1309 appear on any ballot by nominating petition unless the candidate's  
1310 petition is approved by the secretary pursuant to this subsection.

1311       Sec. 40. (NEW) (*Effective from passage*) The Secretary of the State, or  
1312 the secretary's designee, shall be allowed access to each polling place  
1313 within the state during any municipal, state or federal election or  
1314 primary for the purpose of reviewing each polling place for  
1315 compliance with state and federal law. In the event that the Secretary  
1316 of the State's name appears on the ballot at any such election, a  
1317 designee of the Secretary of the State shall be allowed such access in  
1318 lieu of the Secretary of the State.

1319       Sec. 41. (NEW) (*Effective from passage*) The registrars of voters of each  
1320 municipality shall, not later than thirty-one days prior to each  
1321 municipal, state or federal election or primary, notify the Secretary of  
1322 the State of the polling places that will be used for such election or  
1323 primary. Such notice shall detail the name, address and corresponding  
1324 federal, state and municipal districts associated with each polling place  
1325 used for such election or primary.

1326       Sec. 42. (NEW) (*Effective from passage*) The registrars of voters shall  
1327 either ensure that each ballot clerk offer every elector a privacy sleeve  
1328 into which the ballot can be inserted and fully shielded from view or,  
1329 in the alternative, place such privacy sleeve in every voting booth for  
1330 the elector's use. No elector shall be required to accept a privacy sleeve.

1331       Sec. 43. Subsection (a) of section 9-241 of the general statutes is  
1332 repealed and the following is substituted in lieu thereof (*Effective from*  
1333 *passage*):

1334 (a) Any person owning or holding an interest in any voting  
1335 [machine] tabulator, as defined in subsection (w) of section 9-1, may  
1336 apply to the Secretary of the State to examine such [machine] tabulator  
1337 and report on its accuracy and efficiency. The Secretary of the State  
1338 shall examine the [machine] tabulator and determine whether, in the  
1339 Secretary's opinion, the kind of [machine] tabulator so examined (1)  
1340 meets the requirements of section 9-242, as amended by this act, (2) can  
1341 be used at elections, primaries and referenda held pursuant to this title,  
1342 and (3) [in the case of an electronic voting machine examined by the  
1343 Secretary after the Voting Technology Standards Board submits the  
1344 report required under section 9-242c, complies with the standards  
1345 adopted by said board under section 9-242c] complies with applicable  
1346 standards for electronic voting tabulators. If the Secretary of the State  
1347 determines that the [machine] tabulator can be so used, such [machine]  
1348 tabulator may be adopted for such use. No [machine] tabulator not so  
1349 approved shall be so used. Each application shall be accompanied by a  
1350 fee of one hundred dollars and the Secretary of the State shall not  
1351 approve any [machine] tabulator until such fee and the expenses  
1352 incurred by the Secretary in making the examination have been paid  
1353 by the person making such application. Any voting [machine]  
1354 tabulator company that has had its voting [machine] tabulator  
1355 approved and that subsequently alters such [machine] tabulator in any  
1356 way shall provide the Secretary of the State with notice of such  
1357 alterations, including a description thereof and a statement of the  
1358 purpose of such alterations. If any such alterations appear to materially  
1359 affect the accuracy, appearance or efficiency of the [machine] tabulator,  
1360 or modify the [machine] tabulator so that it can no longer be used at  
1361 elections, primaries or referenda held pursuant to this title, at the  
1362 discretion of the Secretary of the State, the company shall submit such  
1363 alterations for inspection and approval, at its own expense, before such  
1364 altered [machines] tabulators may be used. The Secretary of the State  
1365 may adopt regulations, in accordance with the provisions of chapter  
1366 54, concerning examination and approval of voting [machines]  
1367 tabulators under this section. No voting [machine] tabulator that  
1368 records votes by means of holes punched in designated voting

1369 response locations may be approved or used at any election, primary  
1370 or referendum held pursuant to this title.

1371 Sec. 44. Section 9-6 of the general statutes is repealed and the  
1372 following is substituted in lieu thereof (*Effective from passage*):

1373 Each registrar of voters or, in the absence of a registrar, his deputy,  
1374 and each town clerk or, in the absence of a town clerk, one of his  
1375 assistant town clerks shall be compensated by the municipality which  
1376 he represents, as herein provided, for attending two conferences a year  
1377 for town clerks and registrars of voters which may be called by the  
1378 Secretary of the State for the purpose of discussing the election laws,  
1379 procedures or matters related thereto. Each such official shall be  
1380 compensated by his municipality at the rate of thirty-five dollars per  
1381 day for attending each such conference, plus mileage to and from such  
1382 conference at a rate per mile determined by the municipality, but not  
1383 less than twenty cents per mile, computed from the office of such  
1384 official or, if he has no office, from his home to the place where such  
1385 conference is being held. [In towns divided into two voting districts  
1386 which elect registrars of voters for each voting district, only two  
1387 registrars of opposite political parties need be so compensated for each  
1388 such conference and, if the registrars are unable to agree as to the two  
1389 registrars to be so compensated, such determination shall be made at  
1390 least three days prior to such conference by the chief executive officer  
1391 of the municipality.]

1392 Sec. 45. Section 9-53 of the general statutes is repealed and the  
1393 following is substituted in lieu thereof (*Effective from passage*):

1394 The registrars of voters in each municipality in which an enrollment  
1395 session is to be held shall give notice of such session, and of the  
1396 purpose, day, hours and place thereof, by publication in a newspaper  
1397 published in or having a circulation in such municipality, not more  
1398 than fifteen nor less than five days before such session. Nothing herein  
1399 shall require that such publication be in the form of a legal  
1400 advertisement. [In each municipality divided into two voting districts  
1401 which elects registrars of voters for each voting district, any session for

1402 enrollment in such municipality shall be held in each such district  
1403 thereof by the registrars of such district, and the notice hereinbefore  
1404 required shall specify the place in each such district in which such  
1405 session is to be held.] In each municipality divided into voting  
1406 districts, [which elects registrars of voters for the entire municipality,]  
1407 any session for enrollment in such municipality may, if the registrars  
1408 so decide, be held in each such district by assistant registrars  
1409 appointed under section 9-192, provided the registrars in the notice  
1410 hereinbefore required shall specify the place in each such district in  
1411 which such session is to be held. When such a session is so held in each  
1412 such district by such assistant registrars, within forty-eight hours after  
1413 the close of each of such sessions, each of such assistant registrars shall  
1414 deliver to the registrar of whom he is the appointee a true and attested  
1415 list or lists, as made by such assistant registrars at such session,  
1416 showing all enrollments and corrections, if any, by them made,  
1417 together with a list of all applications rejected under the provisions of  
1418 sections 9-60 and 9-63.

1419 Sec. 46. Section 9-54 of the general statutes is repealed and the  
1420 following is substituted in lieu thereof (*Effective from passage*):

1421 The registrars shall compile separate lists of all qualified electors  
1422 making application for enrollment according to the declared political  
1423 preference of such electors. Before each primary at which unaffiliated  
1424 electors are authorized to vote, under section 9-431, the registrars shall  
1425 also compile a list of unaffiliated electors which shall be a component  
1426 of the official checklist to be used at such primary. In those towns  
1427 having cities or boroughs within, and not coterminous with, their  
1428 limits, the registrars shall also prepare such lists for use in such cities  
1429 or boroughs; and when towns, cities or boroughs are divided into  
1430 wards or voting districts, the registrars shall also prepare such lists for  
1431 such wards or voting districts. Any town, city, consolidated town and  
1432 city, or consolidated town and borough may, by vote of its legislative  
1433 body, require the registrars of voters to designate the party affiliation,  
1434 if any, of each elector on the registry list with the name of such elector,  
1435 and, if it is so voted, may provide for the continuance or

1436 discontinuance of separate enrollment lists, except as provided in  
1437 section 9-55. Whenever an elector's name has been removed from the  
1438 registry list or transferred upon the registry list because of a change of  
1439 address within the municipality, pursuant to section 9-35, such name  
1440 shall also, at the same time, be removed from or transferred upon the  
1441 enrollment list or upon the list of unaffiliated electors, if applicable. [In  
1442 municipalities divided into two voting districts or wards where  
1443 registrars are elected for each voting district or where assistant  
1444 registrars are appointed for each voting district under section 9-192,  
1445 when a transfer of enrollment is made between separate lists of the  
1446 same political party because of the removal of an elector from one  
1447 voting district or ward to another voting district or ward in the same  
1448 municipality, the registrars or assistant registrars from the voting  
1449 district or ward where the elector formerly resided shall remove the  
1450 elector's name from the list and shall report the removal to the  
1451 registrars or assistant registrars of the same political party in the voting  
1452 district or ward to which such elector has removed, whereupon such  
1453 registrars or assistant registrars shall add such name to the list of the  
1454 same political party in such district or ward unless such elector has  
1455 made application for erasure or transfer of enrollment to the list of  
1456 another party.] In all [other] municipalities, when a transfer of  
1457 enrollment between separate lists of the same political party is made  
1458 because of the removal of an elector from one voting district or ward to  
1459 another voting district or ward in the same municipality, the registrars  
1460 of voters shall transfer the name of such elector from the list on which  
1461 it appears to the enrollment list of the same political party in the voting  
1462 district or ward to which such elector has removed unless such elector  
1463 has made application for erasure or transfer of enrollment to the list of  
1464 another party. All such enrollment lists and lists of unaffiliated electors  
1465 shall be arranged in the manner provided by section 9-35 for the  
1466 arrangement of registry lists in such town except as modified by  
1467 sections 9-51 to 9-65, inclusive, as amended by this act.

1468 Sec. 47. Section 9-65 of the general statutes is repealed and the  
1469 following is substituted in lieu thereof (*Effective from passage*):

1470 (a) After the last session of the registrars of voters under section 9-  
1471 17, as amended by this act, before each election, the registrars of voters  
1472 in each municipality shall submit in writing to the Secretary of the  
1473 State a statement setting forth the total number of names of new  
1474 electors added to the registry list, and the total number of names of  
1475 former electors removed from the registry list, in such municipality  
1476 during the period between the two most recent such last sessions. Such  
1477 statement shall be submitted annually at a time to be determined by  
1478 the Secretary of the State. [In municipalities divided into two voting  
1479 districts that elect registrars of voters for each district, such statement  
1480 shall be so submitted by the registrars of voters of the first district.]

1481 (b) Not later than a week after the last session of the registrars of  
1482 voters before an election under section 9-17, as amended by this act,  
1483 the Secretary of the State shall issue a report on the total number of  
1484 electors on the active and inactive registry list, the total number of  
1485 electors enrolled on each active and inactive party enrollment list and  
1486 the total number of unaffiliated electors on the active and inactive  
1487 registry list in such municipality, as reported by the registrars of voters  
1488 on the state-wide centralized voter registration system. The Secretary  
1489 shall omit from such report electors on the last-completed registry list  
1490 or enrollment lists who have died, but shall include electors who have  
1491 acquired electoral or enrollment privileges since the last-completed  
1492 registry list or enrollment lists were perfected.

1493 Sec. 48. Subsection (d) of section 9-235 of the general statutes is  
1494 repealed and the following is substituted in lieu thereof (*Effective from*  
1495 *passage*):

1496 (d) No candidate for an office in an election may be an unofficial  
1497 checker at such election. [In municipalities divided into two voting  
1498 districts in which registrars are elected for each district, such  
1499 appointments may be made by the registrars in each district.] Such  
1500 unofficial checkers may remain within the polling place for the  
1501 purpose of checking their own copy of the registry list to indicate the  
1502 names of electors who have voted, and may enter and leave the

1503 restricted area surrounding the polling place during the hours of  
1504 election or referendum for the purpose of taking such information  
1505 outside said area or may communicate such information from the  
1506 polling place by means of telephones provided by the party for which  
1507 such checkers were appointed. If any such unofficial checker interferes  
1508 with the orderly process of voting or attempts to influence any elector,  
1509 he shall be evicted by the moderator. An unofficial checker appointed  
1510 pursuant to this section may receive compensation from the  
1511 municipality in which the election is held.

1512 Sec. 49. Section 9-1 of the general statutes is repealed and the  
1513 following is substituted in lieu thereof (*Effective from passage*):

1514 Except as otherwise provided, the following terms, as used in this  
1515 title and sections 3-124, 7-5, 7-6, 7-7, 7-17, 7-20, 7-39, 7-157, 7-214, 7-275,  
1516 7-295, 7-343, 7-407, 8-1, 8-5, 8-19, 10-219, 11-36, 13a-11, 30-10, 30-11, 45a-  
1517 18, 45a-19 and 51-95 shall have the following meanings:

1518 (a) ["Ballot label"] "Ballot" means paper or other material containing  
1519 the names of the candidates or a statement of a proposed constitutional  
1520 amendment or other question or proposition to be voted on;

1521 (b) "Board for admission of electors" means the board as composed  
1522 under subsection (a) of section 9-15a;

1523 (c) "Clerical error" means any error in the registry list or enrollment  
1524 list due to a mistake or an omission on the part of the printer or a  
1525 mistake or omission made by the registrars or their assistants;

1526 (d) "Election" means any electors' meeting at which the electors  
1527 choose public officials by use of voting [machines] tabulators or by  
1528 paper ballots as provided in [sections 9-271 and] section 9-272;

1529 (e) "Elector" means any person possessing the qualifications  
1530 prescribed by the Constitution and duly admitted to, and entitled to  
1531 exercise, the privileges of an elector in a town;

1532 (f) Repealed by P.A. 77-298, S. 14;

- 1533 (g) "Municipal clerk" means the clerk of a municipality;
- 1534 (h) "Municipal election" means the regularly recurring election held  
1535 in a municipality at which the electors of the municipality choose  
1536 public officials of such municipality;
- 1537 (i) "Municipality" means any city, borough or town within the state;
- 1538 (j) "Official ballot" means the official ballot to be used at an election,  
1539 or the official [paper] ballot to be used thereat in accordance with the  
1540 provisions of [sections 9-271 and] section 9-272;
- 1541 (k) "Population" means the population according to the last-  
1542 completed United States census;
- 1543 (l) "Presidential electors" means persons elected to cast their ballots  
1544 for President and Vice President of the United States;
- 1545 (m) "Print" means methods of duplication of words by mechanical  
1546 process, but shall not include typewriting;
- 1547 (n) "Referendum" means (1) a question or proposal which is  
1548 submitted to a vote of the electors or voters of a municipality at any  
1549 regular or special state or municipal election, as defined in this section,  
1550 (2) a question or proposal which is submitted to a vote of the electors  
1551 or voters, as the case may be, of a municipality at a meeting of such  
1552 electors or voters, which meeting is not an election, as defined in  
1553 subsection (d) of this section, and is not a town meeting, or (3) a  
1554 question or proposal which is submitted to a vote of the electors or  
1555 voters, as the case may be, of a municipality at a meeting of such  
1556 electors or voters pursuant to section 7-7 or pursuant to charter or  
1557 special act;
- 1558 (o) "Regular election" means any state or municipal election;
- 1559 (p) "Registrars" means the registrars of voters of the municipality;
- 1560 (q) "Registry list" means the list of electors of any municipality  
1561 certified by the registrars;

- 1562 (r) "Special election" means any election not a regular election;
- 1563 (s) "State election" means the election held in the state on the first  
1564 Tuesday after the first Monday in November in the even-numbered  
1565 years in accordance with the provisions of the Constitution of  
1566 Connecticut;
- 1567 (t) "State officers" means the Governor, Lieutenant Governor,  
1568 Secretary of the State, Treasurer, Comptroller and Attorney General;
- 1569 (u) "Voter" means a person qualified to vote at town and district  
1570 meetings under the provisions of section 7-6;
- 1571 (v) "Voting district" means any municipality, or any political  
1572 subdivision thereof, having not more than one polling place in a  
1573 regular election;
- 1574 (w) "Voting tabulator" means a machine, including, but not limited  
1575 to, a device which operates by electronic means, for the registering and  
1576 recording of votes cast at elections, primaries and referenda;
- 1577 (x) "Write-in ballot" means a vote cast for any person whose name  
1578 does not appear on the official ballot as a candidate for the office for  
1579 which [his] the person's name is written in;
- 1580 (y) "The last session for admission of electors prior to an election"  
1581 means the day which is the seventh day prior to an election.
- 1582 Sec. 50. Section 9-4 of the general statutes is repealed and the  
1583 following is substituted in lieu thereof (*Effective from passage*):
- 1584 The Secretary of the State, in addition to other duties imposed by  
1585 law, shall, as such commissioner, (1) advise local election officials in  
1586 connection with proper methods of conducting elections and referenda  
1587 as defined in subsection (n) of section 9-1, as amended by this act, and,  
1588 upon request of a municipal official, matters arising under chapter 99;  
1589 (2) prepare regulations and instructions for the conduct of elections, as  
1590 designated by law; (3) provide local election officials with a sufficient

1591 number of copies of election laws pamphlets and materials necessary  
1592 to the conduct of elections; (4) distribute all materials concerning  
1593 proposed laws or amendments required by law to be submitted to the  
1594 electors; (5) recommend to local election officials the form of  
1595 registration cards and blanks; (6) determine, in the manner provided  
1596 by law, the forms for the preparation of voting [machines] tabulators,  
1597 for the recording of the vote and the conduct of the election and  
1598 certification of election returns; (7) prepare the ballot title or statement  
1599 to be placed on the ballot for any proposed law or amendment to the  
1600 Constitution to be submitted to the electors of the state; (8) certify to  
1601 the several boards the form of official ballots for state and municipal  
1602 offices; (9) provide the form and manner of filing notification of  
1603 vacancies, nomination and subsequent appointment to fill such  
1604 vacancies; (10) prescribe, provide and distribute absentee voting forms  
1605 for use by the municipal clerks; (11) examine and approve nominating  
1606 petitions filed under section 9-453o; and (12) distribute corrupt  
1607 practices forms and provide instructions for completing and filing the  
1608 same.

1609 Sec. 51. Subdivision (1) of subsection (a) of section 9-7b of the  
1610 general statutes is repealed and the following is substituted in lieu  
1611 thereof (*Effective from passage*):

1612 (1) To make investigations on its own initiative or with respect to  
1613 statements filed with the commission by the Secretary of the State or  
1614 any town clerk, or upon written complaint under oath by any  
1615 individual, with respect to alleged violations of any provision of the  
1616 general statutes relating to any election or referendum, any primary  
1617 held pursuant to section 9-423, 9-425 or 9-464 or any primary held  
1618 pursuant to a special act, and to hold hearings when the commission  
1619 deems necessary to investigate violations of any provisions of the  
1620 general statutes relating to any such election, primary or referendum,  
1621 and for the purpose of such hearings the commission may administer  
1622 oaths, examine witnesses and receive oral and documentary evidence,  
1623 and shall have the power to subpoena witnesses under procedural  
1624 rules the commission shall adopt, to compel their attendance and to

1625 require the production for examination of any books and papers which  
1626 the commission deems relevant to any matter under investigation or in  
1627 question. In connection with its investigation of any alleged violation  
1628 of any provision of chapter 145, or of any provision of section 9-359 or  
1629 section 9-359a, the commission shall also have the power to subpoena  
1630 any municipal clerk and to require the production for examination of  
1631 any absentee ballot, inner and outer envelope from which any such  
1632 ballot has been removed, depository envelope containing any such  
1633 ballot or inner or outer envelope as provided in sections 9-150a and 9-  
1634 150b, as amended by this act, and any other record, form or document  
1635 as provided in section 9-150b, as amended by this act, in connection  
1636 with the election, primary or referendum to which the investigation  
1637 relates. In case of a refusal to comply with any subpoena issued  
1638 pursuant to this subsection or to testify with respect to any matter  
1639 upon which that person may be lawfully interrogated, the superior  
1640 court for the judicial district of Hartford, on application of the  
1641 commission, may issue an order requiring such person to comply with  
1642 such subpoena and to testify; failure to obey any such order of the  
1643 court may be punished by the court as a contempt thereof. In any  
1644 matter under investigation which concerns the operation or inspection  
1645 of or outcome recorded on any voting [machine] tabulator, the  
1646 commission may issue an order to the municipal clerk to impound  
1647 such [machine] tabulator until the investigation is completed.

1648 Sec. 52. Subsection (a) of section 9-135a of the general statutes is  
1649 repealed and the following is substituted in lieu thereof (*Effective from*  
1650 *passage*):

1651 (a) Each absentee ballot shall be arranged to resemble the  
1652 appropriate ballot [label] and sample ballot [label] as prescribed by  
1653 law, and shall include, as applicable, the offices, party designations,  
1654 names of candidates and questions to be voted upon and spaces for  
1655 write-in votes. A replica of the state seal shall be printed on the ballot.  
1656 The size, type, form, instructions, specifications for paper and printing  
1657 and other specifications shall be prescribed by the Secretary of the  
1658 State. [The Secretary of the State shall provide a ballot facsimile to each

1659 municipal clerk for use in preparing the ballot form.]

1660 Sec. 53. Subsection (a) of section 9-135b of the general statutes is  
1661 repealed and the following is substituted in lieu thereof (*Effective from*  
1662 *passage*):

1663 (a) Immediately after the deadline for certification of all candidates  
1664 whose names are to appear on the ballot, [label,] and in sufficient time  
1665 to begin issuing absentee ballots on the day prescribed by law, the  
1666 municipal clerk shall prepare the absentee ballots and have them  
1667 printed.

1668 Sec. 54. Subsections (b) and (c) of section 9-150b of the general  
1669 statutes are repealed and the following is substituted in lieu thereof  
1670 (*Effective from passage*):

1671 (b) If the absentee ballots were counted at the polls, when all  
1672 counting is complete the moderator shall publicly declare the result of  
1673 such count as provided in section 9-309, as amended by this act, and  
1674 add such count to the results from the voting [machines] tabulators  
1675 recorded on the moderator's return. Such return shall show separately  
1676 the [machine] tabulator vote and the absentee vote and the totals  
1677 thereof.

1678 (c) If the absentee ballots were counted at a central location, when  
1679 all counting is complete the moderator shall publicly declare the result  
1680 of such count. [He] The moderator shall then deliver to the head  
1681 moderator the central counting moderator's returns, together with all  
1682 other information required by law or by the Secretary of the State's  
1683 instructions. The head moderator shall add the results from the voting  
1684 [machines] tabulators, recorded on the moderator's return for each  
1685 polling place, to the absentee count recorded on the central counting  
1686 moderator's return for the corresponding voting district, in the manner  
1687 prescribed by the Secretary of the State. The returns so completed shall  
1688 show separately the [machine] tabulator vote and the absentee vote  
1689 and the totals thereof.

1690 Sec. 55. Section 9-150d of the general statutes is repealed and the  
1691 following is substituted in lieu thereof (*Effective from passage*):

1692 A voting [machine] tabulator approved by the Secretary of the State  
1693 under section 9-242, as amended by this act, may be used to count  
1694 absentee ballots in any municipality at an election, primary or  
1695 referendum, provided the registrars of voters of the municipality  
1696 approve the use of such [machine] tabulator and the Secretary of the  
1697 State prescribes specifications for (1) the security, testing, set-up,  
1698 operation and canvassing of the [machine] tabulator, (2) such absentee  
1699 ballots, and (3) the training of election officials in the use of the  
1700 [machine] tabulator.

1701 Sec. 56. Subsections (a) and (b) of section 9-168a of the general  
1702 statutes are repealed and the following is substituted in lieu thereof  
1703 (*Effective from passage*):

1704 (a) Any provision of the general statutes to the contrary  
1705 notwithstanding, in any municipality in which, at any election, or  
1706 primary, as a result of the assembly, senatorial or congressional district  
1707 lines in effect, there is a voting district or a part of a voting district  
1708 which differs geographically from the district lines as constituted in a  
1709 municipal election year, the registrars of voters may either provide a  
1710 suitable polling place therein or may, in lieu thereof, with the approval  
1711 of the legislative body of the municipality, provide separate voting  
1712 [machines] tabulators in the polling place of another voting district in  
1713 said municipality for use by such electors. The registrars of voters shall  
1714 determine which polling place officials are necessary for such separate  
1715 [machines] tabulators and shall provide the procedure to ensure that  
1716 the electors use the proper voting [machine] tabulator, which  
1717 procedure may include the registrars of voters prescribing and  
1718 providing receipts.

1719 (b) Any provision of the general statutes to the contrary  
1720 notwithstanding, in any municipality in which, at any election or  
1721 primary, as a result of the assembly, senatorial or congressional district  
1722 lines in effect, there is a voting district with less than one thousand five

1723 hundred electors who vote for a combination of officers that no other  
1724 electors of the town vote for, the registrars of voters may either  
1725 provide a suitable polling place therein or may, in lieu thereof, provide  
1726 separate voting [machines] tabulators in the polling place of another  
1727 voting district in said municipality for use by such electors. If the  
1728 registrars of voters provide separate voting [machines] tabulators in  
1729 the polling place of another voting district, they shall determine which  
1730 polling place officials are necessary for the district containing less than  
1731 one thousand five hundred electors and shall provide the procedure to  
1732 ensure that the electors use the proper voting [machines] tabulator,  
1733 which procedure may include the registrars of voters prescribing and  
1734 providing receipts.

1735 Sec. 57. Section 9-188 of the general statutes is repealed and the  
1736 following is substituted in lieu thereof (*Effective from passage*):

1737 Unless otherwise provided by law each town shall, at its regular  
1738 municipal election, elect a first selectman, who shall be town agent  
1739 unless otherwise provided by law, and two other selectmen or, in the  
1740 case of any town having a population of ten thousand or more, not  
1741 more than six other selectmen. The selectmen so elected shall  
1742 constitute the board of selectmen for such town. Unless otherwise  
1743 provided by special act, charter or ordinance the votes cast, including  
1744 any valid write-in votes, for an unsuccessful candidate for first  
1745 selectman shall be counted as votes for him as a member of such  
1746 board, provided no elector may be a candidate for both the office of  
1747 first selectman and that of selectman by virtue of nomination by a  
1748 major or minor party or a nominating petition or registration of write-  
1749 in candidacy, or any combination thereof. The provisions of section 9-  
1750 167a shall apply to the election of selectmen, except that when the total  
1751 membership of such board is five, the maximum number who may be  
1752 members of the same political party shall be three, and provided that  
1753 for the purpose of determining minority representation, the total  
1754 membership of such board shall be deemed to include the first  
1755 selectman, unless otherwise provided by special act or charter. Unless  
1756 otherwise provided by special act, charter or ordinance, an elector shall

1757 not vote for more candidates for the office of selectman than a political  
1758 party can elect pursuant to section 9-167a, provided that the number of  
1759 such candidates that an elector can vote for shall be deemed to include  
1760 the first selectman. If the electors fail to elect a first selectman at any  
1761 election by reason of an equality of votes, such election for the office of  
1762 first selectman and the election for selectmen shall stand adjourned  
1763 and such adjourned election shall be held as provided in section 9-332.  
1764 The [ballot labels] ballots used in such adjourned election shall contain  
1765 only the names of the candidates for the offices of first selectman and  
1766 selectman which appeared on the ballot [label] used in the election at  
1767 which the tie vote resulted for the office of first selectman.

1768 Sec. 58. Section 9-224 of the general statutes is repealed and the  
1769 following is substituted in lieu thereof (*Effective from passage*):

1770 If any special election is called to fill a vacancy in any office on the  
1771 same day as a regular election, the names of the candidates for such  
1772 office shall be placed on the same [voting machine] ballot as the names  
1773 of the candidates to be voted for at such regular election, and except as  
1774 otherwise specifically provided by statute, the provisions of the  
1775 statutes governing regular elections shall apply to such special  
1776 election.

1777 Sec. 59. Subsection (b) of section 9-229 of the general statutes is  
1778 repealed and the following is substituted in lieu thereof (*Effective from*  
1779 *passage*):

1780 (b) The Secretary of the State shall (1) request registrars of voters to  
1781 volunteer to serve as instructors for moderators and alternate  
1782 moderators, (2) select registrars from among such volunteers to serve  
1783 as such instructors, (3) establish a curriculum for instructional sessions  
1784 for moderators and alternate moderators, (4) establish the number of  
1785 such instructional sessions, provided at least one such instructional  
1786 session shall be held in each congressional district in each calendar  
1787 year, (5) train the instructors for such sessions, and (6) certify  
1788 moderators and alternate moderators. The curriculum for such  
1789 instructional sessions shall include, without limitation, procedures for

1790 counting and recording absentee ballots, "hands on" training in the use  
1791 of voting [machines] tabulators, and the duties of a moderator in the  
1792 conduct of a primary and election. The secretary may employ  
1793 assistants on a temporary basis within existing budgetary resources for  
1794 the purpose of implementing the provisions of this section. Such  
1795 assistants shall not be subject to the provisions of chapter 67. The  
1796 instructors shall conduct instructional sessions for moderators and  
1797 alternate moderators in accordance with their training by the Secretary  
1798 of the State and the curriculum for such sessions. Any elector may  
1799 attend one or more of such instructional sessions. Each instructor shall  
1800 provide the Secretary of the State with the name and address of each  
1801 person who completes such a session.

1802 Sec. 60. Section 9-234 of the general statutes is repealed and the  
1803 following is substituted in lieu thereof (*Effective from passage*):

1804 Each registrar shall be present during the taking of the vote at any  
1805 regular or special state or municipal election in [his] the registrar's  
1806 town or district. The assistants in their respective districts shall, when  
1807 requested by either registrar, be present at the taking of any such vote  
1808 and discharge the duties of registrars. Each registrar shall appoint  
1809 some suitable person to check the list in each district, unless the  
1810 municipality has established two shifts for election officials under the  
1811 provisions of section 9-258a, in which case each such registrar shall  
1812 appoint one such person for each district for each shift. Each such  
1813 person, who is so appointed checker, shall check the name of each  
1814 elector thereon when [he] the elector offers [his] the elector's vote, and  
1815 no voting [machine] tabulator tender shall permit any vote to be cast  
1816 upon the voting [machine] tabulator until the name has been so  
1817 checked.

1818 Sec. 61. Subsection (b) of section 9-235 of the general statutes is  
1819 repealed and the following is substituted in lieu thereof (*Effective from*  
1820 *passage*):

1821 (b) Except for rows of candidates entitled to unofficial checkers  
1822 under subsection (a) of this section, each group of three or more

1823 electors whose names appear in one single row on the [voting  
1824 machine] ballot [label] in a voting district, may designate not more  
1825 than two electors of the town in which the voting district is located, to  
1826 serve as unofficial checkers on behalf of the candidates whose names  
1827 appear in such row. Such candidates shall submit a list of the names of  
1828 such designees to the registrars of voters at least forty-eight hours  
1829 prior to the election. The registrars shall verify that each such designee  
1830 is an elector of the town and shall appoint not more than two such  
1831 designees to serve each such row of candidates. The registrars shall, at  
1832 the request of such a group of three or more electors, change such  
1833 designations at any time before the closing of the polls on the day of an  
1834 election.

1835 Sec. 62. Section 9-235d of the general statutes is repealed and the  
1836 following is substituted in lieu thereof (*Effective from passage*):

1837 (a) Notwithstanding any provision of sections 9-233, 9-235 and 9-258  
1838 to the contrary, a United States citizen who is sixteen or seventeen  
1839 years of age and a bona fide resident of a town may be (1) appointed as  
1840 a challenger or unofficial checker in an election, or (2) appointed as a  
1841 checker, translator or voting [machine] tabulator tender in an election  
1842 after (A) attending poll worker training, and (B) receiving the written  
1843 permission of a parent, guardian or the principal of the school that the  
1844 citizen attends if the citizen is a secondary school student and the  
1845 citizen is to be appointed to work on a day when such school is in  
1846 session.

1847 (b) Notwithstanding any provision of section 9-436 or 9-436a to the  
1848 contrary, a United States citizen who is sixteen or seventeen years of  
1849 age and a bona fide resident of a town or political subdivision holding  
1850 a primary may be (1) appointed as a challenger or candidate checker in  
1851 the primary, or (2) appointed as a checker, translator or voting  
1852 [machine] tabulator tender in a primary after (A) attending poll worker  
1853 training, and (B) receiving the written permission of a parent, guardian  
1854 or the principal of the school that the citizen attends if the citizen is a  
1855 secondary school student and the citizen is to be appointed to work on

1856 a day when such school is in session.

1857 Sec. 63. Section 9-236a of the general statutes is repealed and the  
1858 following is substituted in lieu thereof (*Effective from passage*):

1859 Any town, on its own initiative or upon a request by the Secretary of  
1860 the State, and with the approval of the legislative body of the town or,  
1861 in the case of a town in which the legislative body is a town meeting,  
1862 the board of selectmen, may require a spare voting [machine] tabulator  
1863 or ballot box to be provided inside any polling place or in a room  
1864 adjacent to the polling place, for the educational use of students from  
1865 kindergarten to grade twelve, inclusive. Upon such approval, the  
1866 registrars shall establish procedures for the use of the [machine]  
1867 tabulator or ballot box, including, but not limited to: (1) Location and  
1868 preparation of the [machine] tabulator or ballot box, (2) duties of  
1869 [machine] tabulator or ballot box tenders, and (3) canvassing the  
1870 returns. Any such machine shall be in addition to the demonstrator or  
1871 spare voting [machine] tabulator required by section 9-260. Ballots  
1872 completed by students under this section shall be unofficial, and  
1873 polling place officials shall not be required to handle or count such  
1874 ballots. Each student who will be using such [machine] tabulator or  
1875 ballot box inside a polling place or a room adjacent to the polling place  
1876 shall be accompanied by an adult. The supervisor of such students for  
1877 the purposes of this section shall submit the names of all adults who  
1878 will be working with such students to the registrars at least forty-eight  
1879 hours before the election.

1880 Sec. 64. Section 9-238 of the general statutes is repealed and the  
1881 following is substituted in lieu thereof (*Effective from passage*):

1882 (a) Except as provided in [sections 9-271 and] section 9-272, voting  
1883 [machines] tabulators shall be used at all elections held in any  
1884 municipality, or in any part thereof, for voting and registering and  
1885 counting votes cast at such elections for officers, and upon all  
1886 questions or amendments submitted at such elections. The board of  
1887 selectmen of each town, the common council of each city and the  
1888 warden and burgesses of each borough shall purchase or lease, or

1889 otherwise provide, for use at elections in each such municipality a  
1890 number of voting tabulators approved by the Secretary of the State.  
1891 Different voting tabulators may be provided for different voting  
1892 districts in the same municipality. Notwithstanding any provision of  
1893 this subsection to the contrary, the registrars of voters of a  
1894 municipality may determine the number of voting tabulators that shall  
1895 be provided for use at any special election in such municipality,  
1896 provided the registrars shall provide at least one voting tabulator in  
1897 the municipality or, in a municipality divided into voting districts, at  
1898 least one voting tabulator in each such district.

1899 (b) Upon the purchase or lease of a voting tabulator for use in any  
1900 municipality, the officials of such municipality purchasing or leasing  
1901 the same shall forthwith send notification in writing to the Secretary of  
1902 the State of the name or make of such tabulator, the name of the person  
1903 who manufactured the same, the name of the person from whom it  
1904 was purchased or leased and the date on which it was purchased or  
1905 leased. No voting tabulator shall be used in an election which, in the  
1906 opinion of the Secretary of the State, does not conform to the  
1907 requirements of law, is unsuitable for use in such election or does not  
1908 comply with the voluntary performance and test standards for voting  
1909 systems adopted by the Election Assistance Commission pursuant to  
1910 the Help America Vote Act, P.L. 107-252, 43 USC 15481. When in any  
1911 municipality the use of a voting tabulator at elections is discontinued  
1912 because of its age or condition or because it is sold, or for any other  
1913 reason, such officials shall send written notification to the Secretary of  
1914 the discontinuance of such tabulator, of the time of and reason for such  
1915 discontinuance and of the information required in connection with  
1916 notification of original purchasing or leasing.

1917 Sec. 65. Section 9-238a of the general statutes is repealed and the  
1918 following is substituted in lieu thereof (*Effective from passage*):

1919 During the first week of February in each year, the town clerk of  
1920 each town shall notify the Secretary of the State, on a form provided by  
1921 said secretary, of the total number of [names on the active registry list

1922 and on each enrollment list and the total number of unaffiliated  
1923 electors, in such town, and of the total number of] voting [machines]  
1924 tabulators therein and, in towns divided into voting districts, in  
1925 addition, the same information for each voting district. If the number  
1926 of [machines] tabulators listed in such notification is less than the  
1927 number required under section 9-238, as amended by this act, the town  
1928 clerk shall include in such notification an explanation of the  
1929 discrepancy. Each such clerk shall also file a duplicate copy of such  
1930 notification with the officials who are required to provide voting  
1931 [machines] tabulators in [his] the clerk's municipality under section 9-  
1932 238, as amended by this act.

1933 Sec. 66. Section 9-239 of the general statutes is repealed and the  
1934 following is substituted in lieu thereof (*Effective from passage*):

1935 The fiscal authority in each municipality shall authorize payment of  
1936 the bill incurred for the purchase or lease or other method of  
1937 acquisition of an adequate number of voting [machines] tabulators  
1938 incurred by the officials responsible for providing the same under the  
1939 provisions of section 9-238, as amended by this act.

1940 Sec. 67. Section 9-240 of the general statutes is repealed and the  
1941 following is substituted in lieu thereof (*Effective from passage*):

1942 The board of selectmen in each town, unless otherwise provided by  
1943 law, shall provide or may authorize the registrars to provide a suitable  
1944 room or rooms and voting [machine] booths for holding all elections.  
1945 The interior of the booths shall be secure from outside observation.  
1946 Said board shall provide for each polling place, in accordance with the  
1947 requirements of section 9-238, as amended by this act, one or more  
1948 voting [machines] tabulators in complete working order, and shall  
1949 preserve and keep them in repair and have the custody of the voting  
1950 [machines] tabulators, and the care and custody of the furniture and  
1951 equipment of the polling place, when not in use at an election.

1952 Sec. 68. Section 9-240a of the general statutes is repealed and the  
1953 following is substituted in lieu thereof (*Effective from passage*):

1954 Not more than two hundred ten days nor less than thirty days prior  
1955 to each regular election for state officers, each voting [machine]  
1956 tabulator to be used in the next succeeding regular election, including  
1957 each additional [machines] tabulator required under section 9-238, as  
1958 amended by this act, shall be examined by the company which  
1959 manufactured the same or its successor or, with the approval of the  
1960 Secretary of the State, by persons skilled in the mechanics and  
1961 operation of [said machines] such tabulator, for the purpose of  
1962 determining that such [machine] tabulator is in sound operable  
1963 condition for use in such election. Arrangements for such examination  
1964 shall be made by the officials responsible for providing voting  
1965 [machines] tabulators under section 9-238, as amended by this act. The  
1966 company or person making such examination shall file a report with  
1967 respect to each [machine] tabulator with the Secretary of the State and  
1968 with said officials, indicating whether or not such [machine] tabulator  
1969 is in sound operable condition. When, as a result of any such  
1970 examination, a [machine] tabulator is found not to be in sound  
1971 operable condition, said officials shall have such machine repaired, or  
1972 shall provide a voting [machine] tabulator in sound operable condition  
1973 to replace the [machine] tabulator found inoperable. The cost for such  
1974 examination in each town shall be paid by such town. Failure to cause  
1975 the examination of a voting [machine] tabulator, as herein required,  
1976 shall not, of itself, prevent the use of such [machine] tabulator in any  
1977 election.

1978 Sec. 69. Section 9-242 of the general statutes is repealed and the  
1979 following is substituted in lieu thereof (*Effective from passage*):

1980 (a) A voting [machine] tabulator approved by the Secretary of the  
1981 State shall be so constructed as to provide facilities for voting for the  
1982 candidates of at least nine different parties or organizations. It shall  
1983 permit voting in absolute secrecy. It shall be provided with a lock by  
1984 means of which any illegal movement of the voting or registering  
1985 mechanism is absolutely prevented. Such [machine] tabulator shall be  
1986 so constructed that an elector cannot vote for a candidate or on a  
1987 proposition for whom or on which [he] the elector is not lawfully

1988 entitled to vote.

1989 (b) It shall be so constructed as to prevent an elector from voting for  
1990 more than one person for the same office, except when [he] the elector  
1991 is lawfully entitled to vote for more than one person for that office, and  
1992 it shall afford [him] the elector an opportunity to vote for only as many  
1993 persons for that office as [he] the elector is by law entitled to vote for,  
1994 at the same time preventing [his] the elector from voting for the same  
1995 person twice. It shall be so constructed that all votes cast will be  
1996 registered or recorded by the machine.

1997 (c) Notwithstanding the provisions of subsection (b) of this section,  
1998 the Secretary of the State may approve a voting [machine] tabulator  
1999 which requires the elector in the polls to place [his] the elector's ballot  
2000 into the recording device and which meets the voluntary performance  
2001 and test standards for voting systems adopted by (1) the Federal  
2002 Election Commission on January 25, 1990, as amended from time to  
2003 time, or (2) the Election Assistance Commission pursuant to the Help  
2004 America Vote Act of 2002, P.L. 107-252, 42 USC 15481-85, as amended  
2005 from time to time, whichever standards are most current at the time of  
2006 the Secretary of the State's approval, and regulations which the  
2007 Secretary of the State may adopt in accordance with the provisions of  
2008 chapter 54, provided the voting [machine] tabulator shall (A) warn the  
2009 elector of overvotes, (B) not record overvotes, and (C) not record more  
2010 than one vote of an elector for the same person for an office.

2011 (d) Any direct recording electronic voting [machine] tabulator  
2012 approved by the Secretary of the State for an election or primary held  
2013 on or after July 1, 2005, shall be so constructed as to:

2014 (1) (A) Contemporaneously produce an individual, permanent,  
2015 paper record containing all of the elector's selections of ballot  
2016 preferences for candidates and questions or proposals, if any, prior to  
2017 the elector's casting a ballot, as set forth in this subsection, and (B)  
2018 produce at any time after the close of the polls a voting [machine]  
2019 tabulator generated, individual, permanent, paper record of each such  
2020 elector's selections of ballot preferences for candidates and questions

2021 or proposals, if any. Both the contemporaneously produced paper  
2022 record and the voting [machine] tabulator generated paper record of  
2023 each elector's selections of ballot preferences shall include a voting  
2024 [machine] tabulator generated unique identifier that can be matched  
2025 against each other and which preserves the secrecy of the elector's  
2026 ballot as set forth in subdivision (4) of this subsection;

2027 (2) Provide each elector with an opportunity to verify that the  
2028 contemporaneously produced, individual, permanent, paper record  
2029 accurately conforms to such elector's selection of ballot preferences, as  
2030 reflected on the electronic summary screen, and to hear, if desired, an  
2031 audio description of such electronic summary screen, for the purpose  
2032 of having an opportunity to make any corrections or changes prior to  
2033 casting the ballot. If an elector makes corrections or changes prior to  
2034 casting the ballot, the voting [machine] tabulator shall void such  
2035 contemporaneously produced paper record, contemporaneously  
2036 produce another paper record containing such corrections or changes  
2037 and provide the elector with another opportunity to verify ballot  
2038 preferences in accordance with the provisions of this subdivision. As  
2039 used in this section, "electronic summary screen" means a screen  
2040 generated by a direct recording electronic voting [machine] tabulator  
2041 that displays a summary of an elector's selections of ballot preferences  
2042 for candidates and questions or proposals, if any, at an election or  
2043 primary;

2044 (3) Provide that a ballot shall be deemed cast on the voting  
2045 [machine] tabulator at the time that an elector's contemporaneously  
2046 produced, individual, permanent, voter-verified paper record,  
2047 containing all of the elector's final selections of ballot preferences, is  
2048 (A) deposited inside a receptacle designed to store all such paper  
2049 records produced by such voting [machine] tabulator on the day of the  
2050 election or primary, and (B) the elector's selection of ballot preferences  
2051 is simultaneously electronically recorded inside the voting [machine]  
2052 tabulator for the purpose of (i) being electronically tabulated  
2053 immediately after the polls are closed on the day of the election or  
2054 primary, and (ii) producing, on such other day as required under

2055 section 9-242b, as amended by this act, a voting [machine] tabulator  
2056 generated, individual, permanent, paper record of each such elector's  
2057 selections of ballot preferences for candidates and questions or  
2058 proposals, if any;

2059 (4) Except as otherwise provided in subdivision (1) of section 9-  
2060 242b, as amended by this act, secure the secrecy of each such elector's  
2061 ballot by making it impossible for any other individual to identify the  
2062 elector in relationship to such elector's selection of ballot preferences at  
2063 the time that the elector (A) selects ballot preferences; (B) verifies the  
2064 accuracy of the electronic summary screen by comparing it to the  
2065 contemporaneously produced, individual, permanent, paper record or  
2066 the audio description of such electronic summary screen, prior to  
2067 casting a ballot; (C) makes corrections or changes by reselecting ballot  
2068 preferences and verifies the accuracy of such preferences in accordance  
2069 with the provisions of subdivision (2) of this subsection prior to casting  
2070 a ballot; and (D) casts the ballot; and at the time that all electors' ballots  
2071 are canvassed, recanvassed or otherwise tallied to produce a final  
2072 count of the vote for candidates and questions or proposals, if any,  
2073 whether through the electronic vote tabulation process or through the  
2074 manual count process of each elector's contemporaneously produced,  
2075 individual, permanent, voter-verified paper record, as set forth in  
2076 section 9-242b, as amended by this act; and

2077 (5) (A) Be accessible to blind or visually impaired persons by  
2078 providing each elector, if desired by the elector, an audio description  
2079 of the contemporaneously produced individual, permanent, paper  
2080 record containing all of the elector's selections of ballot preferences, in  
2081 addition to an audio description of the electronic summary screen and  
2082 comply with such additional standards of accessibility included in  
2083 regulations that the Secretary of the State may adopt in accordance  
2084 with the provisions of chapter 54.

2085 (B) Notwithstanding the provisions of subparagraph (A) of this  
2086 subdivision, on or before June 30, 2007, the Secretary of the State may  
2087 approve an electronic voting [machine] tabulator that does not comply

2088 with the provisions of said subparagraph if (i) the Secretary  
2089 determines that there are no electronic voting [machines] tabulators  
2090 available for purchase or lease at the time of such approval that are  
2091 capable of complying with said subparagraph (A), (ii) the electronic  
2092 voting [machine] tabulator complies with the provisions of  
2093 subdivisions (1) to (4), inclusive, of this subsection, and (iii) the person  
2094 applying to the Secretary for approval of the electronic voting  
2095 [machine] tabulator agrees to include a provision in any contract for  
2096 the sale or lease of such voting [machines] tabulators that requires such  
2097 person, upon notification by the Secretary that modifications to such  
2098 [machines] tabulators that would bring the [machines] tabulators into  
2099 compliance with said subparagraph (A) are available, to (I) so modify  
2100 any electronic voting [machines] tabulators previously sold or leased  
2101 under such contract in order to comply with said subparagraph (A),  
2102 and (II) provide that any electronic voting [machines] tabulators sold  
2103 or leased after receipt of such notice comply with said subparagraph  
2104 (A). No voting [machine] tabulator approved under this subparagraph  
2105 shall be used on or after July 1, 2007, unless it has been modified to  
2106 comply with the provisions of subparagraph (A) of this subdivision.

2107 Sec. 70. Section 9-242b of the general statutes is repealed and the  
2108 following is substituted in lieu thereof (*Effective from passage*):

2109 The following procedures shall apply to any election or primary in  
2110 which one or more direct recording electronic voting [machines]  
2111 tabulators are used:

2112 (1) Any elector who requires assistance by reason of blindness,  
2113 disability, or inability to read or write shall have the right to request  
2114 assistance inside the voting booth by a person of the elector's choice in  
2115 accordance with 42 USC 1973aa-6, as amended from time to time, or  
2116 section 9-264, as amended by this act.

2117 (2) A canvass of the votes shall take place inside the polling place  
2118 immediately following the close of the polls on the day of the election  
2119 or primary in accordance with the requirements of chapter 148. With  
2120 respect to direct recording electronic voting [machines] tabulators, any

2121 such canvass shall be an electronic vote tabulation of all of the votes  
2122 cast on each such voting [machine] tabulator for each candidate and  
2123 question or proposal, and the moderator shall attach a printout of such  
2124 electronic vote tabulation to the tally sheets. The moderator shall then  
2125 add together all of the votes recorded on each voting [machine]  
2126 tabulator in use at the polling place, whether or not such voting  
2127 [machines] tabulators were direct recording electronic voting  
2128 [machines] tabulators, to produce a cumulative count within the  
2129 polling place of all candidates and any questions or proposals  
2130 appearing on the ballot in the election or primary. Any member of the  
2131 public shall have a right to be present in the polling place to observe  
2132 the canvass of the votes beginning as soon as the polls are declared  
2133 closed by the moderator and continuing throughout the canvass of the  
2134 votes of each voting [machine] tabulator until the final canvass of all of  
2135 the votes cast on all of the voting [machines] tabulators in use in the  
2136 polling place are added together for each candidate and question or  
2137 proposal and publicly announced and declared by the moderator.

2138 (3) If a recanvass of the votes is required pursuant to chapter 148,  
2139 the recanvass officials shall, in addition to the other requirements of  
2140 said chapter, conduct a manual tally of the individual, permanent,  
2141 voter-verified, paper records contemporaneously produced by each  
2142 direct recording electronic voting [machine] tabulator used within the  
2143 geographical jurisdiction that is subject to such recanvass. The manual  
2144 tally conducted for the recanvass shall be limited to the particular  
2145 candidates and questions or proposals that are subject to recanvass. If  
2146 the manual tabulation of such contemporaneously produced paper  
2147 records does not reconcile with the electronic vote tabulation of a  
2148 particular direct recording electronic voting [machine] tabulator or  
2149 [machines] tabulators, such contemporaneously produced paper  
2150 records shall be considered the true and correct record of each elector's  
2151 vote on such electronic voting [machine] tabulator or [machines]  
2152 tabulators and shall be used as the official record for purposes of  
2153 declaring the official election results or for purposes of any subsequent  
2154 recanvass, tally or election contest conducted pursuant to chapters 148  
2155 to 153, inclusive. If any of the contemporaneously produced

2156 individual, permanent, voter-verified paper records are found to have  
2157 been damaged in such manner as they are unable to be manually  
2158 tallied with respect to the ballot positions that are the subject of the  
2159 recanvass, each such damaged record shall be matched against the  
2160 voting [machine] tabulator generated, individual, permanent, paper  
2161 record produced by the voting [machine] tabulator bearing the  
2162 identical [machine-generated] tabulator-generated unique identifier as  
2163 the damaged record and, in such instance, shall be substituted as the  
2164 official record for purposes of determining the final election results or  
2165 for purposes of any subsequent recanvass, tally or election contest.

2166 (4) Notwithstanding the provisions of section 9-311, the Secretary of  
2167 the State may order a discrepancy recanvass under said section of the  
2168 returns of an election or a primary for a district office, a state office or  
2169 the office of elector of President and Vice-President of the United  
2170 States, if the Secretary has reason to believe that discrepancies may  
2171 have occurred that could affect the outcome of the election or primary.  
2172 Any such discrepancy recanvass may be conducted of the returns in  
2173 any or all voting districts in (A) the district in which an election or  
2174 primary is held, in the case of an election or primary for a district  
2175 office, or (B) the state, in the case of an election or primary for a state  
2176 office or the office of elector of President and Vice-President of the  
2177 United States or a presidential preference primary, whichever is  
2178 applicable. As used in this subdivision, "district office" and "state  
2179 office" have the same meanings as provided in section 9-372.

2180 (5) Not later than five business days after each election in which a  
2181 direct recording electronic voting [machine] tabulator is used, the  
2182 registrars of voters or their designees, representing at least two  
2183 political parties, shall conduct a manual audit of the votes recorded on  
2184 at least (A) two direct recording electronic voting [machines]  
2185 tabulators used in each assembly district, or (B) a number of direct  
2186 recording electronic voting [machines] tabulators equal to fifty per cent  
2187 of the number of voting districts in the municipality, whichever is less.  
2188 Not later than five business days after a primary in which a direct  
2189 recording electronic voting [machine] tabulator is used, the registrar of

2190 voters of the party holding the primary shall conduct such a manual  
2191 audit by designating two or more individuals, one of whom may be  
2192 the registrar, representing at least two candidates in the primary. The  
2193 [machines] tabulators audited under this subdivision shall be selected  
2194 in a random drawing that is announced in advance to the public and is  
2195 open to the public. All direct recording electronic voting [machines]  
2196 tabulators used within an assembly district shall have an equal chance  
2197 of being selected for the audit. The Secretary of the State shall  
2198 determine and publicly announce the method of conducting the  
2199 random drawing, before the election. The manual audit shall consist of  
2200 a manual tabulation of the contemporaneously produced, individual,  
2201 permanent, voter-verified, paper records produced by each voting  
2202 [machine] tabulator subject to the audit and a comparison of such  
2203 count, with respect to all candidates and any questions or proposals  
2204 appearing on the ballot, with the electronic vote tabulation reported  
2205 for such voting [machine] tabulator on the day of the election or  
2206 primary. Such audit shall not be required if a recanvass has been, or  
2207 will be, conducted on the voting [machine] tabulator. Such manual  
2208 audit shall be noticed in advance and be open to public observation. A  
2209 reconciliation sheet, on a form prescribed by the Secretary of the State,  
2210 that reports and compares the manual and electronic vote tabulations  
2211 of each candidate and question or proposal on each such voting  
2212 [machine] tabulator, along with any discrepancies, shall be prepared  
2213 by the audit officials, signed and forthwith filed with the town clerk of  
2214 the municipality and the Secretary of the State. If any  
2215 contemporaneously produced, individual, permanent, voter-verified,  
2216 paper record is found to have been damaged, the same procedures  
2217 described in subdivision (3) of this section for substituting such record  
2218 with the voting [machine] tabulator generated, individual, permanent,  
2219 paper record produced by the voting [machine] tabulator bearing the  
2220 identical [machine] tabulator generated unique identifier as the  
2221 damaged record shall apply and be utilized by the audit officials to  
2222 complete the reconciliation. The reconciliation sheet shall be open to  
2223 public inspection and may be used as prima facie evidence of a  
2224 discrepancy in any contest arising pursuant to chapter 149. If the audit

2225 officials are unable to reconcile the manual count with the electronic  
2226 vote tabulation and discrepancies, the Secretary of the State shall  
2227 conduct such further investigation of the voting [machine] tabulator  
2228 malfunction as may be necessary for the purpose of reviewing whether  
2229 or not to decertify the voting [machine] tabulator or [machines]  
2230 tabulators and may order a recanvass in accordance with the  
2231 provisions of subdivision (4) of this section.

2232 (6) The individual, permanent, voter-verified, paper records  
2233 contemporaneously produced by any direct recording electronic  
2234 voting [machine] tabulator in use at an election or primary held on or  
2235 after July 1, 2005, shall be carefully preserved and returned in their  
2236 designated receptacle in accordance with the requirements of section 9-  
2237 266, 9-302 or 9-310, whichever is applicable, and may not be opened or  
2238 destroyed, except during recanvass or manual audit as set forth in this  
2239 section, for one hundred eighty days following an election or primary  
2240 that does not include a federal office, pursuant to section 9-310, or for  
2241 twenty-two months following an election or primary involving a  
2242 federal office, pursuant to 42 USC 1974, as amended from time to time.

2243 (7) Nothing in this section shall preclude any candidate or elector  
2244 from seeking additional remedies pursuant to chapter 149.

2245 (8) After an election or primary, any voting [machine] tabulator may  
2246 be kept locked for a period longer than that prescribed by sections 9-  
2247 266, 9-310 and 9-447, as amended by this act, if such an extended  
2248 period is ordered by either a court of competent jurisdiction or the  
2249 State Elections Enforcement Commission. Either the court or said  
2250 commission may order an audit of such voting [machines] tabulators  
2251 to be conducted by such persons as the court or said commission may  
2252 designate.

2253 Sec. 71. Section 9-245 of the general statutes is repealed and the  
2254 following is substituted in lieu thereof (*Effective from passage*):

2255 The reports of the [mechanics] registrars of voters, provided for  
2256 under section 9-246, and the report provided for under subsection (c)

2257 of section 9-244, shall be filed with the municipal clerk and shall be  
2258 kept by the municipal clerk for at least sixty days after the election for  
2259 which the [machines] tabulators were so prepared.

2260 Sec. 72. Section 9-248 of the general statutes is repealed and the  
2261 following is substituted in lieu thereof (*Effective from passage*):

2262 When a voting [machine] tabulator is purchased or leased or  
2263 otherwise provided for use in any municipality, the Secretary of the  
2264 State shall prepare or approve samples of the following printed matter  
2265 and supplies and shall furnish one of each to the officials of such  
2266 municipality who have so provided such [machine] tabulator in  
2267 accordance with the provisions of section 9-238, as amended by this  
2268 act: (1) Directions for testing and preparing the voting [machines]  
2269 tabulators for the election; (2) one certificate on which the [mechanic]  
2270 registrars of voters can certify that [he has] they have properly tested  
2271 and prepared the [machine] tabulator for the election; (3) one  
2272 certificate on which some person other than the [mechanic] registrars  
2273 of voters who prepared the [machine] tabulator can certify that the  
2274 [machine] tabulator has been examined and found to have been  
2275 properly prepared for the election; (4) one certificate on which can be  
2276 certified that party watchers have witnessed the testing and preparing  
2277 of the [machines] tabulators; (5) one certificate that the [machines]  
2278 tabulators have been delivered to polling places in good order; (6) one  
2279 card for each polling place, stating the penalty for tampering with or  
2280 injuring a voting [machine] tabulator; (7) two seals for sealing the  
2281 [machine] tabulator; [(8) one envelope in which the keys to the  
2282 machine can be sealed and delivered to the election officials, such  
2283 envelope to have printed or written thereon the designation and  
2284 location of the voting district in which the machine is to be used, the  
2285 number of the machine, the number shown on the protective counter  
2286 thereof after the machine has been prepared for the election and the  
2287 number or other designation on such seal as the machine is sealed  
2288 with, such envelope to have attached to it a detachable receipt for the  
2289 delivery of the keys to the voting machine to the election officials; (9)  
2290 one envelope in which the keys to the voting machine can be returned

2291 by the election officials after the election; (10) one card stating the  
2292 name and telephone number and address of the mechanic on the day  
2293 of the election; and (11)] and (8) a report of an inspection of the  
2294 [machines] tabulators by the moderator, registrars and checkers, which  
2295 inspection shall be made before the opening of the polls. The  
2296 [municipal clerk] registrars of voters shall, for each election, prepare  
2297 and furnish said supplies for each voting [machine] tabulator, in  
2298 conformity with said samples. The [municipal clerk] registrars of  
2299 voters shall also prepare and furnish to the election officials tally and  
2300 return blanks [containing the names of all candidates for office on the  
2301 official ballots,] in such manner as may be directed by the Secretary of  
2302 the State, except that all blanks furnished by said secretary throughout  
2303 the state shall be uniform in their printing.

2304 Sec. 73. Subsection (a) of section 9-249 of the general statutes is  
2305 repealed and the following is substituted in lieu thereof (*Effective from*  
2306 *passage*):

2307 (a) Before each election, the registrars of voters [,] and certified  
2308 moderator [and certified mechanic] shall instruct the election officials.  
2309 Any provision of the general statutes or of any special act to the  
2310 contrary notwithstanding, election officials shall be appointed at least  
2311 twenty days before the election except as provided in section 9-229, as  
2312 amended by this act. The registrars [,] and certified moderator [and  
2313 certified mechanic] shall instruct each election official who is to serve  
2314 in a voting district in which a voting [machine] tabulator is to be used  
2315 in the use of the [machine] tabulator and [his] the election official's  
2316 duties in connection therewith, and for the purpose of giving such  
2317 instruction, such instructors shall call such meeting or meetings of the  
2318 election officials as are necessary. Such instructors shall, without delay,  
2319 file a report in the office of the municipal clerk and with the Secretary  
2320 of the State, (1) stating that they have instructed the election officials  
2321 named in the report and the time and place where such instruction  
2322 was given, and (2) containing a signed statement from each such  
2323 election official acknowledging that the official has received such  
2324 instruction.

2325 Sec. 74. Subsection (a) of section 9-249a of the general statutes is  
2326 repealed and the following is substituted in lieu thereof (*Effective from*  
2327 *passage*):

2328 (a) The names of the parties shall be arranged on the [machines]  
2329 ballots in the following order:

2330 (1) The party whose candidate for Governor polled the highest  
2331 number of votes in the last-preceding election;

2332 (2) Other parties who had candidates for Governor in the last-  
2333 preceding election, in descending order, according to the number of  
2334 votes polled for each such candidate;

2335 (3) Minor parties who had no candidate for Governor in the last-  
2336 preceding election;

2337 (4) Petitioning candidates with party designation whose names are  
2338 contained in petitions approved pursuant to section 9-453o, and

2339 (5) Petitioning candidates with no party designation whose names  
2340 are contained in petitions approved pursuant to section 9-453o.

2341 Sec. 75. Subsection (a) of section 9-249b of the general statutes is  
2342 repealed and the following is substituted in lieu thereof (*Effective from*  
2343 *passage*):

2344 (a) If, after applying the provisions of sections 9-249a, as amended  
2345 by this act, and 9-453r, the number of party designations and  
2346 petitioning candidate rows on the ballot exceeds nine, the Secretary of  
2347 the State may authorize (1) two or more party designations and  
2348 petitioning candidates to appear on the same row of the [voting  
2349 machines] ballot, beginning with the ninth row on the [voting  
2350 machines] ballot and, if necessary, then moving up one or more rows,  
2351 (2) that an office take two or more columns on the [voting machines]  
2352 ballot, and (3) that the party designation, or an abbreviation of it, be  
2353 repeated on the ballot.

2354 Sec. 76. Section 9-250a of the general statutes is repealed and the  
2355 following is substituted in lieu thereof (*Effective from passage*):

2356 When a political party has failed to nominate a candidate for any  
2357 office for which it is entitled to make such nomination, the space on the  
2358 ballot [label] in which the name of the party's candidate would appear  
2359 shall be left blank.

2360 Sec. 77. Section 9-251 of the general statutes is repealed and the  
2361 following is substituted in lieu thereof (*Effective from passage*):

2362 In the preparation of [ballot labels] ballots for use at a state election  
2363 precedence shall be given to the offices to be voted for at such election  
2364 in the following descending order: Presidential electors, Governor and  
2365 Lieutenant Governor, United States senator, representative in  
2366 Congress, state senator, state representative, Secretary of the State,  
2367 Treasurer, Comptroller, Attorney General and judge of probate. In the  
2368 preparation of [ballot labels] ballots for use at a municipal election,  
2369 unless otherwise provided by law, the order of the offices shall be as  
2370 prescribed by the Secretary of the State, which order, so far as  
2371 practicable, shall be uniform throughout the state.

2372 Sec. 78. Section 9-255 of the general statutes is repealed and the  
2373 following is substituted in lieu thereof (*Effective from passage*):

2374 The board of selectmen or the municipal clerk shall provide for all  
2375 polling places using voting [machines] tabulators at least three sample  
2376 [ballot labels which shall be arranged in the form of a diagram  
2377 showing the entire front of the voting machine as it will appear after  
2378 the official ballot labels are arranged for voting on election day or that  
2379 portion thereof which will] ballots that shall contain the offices, party  
2380 designations, names of candidates, write-in slots and questions to be  
2381 voted upon. On each such sample ballot [label] shall be printed  
2382 instructions as to the use of the voting [machine] tabulator, which  
2383 instructions shall be approved by the Secretary of the State. Such  
2384 sample ballot [labels] shall be so posted inside the polling place as to  
2385 be visible to those within the polling place during the whole day of

2386 election. At least one of such sample ballot [labels] shall be so posted as  
2387 to be visible to an elector being instructed on the [demonstrator or  
2388 spare voting machine] use of the voting tabulator under section 9-260.

2389 Sec. 79. Section 9-256 of the general statutes is repealed and the  
2390 following is substituted in lieu thereof (*Effective from passage*):

2391 The clerk of each municipality shall, not less than ten days prior to  
2392 an election, file with the Secretary of the State a sample ballot [label]  
2393 identical with those to be provided for each polling place under section  
2394 9-255, as amended by this act. The Secretary of the State shall examine  
2395 the sample ballot [label] required to be filed under this section, and if  
2396 such sample ballot [label] contains an error, the Secretary of the State  
2397 shall order the municipal clerk to reprint a corrected sample ballot  
2398 [label] or to take other such action as the secretary may deem  
2399 appropriate.

2400 Sec. 80. Section 9-264 of the general statutes is repealed and the  
2401 following is substituted in lieu thereof (*Effective from passage*):

2402 [(a)] An elector who requires assistance to vote, by reason of  
2403 blindness, disability or inability to write or to read the ballot, may be  
2404 given assistance by a person of the elector's choice, other than (1) the  
2405 elector's employer, (2) an agent of such employer, or (3) an officer or  
2406 agent of the elector's union. The person assisting the elector may  
2407 accompany the elector into the voting [machine] booth. Such person  
2408 shall register such elector's vote upon the [machine] ballot as such  
2409 elector directs. Any person accompanying an elector into the voting  
2410 [machine] booth who deceives any elector in registering [his] the  
2411 elector's vote under this section or seeks to influence any elector while  
2412 in the act of voting, or who registers any vote for any elector or on any  
2413 question other than as requested by such elector, or who gives  
2414 information to any person as to what person or persons such elector  
2415 voted for, or how [he] such elector voted on any question, shall be  
2416 fined not more than one thousand dollars or imprisoned not more than  
2417 five years, or both.

2418 [(b) Paper ballots provided by the municipal clerk to the moderator  
2419 pursuant to section 9-259 shall be made available for electors with  
2420 disabilities in polling places in which a voting machine cannot be  
2421 adjusted to allow all necessary parts to be reached from a chair. Such  
2422 paper ballots shall be used at the option of the elector with disabilities.  
2423 The elector shall announce the elector's name to the checkers who shall  
2424 cross the elector's name off the registry list and add it with the elector's  
2425 address to the end of the official checklist where it shall be designated  
2426 "paper ballot for persons with disabilities" or "PBD" and serially  
2427 numbered. After the elector has so announced the elector's name, the  
2428 moderator shall deliver to the elector an absentee ballot and a serially-  
2429 numbered envelope. The elector shall forthwith mark the ballot in the  
2430 presence of the moderator in such manner that the moderator shall not  
2431 know how the ballot is marked. The elector shall fold the ballot in the  
2432 presence of the moderator so as to conceal the markings and deposit  
2433 and seal it in the serially-numbered envelope. The elector shall deliver  
2434 the envelope to the moderator who shall place it in a specially-  
2435 designated depository envelope. The paper ballots thus received shall  
2436 be counted at the next scheduled absentee ballot count in the same  
2437 manner as other absentee ballots. Such ballots so counted shall be  
2438 preserved by placing them in the depository envelopes with the  
2439 regular absentee ballots, and such serially-numbered envelopes shall  
2440 be placed in the depository envelopes with the regular absentee ballot  
2441 envelopes.]

2442 Sec. 81. Section 9-267 of the general statutes is repealed and the  
2443 following is substituted in lieu thereof (*Effective from passage*):

2444 If, at any time during the performance of his duties, any moderator,  
2445 challenger, voting [machine] tabulator tender or checker is, from any  
2446 cause, found incompetent, the registrars may remove him and appoint  
2447 a competent person in his stead.

2448 Sec. 82. Section 9-307 of the general statutes is repealed and the  
2449 following is substituted in lieu thereof (*Effective from passage*):

2450 Immediately after the polls are closed, the official checkers,

2451 appointed under the provisions of section 9-234, as amended by this  
2452 act, shall make and deliver to the moderator a certificate, in duplicate,  
2453 stating the whole number of names on the registry list or enrollment  
2454 list including, if applicable, unaffiliated electors authorized under  
2455 section 9-431 to vote in the primary, and the number checked as  
2456 having voted in that election or primary. For the purpose of computing  
2457 the whole number of names on the registry list, the lists of persons  
2458 who have applied for presidential or overseas ballots prepared in  
2459 accordance with section 9-158h shall be included. Thereupon the  
2460 registrars or assistant registrars, as the case may be, acting at the  
2461 respective polls, shall write and sign with ink, on the list or lists so  
2462 used and checked, a certificate of the whole number of names  
2463 registered thereon eligible to vote in the election or primary and the  
2464 number checked as having voted in that election or primary, and  
2465 deposit it in the office of the municipal clerk of their town on or before  
2466 the following day. The municipal clerk shall carefully preserve the  
2467 same on file, with the marks on it without alteration, for public  
2468 inspection, and shall immediately enter a certified copy of such  
2469 certificate on the town records. Subject to the provisions of section 7-  
2470 109, the municipal clerk may destroy any voting check list four years  
2471 after the date upon which it was used. The moderator shall place one  
2472 of the duplicate certificates which [he] the moderator received from the  
2473 official checkers [in the voting machine together with] with the voted  
2474 ballots from the polling place and the moderator's return provided for  
2475 in sections 9-259 and 9-310 and shall then lock the [machine] tabulator  
2476 as provided in section 9-310, and [he] the moderator shall deposit the  
2477 other of such duplicate certificates in the office of the municipal clerk  
2478 on or before the following day.

2479 Sec. 83. Section 9-308 of the general statutes is repealed and the  
2480 following is substituted in lieu thereof (*Effective from passage*):

2481 Immediately on the close of the polls, the election officials shall  
2482 proceed to canvass the returns as provided in section 9-309, as  
2483 amended by this act, and shall not stop for any purpose until the  
2484 canvass is completed. The room in which such canvass is made shall

2485 be clearly lighted and such canvass shall be made in plain view of the  
2486 public. No person or persons, during the canvass, shall close or cause  
2487 to be closed the main entrance to the room in which such canvass is  
2488 conducted, in such manner as to prevent ingress or egress thereby, but,  
2489 during such canvass, no person other than the election officials shall be  
2490 permitted to be on the side of the guard rail where the voting  
2491 [machine] tabulator is located.

2492 Sec. 84. Section 9-309 of the general statutes is repealed and the  
2493 following is substituted in lieu thereof (*Effective from passage*):

2494 As soon as the polls are closed, the moderator, in the presence of the  
2495 other election officials, shall immediately lock the voting [machine]  
2496 tabulator against voting and immediately [open the counting  
2497 compartments, giving a full view of all the counter numbers to all the  
2498 election officials present] cause the vote totals for all candidates and  
2499 questions to be produced. The moderator shall, in the order of the  
2500 offices as their titles are arranged on the [machine] ballot, read and  
2501 announce in distinct tones the result as shown, [by the counter  
2502 numbers,] giving the number indicated [by each counter] and  
2503 indicating the candidate to whom such [counter] total belongs, and  
2504 shall read the votes recorded for each office on the [voting machine  
2505 ballot label] ballot. [He] The moderator shall also, in the same manner,  
2506 announce the vote on each constitutional amendment, proposition or  
2507 other question voted on. The vote so announced by the moderator  
2508 shall be taken down by each checker and recorded on the tally sheets.  
2509 Each checker shall record the number of votes received for each  
2510 candidate on the [voting machine ballot label] ballot and also the  
2511 number received by each person for whom write-in ballots were cast.  
2512 The [counter compartment of the voting machine] result totals shall  
2513 remain [open] in full public view until the statement of canvass and all  
2514 other reports have been fully completed and signed by the moderator,  
2515 checkers and registrars, or assistant registrars, as the case may be. The  
2516 result of the votes cast shall be publicly announced by the moderator,  
2517 who shall read the name of each candidate, with the designating  
2518 number and letter [of his counter and the machine vote registered on

2519 such counter] on the ballot and the absentee vote as furnished the  
2520 moderator by the absentee ballot counters; also the vote cast for and  
2521 against each question submitted. While such announcement is being  
2522 made, ample opportunity shall be given to any person lawfully present  
2523 to compare the results so announced with the [counter dials of the  
2524 machine] result totals provided by the tabulator and any necessary  
2525 corrections shall then and there be made by the moderator, checkers  
2526 and registrars or assistant registrars, after which the [doors]  
2527 compartments of the voting [machine] tabulator shall be closed and  
2528 locked. In canvassing, recording and announcing the result, the  
2529 election officials shall be guided by any instructions furnished by the  
2530 Secretary of the State. [If the machine is equipped with a device for  
2531 printing totals of candidate and question counters, and the device has  
2532 been made operational at the instruction of both registrars of voters,  
2533 the doors concealing the counters shall not be opened. The printed  
2534 record produced by the machine shall be the official return, and the  
2535 results of the votes as shown thereon shall be proclaimed in the same  
2536 manner as herein provided and ample opportunity shall be given to  
2537 any person lawfully present to inspect such printed records. If the  
2538 moderator finds that the printed record is not clear, the doors  
2539 concealing the counters shall be opened and counting shall proceed as  
2540 with a machine which does not have such a device.]

2541 Sec. 85. Section 9-311a of the general statutes is repealed and the  
2542 following is substituted in lieu thereof (*Effective from passage*):

2543 For purposes of this section, state, district and municipal offices  
2544 shall be as defined in section 9-372, as amended by this act, except that  
2545 the office of presidential elector shall be deemed a state office.  
2546 Forthwith after a regular or special election for municipal office, or  
2547 forthwith upon tabulation of the vote for state and district offices by  
2548 the Secretary of the State, when at any such election the plurality of an  
2549 elected candidate for an office over the vote for a defeated candidate  
2550 receiving the next highest number of votes was either (1) less than a  
2551 vote equivalent to one-half of one per cent of the total number of votes  
2552 cast for the office but not more than two thousand votes, or (2) less

2553 than twenty votes, there shall be a recanvass of the returns of the  
2554 voting [machine] tabulator or voting [machines] tabulators and  
2555 absentee ballots used in such election for such office unless such  
2556 defeated candidate or defeated candidates, as the case may be, for such  
2557 office file a written statement waiving this right to such canvass with  
2558 the municipal clerk in the case of a municipal office, or with the  
2559 Secretary of the State in the case of a state or district office. In the case  
2560 of state and district offices, the Secretary of the State upon tabulation of  
2561 the votes for such offices shall notify the town clerks in the state or  
2562 district, as the case may be, of the state and district offices which  
2563 qualify for an automatic recanvass and shall also notify each candidate  
2564 for any such office. When a recanvass is to be held the municipal clerk  
2565 shall promptly notify the moderator, as defined in section 9-311, who  
2566 shall proceed forthwith to cause a recanvass of such returns of the  
2567 office in question in the same manner as is provided in said section 9-  
2568 311. In addition to the notice required under section 9-311, the  
2569 moderator shall before such recanvass is made give notice in writing of  
2570 the time when, and place where, such recanvass is to be made to each  
2571 candidate for a municipal office which qualifies for an automatic  
2572 recanvass under this section. Nothing in this section shall preclude the  
2573 right to judicial proceedings on behalf of a candidate under any  
2574 provision of chapter 149. For the purposes of this section, "the total  
2575 number of votes cast for the office" means in the case of multiple  
2576 openings for the same office, the total number of electors checked as  
2577 having voted in the state, district, municipality or political subdivision,  
2578 as the case may be. When a recanvass of the returns for an office for  
2579 which there are multiple openings is required by the provisions of this  
2580 section, the returns for all candidates for all openings for the office  
2581 shall be recanvassed. No one other than a recanvass official shall take  
2582 part in the recanvass. If any irregularity in the recanvass procedure is  
2583 noted by a candidate, [he] the candidate shall be permitted to present  
2584 evidence of such irregularity in any contest relating to the election.

2585 Sec. 86. Section 9-323 of the general statutes is repealed and the  
2586 following is substituted in lieu thereof (*Effective from passage*):

2587 Any elector or candidate who claims that [he] such elector or  
2588 candidate is aggrieved by any ruling of any election official in  
2589 connection with any election for presidential electors and for a senator  
2590 in Congress and for representative in Congress or any of them, held in  
2591 [his] such elector's or candidate's town, or that there was a mistake in  
2592 the count of the votes cast at such election for candidates for such  
2593 electors, senator in Congress and representative in Congress, or any of  
2594 them, at any voting district in [his] such elector's or candidate's town,  
2595 or any candidate for such an office who claims that [he] such candidate  
2596 is aggrieved by a violation of any provision of section 9-355, 9-357 to 9-  
2597 361, inclusive, 9-364, 9-364a or 9-365 in the casting of absentee ballots  
2598 at such election, may bring [his] such elector's or candidate's complaint  
2599 to any judge of the Supreme Court, in which [he] such elector or  
2600 candidate shall set out the claimed errors of such election official, the  
2601 claimed errors in the count or the claimed violations of said sections. In  
2602 any action brought pursuant to the provisions of this section, the  
2603 complainant shall send a copy of the complaint by first-class mail, or  
2604 deliver a copy of the complaint by hand, to the State Elections  
2605 Enforcement Commission. If such complaint is made prior to such  
2606 election, such judge shall proceed expeditiously to render judgment on  
2607 the complaint and shall cause notice of the hearing to be given to the  
2608 Secretary of the State and the State Elections Enforcement Commission.  
2609 If such complaint is made subsequent to the election, it shall be  
2610 brought not later than fourteen days after the election or, if such  
2611 complaint is brought in response to the manual tabulation of paper  
2612 ballots authorized pursuant to section 9-320f, such complaint shall be  
2613 brought not later than seven days after the close of any such manual  
2614 tabulation, and in either such circumstance, the judge shall forthwith  
2615 order a hearing to be had upon such complaint, upon a day not more  
2616 than five or less than three days from the making of such order, and  
2617 shall cause notice of not less than three or more than five days to be  
2618 given to any candidate or candidates whose election may be affected  
2619 by the decision upon such hearing, to such election official, to the  
2620 Secretary of the State, to the State Elections Enforcement Commission  
2621 and to any other party or parties whom such judge deems proper

2622 parties thereto, of the time and place for the hearing upon such  
2623 complaint. Such judge, with two other judges of the Supreme Court to  
2624 be designated by the Chief Court Administrator, shall, on the day fixed  
2625 for such hearing and without unnecessary delay, proceed to hear the  
2626 parties. If sufficient reason is shown, such judges may order any voting  
2627 [machines] tabulators to be unlocked or any ballot boxes to be opened  
2628 and a recount of the votes cast, including absentee ballots, to be made.  
2629 Such judges shall thereupon, in the case they, or any two of them, find  
2630 any error in the rulings of the election official, any mistake in the count  
2631 of such votes or any violation of said sections, certify the result of their  
2632 finding or decision, or the finding or decision of a majority of them, to  
2633 the Secretary of the State before the first Monday after the second  
2634 Wednesday in December. Such judges may order a new election or a  
2635 change in the existing election schedule, provided such order complies  
2636 with Section 302 of the Help America Vote Act, P.L. 107-252, as  
2637 amended from time to time. Such certificate of such judges, or a  
2638 majority of them, shall be final upon all questions relating to the  
2639 rulings of such election officials, to the correctness of such count and,  
2640 for the purposes of this section only, such claimed violations, and shall  
2641 operate to correct the returns of the moderators or presiding officers so  
2642 as to conform to such finding or decision.

2643 Sec. 87. Section 9-324 of the general statutes is repealed and the  
2644 following is substituted in lieu thereof (*Effective from passage*):

2645 Any elector or candidate who claims that such elector or candidate  
2646 is aggrieved by any ruling of any election official in connection with  
2647 any election for Governor, Lieutenant Governor, Secretary of the State,  
2648 State Treasurer, Attorney General, State Comptroller or judge of  
2649 probate, held in such elector's or candidate's town, or that there has  
2650 been a mistake in the count of the votes cast at such election for  
2651 candidates for said offices or any of them, at any voting district in such  
2652 elector's or candidate's town, or any candidate for such an office who  
2653 claims that such candidate is aggrieved by a violation of any provision  
2654 of section 9-355, 9-357 to 9-361, inclusive, 9-364, 9-364a or 9-365 in the  
2655 casting of absentee ballots at such election or any candidate for the

2656 office of Governor, Lieutenant Governor, Secretary of the State, State  
2657 Treasurer, Attorney General or State Comptroller, who claims that  
2658 such candidate is aggrieved by a violation of any provision of sections  
2659 9-700 to 9-716, inclusive, may bring such elector's or candidate's  
2660 complaint to any judge of the Superior Court, in which such elector or  
2661 candidate shall set out the claimed errors of such election official, the  
2662 claimed errors in the count or the claimed violations of said sections. In  
2663 any action brought pursuant to the provisions of this section, the  
2664 complainant shall send a copy of the complaint by first-class mail, or  
2665 deliver a copy of the complaint by hand, to the State Elections  
2666 Enforcement Commission. If such complaint is made prior to such  
2667 election, such judge shall proceed expeditiously to render judgment on  
2668 the complaint and shall cause notice of the hearing to be given to the  
2669 Secretary of the State and the State Elections Enforcement Commission.  
2670 If such complaint is made subsequent to the election, it shall be  
2671 brought not later than fourteen days after the election or, if such  
2672 complaint is brought in response to the manual tabulation of paper  
2673 ballots authorized pursuant to section 9-320f, such complaint shall be  
2674 brought not later than seven days after the close of any such manual  
2675 tabulation and, in either such circumstance, such judge shall forthwith  
2676 order a hearing to be had upon such complaint, upon a day not more  
2677 than five nor less than three days from the making of such order, and  
2678 shall cause notice of not less than three nor more than five days to be  
2679 given to any candidate or candidates whose election may be affected  
2680 by the decision upon such hearing, to such election official, the  
2681 Secretary of the State, the State Elections Enforcement Commission and  
2682 to any other party or parties whom such judge deems proper parties  
2683 thereto, of the time and place for the hearing upon such complaint.  
2684 Such judge shall, on the day fixed for such hearing and without  
2685 unnecessary delay, proceed to hear the parties. If sufficient reason is  
2686 shown, such judge may order any voting [machines] tabulators to be  
2687 unlocked or any ballot boxes to be opened and a recount of the votes  
2688 cast, including absentee ballots, to be made. Such judge shall  
2689 thereupon, in case such judge finds any error in the rulings of the  
2690 election official, any mistake in the count of the votes or any violation

2691 of said sections, certify the result of such judge's finding or decision to  
2692 the Secretary of the State before the fifteenth day of the next  
2693 succeeding December. Such judge may order a new election or a  
2694 change in the existing election schedule. Such certificate of such judge  
2695 of such judge's finding or decision shall be final and conclusive upon  
2696 all questions relating to errors in the rulings of such election officials,  
2697 to the correctness of such count, and, for the purposes of this section  
2698 only, such claimed violations, and shall operate to correct the returns  
2699 of the moderators or presiding officers, so as to conform to such  
2700 finding or decision, unless the same is appealed from as provided in  
2701 section 9-325.

2702 Sec. 88. Section 9-328 of the general statutes is repealed and the  
2703 following is substituted in lieu thereof (*Effective from passage*):

2704 Any elector or candidate claiming to have been aggrieved by any  
2705 ruling of any election official in connection with an election for any  
2706 municipal office or a primary for justice of the peace, or any elector or  
2707 candidate claiming that there has been a mistake in the count of votes  
2708 cast for any such office at such election or primary, or any candidate in  
2709 such an election or primary claiming that he is aggrieved by a violation  
2710 of any provision of sections 9-355, 9-357 to 9-361, inclusive, 9-364, 9-  
2711 364a or 9-365 in the casting of absentee ballots at such election or  
2712 primary, may bring a complaint to any judge of the Superior Court for  
2713 relief therefrom. In any action brought pursuant to the provisions of  
2714 this section, the complainant shall send a copy of the complaint by  
2715 first-class mail, or deliver a copy of the complaint by hand, to the State  
2716 Elections Enforcement Commission. If such complaint is made prior to  
2717 such election or primary, such judge shall proceed expeditiously to  
2718 render judgment on the complaint and shall cause notice of the hearing  
2719 to be given to the Secretary of the State and the State Elections  
2720 Enforcement Commission. If such complaint is made subsequent to  
2721 such election or primary, it shall be brought not later than fourteen  
2722 days after such election or primary, except that if such complaint is  
2723 brought in response to the manual tabulation of paper ballots,  
2724 authorized pursuant to section 9-320f, such complaint shall be brought

2725 not later than seven days after the close of any such manual tabulation,  
2726 to any judge of the Superior Court, in which [he] the complainant shall  
2727 set out the claimed errors of the election official, the claimed errors in  
2728 the count or the claimed violations of said sections. Such judge shall  
2729 forthwith order a hearing to be had upon such complaint, upon a day  
2730 not more than five nor less than three days from the making of such  
2731 order, and shall cause notice of not less than three nor more than five  
2732 days to be given to any candidate or candidates whose election or  
2733 nomination may be affected by the decision upon such hearing, to such  
2734 election official, the Secretary of the State, the State Elections  
2735 Enforcement Commission and to any other party or parties whom  
2736 such judge deems proper parties thereto, of the time and place for the  
2737 hearing upon such complaint. Such judge shall, on the day fixed for  
2738 such hearing and without unnecessary delay, proceed to hear the  
2739 parties. If sufficient reason is shown, [he] such judge may order any  
2740 voting [machines] tabulators to be unlocked or any ballot boxes to be  
2741 opened and a recount of the votes cast, including absentee ballots, to  
2742 be made. Such judge shall thereupon, if [he] such judge finds any error  
2743 in the rulings of the election official or any mistake in the count of the  
2744 votes, certify the result of [his] such judge's finding or decision to the  
2745 Secretary of the State before the tenth day succeeding the conclusion of  
2746 the hearing. Such judge may order a new election or primary or a  
2747 change in the existing election schedule. Such certificate of such judge  
2748 of [his] such judge's finding or decision shall be final and conclusive  
2749 upon all questions relating to errors in the ruling of such election  
2750 officials, to the correctness of such count, and, for the purposes of this  
2751 section only, such claimed violations, and shall operate to correct the  
2752 returns of the moderators or presiding officers, so as to conform to  
2753 such finding or decision, except that this section shall not affect the  
2754 right of appeal to the Supreme Court and it shall not prevent such  
2755 judge from reserving such questions of law for the advice of the  
2756 Supreme Court as provided in section 9-325. Such judge may, if  
2757 necessary, issue [his] a writ of mandamus, requiring the adverse party  
2758 and those under [him] such judge to deliver to the complainant the  
2759 appurtenances of such office, and shall cause [his] such judge's finding

2760 and decree to be entered on the records of the Superior Court in the  
2761 proper judicial district.

2762 Sec. 89. Subsection (b) of section 9-329a of the general statutes is  
2763 repealed and the following is substituted in lieu thereof (*Effective from*  
2764 *passage*):

2765 (b) Such judge shall forthwith order a hearing to be held upon such  
2766 complaint upon a day not more than five nor less than three days after  
2767 the making of such order, and shall cause notice of not less than three  
2768 days to be given to any candidate or candidates in any way directly  
2769 affected by the decision upon such hearing, to such election official, to  
2770 the Secretary of the State, the State Elections Enforcement Commission  
2771 and to any other person or persons, whom such judge deems proper  
2772 parties thereto, of the time and place of the hearing upon such  
2773 complaint. Such judge shall, on the day fixed for such hearing, and  
2774 without delay, proceed to hear the parties and determine the result. If,  
2775 after hearing, sufficient reason is shown, such judge may order any  
2776 voting [machines] tabulators to be unlocked or any ballot boxes to be  
2777 opened and a recount of the votes cast, including absentee ballots, to  
2778 be made. Such judge shall thereupon, if [he] such judge finds any error  
2779 in the ruling of the election official, any mistake in the count of the  
2780 votes or any violation of said sections, certify the result of his finding  
2781 or decision to the Secretary of the State before the tenth day following  
2782 the conclusion of the hearing. Such judge may (1) determine the result  
2783 of such primary; (2) order a change in the existing primary schedule; or  
2784 (3) order a new primary if [he] such judge finds that but for the error in  
2785 the ruling of the election official, any mistake in the count of the votes  
2786 or any violation of said sections, the result of such primary might have  
2787 been different and [he] such judge is unable to determine the result of  
2788 such primary.

2789 Sec. 90. Section 9-329b of the general statutes is repealed and the  
2790 following is substituted in lieu thereof (*Effective from passage*):

2791 At any time prior to a primary held pursuant to sections 9-423, 9-425  
2792 and 9-464, or a special act or prior to any election, the Superior Court

2793 may issue an order removing a candidate from a ballot [label] where it  
2794 is shown that said candidate is improperly on the ballot.

2795 Sec. 91. Section 9-330 of the general statutes is repealed and the  
2796 following is substituted in lieu thereof (*Effective from passage*):

2797 Any judge having jurisdiction over any action brought under  
2798 section 9-323, 9-324, 9-328, as amended by this act, or 9-329a, as  
2799 amended by this act, shall have the power, if sufficient reason is  
2800 shown, to order the examination and testing of any voting [machines]  
2801 tabulators.

2802 Sec. 92. Section 9-332 of the general statutes is repealed and the  
2803 following is substituted in lieu thereof (*Effective from passage*):

2804 If the electors fail to choose a candidate for any office by reason of  
2805 an equality of votes at any election, and no provision is otherwise  
2806 made by law for the election of a candidate to such office, such election  
2807 shall stand adjourned for three weeks at the same hour at which the  
2808 first election was held. [Ballot labels] Ballots of the same form and  
2809 description as described in sections 9-250 to 9-256, inclusive, as  
2810 amended by this act, except that such [ballot labels] ballots shall  
2811 contain only the names of the candidates for whom the same are to be  
2812 voted, shall be used in the election on such adjourned day, and the  
2813 election shall be conducted in the same manner as on the first day,  
2814 except that the votes shall be cast for such officer only. [Ballot labels]  
2815 Ballots for such election shall be provided forthwith by the clerk of the  
2816 municipality wherein such election stands adjourned, and such clerk  
2817 shall furnish the Secretary of the State with an accurate list of all  
2818 candidates to be voted for at such adjourned election. The clerk of the  
2819 municipality wherein such election so stands adjourned shall, at least  
2820 three days prior to the day of such adjourned election, give notice of  
2821 the day, hours, place and purpose thereof by publishing such notice in  
2822 a newspaper published in such municipality or having a circulation  
2823 therein. No such election shall be held if prior to such election all but  
2824 one of the candidates for such office die, withdraw their names or for  
2825 any reason become disqualified to hold such office, and, in such event,

2826 the remaining candidate shall be deemed to be lawfully elected to such  
2827 office. No withdrawal shall be valid until the candidate who has  
2828 withdrawn has filed a letter of withdrawal signed by such candidate  
2829 with the Secretary of the State or, in the case of a municipal office, until  
2830 the candidate who has withdrawn has filed a letter of withdrawal  
2831 signed by such candidate with the municipal clerk. When such an  
2832 election is required to be held under the provisions of this section for  
2833 any office other than a municipal office, and prior to such election all  
2834 but one of the candidates for such office die, withdraw their names or  
2835 for any reason become disqualified to hold such office, the Secretary of  
2836 the State shall forthwith notify the clerk of each municipality wherein  
2837 such election was to have been held of such fact, and shall forthwith  
2838 direct each such clerk that such election shall not be held. In the case of  
2839 a multiple opening office only the names of those candidates whose  
2840 votes are equal shall be placed on the ballot [label] of the adjourned  
2841 election.

2842 Sec. 93. Section 9-352 of the general statutes is repealed and the  
2843 following is substituted in lieu thereof (*Effective from passage*):

2844 Any election official who, with intent to cause or permit any voting  
2845 [machine] tabulator to fail to correctly register all votes cast thereon,  
2846 tampers with or disarranges such [machine] tabulator in any way or  
2847 any part or appliance thereof, or causes such [machine] tabulator to be  
2848 used or consents to its being used for voting at any election with  
2849 knowledge of the fact that the same is not in order, or not perfectly set  
2850 and adjusted to correctly register all votes cast thereon, or who, for the  
2851 purpose of defrauding or deceiving any elector or of causing it to be  
2852 doubtful for what candidate or candidates or proposition any vote is  
2853 cast, or causing it to appear upon such [machine] tabulator that votes  
2854 cast for one candidate or proposition were cast for another candidate  
2855 or proposition, removes, changes or mutilates any ballot [label on such  
2856 machine or any part thereof,] shall be fined not more than one  
2857 thousand dollars or imprisoned not more than five years, or both.

2858 Sec. 94. Section 9-353 of the general statutes is repealed and the

2859 following is substituted in lieu thereof (*Effective from passage*):

2860 Any election official who, at the close of the polls, purposely causes  
2861 the vote registered on the [machine] tabulator to be incorrectly taken  
2862 down as to any candidate or proposition voted on, or who knowingly  
2863 causes to be made or signed any false statement, certificate or return of  
2864 any kind, of such vote, or who knowingly consents to any such act,  
2865 shall be fined not more than one thousand dollars or imprisoned not  
2866 more than five years, or both.

2867 Sec. 95. Section 9-354 of the general statutes is repealed and the  
2868 following is substituted in lieu thereof (*Effective from passage*):

2869 Any person who prints or causes to be printed upon any official  
2870 ballot [label] the name of any person not a candidate of a party whose  
2871 name is printed at the head of the column containing such nominees or  
2872 who prints or causes to be printed any authorized ballot [label] in any  
2873 manner other than that prescribed by the Secretary of the State shall be  
2874 fined not less than one hundred dollars nor more than one thousand  
2875 dollars or be imprisoned not more than five years or be both fined and  
2876 imprisoned.

2877 Sec. 96. Section 9-363 of the general statutes is repealed and the  
2878 following is substituted in lieu thereof (*Effective from passage*):

2879 Any person who, with intent to defraud any elector of [his] the  
2880 elector's vote or cause any elector to lose [his] the elector's vote or any  
2881 part thereof, gives in any way, or prints, writes or circulates, or causes  
2882 to be written, printed or circulated, any improper, false, misleading or  
2883 incorrect instructions or advice or suggestions as to the manner of  
2884 voting on any [machine] tabulator, the following of which or any part  
2885 of which would cause any elector to lose [his] the elector's vote or any  
2886 part thereof, or would cause any elector to fail in whole or in part to  
2887 register or record the same on the [machine] tabulator for the  
2888 candidates of [his] the elector's choice, shall be fined not more than five  
2889 hundred dollars or be imprisoned not more than five years or be both  
2890 fined and imprisoned.

2891 Sec. 97. Section 9-366 of the general statutes is repealed and the  
2892 following is substituted in lieu thereof (*Effective from passage*):

2893 Any person who induces or attempts to induce any elector to write,  
2894 paste or otherwise place, on a write-in ballot voted on a voting  
2895 [machine] tabulator at any election, any name, sign or device of any  
2896 kind, as a distinguishing mark by which to indicate to another how  
2897 such elector voted, or enters into or attempts to form any agreement or  
2898 conspiracy with any person to induce or attempt to induce electors or  
2899 any elector to so place any distinguishing mark on such ballot, or  
2900 attempts to induce any elector to do anything with a view to enabling  
2901 another person to see or know for what persons or any of them such  
2902 elector votes on such [machine] tabulator, or enters into or attempts to  
2903 form any agreement or conspiracy to induce any elector to do any act  
2904 for the purpose of enabling another person or persons to see or know  
2905 for what person or persons such elector votes, or attempts to induce  
2906 any person to place himself in such position, or to do any other act for  
2907 the purpose of enabling him to see or know for what candidates any  
2908 elector other than himself votes on such [machine] tabulator, or  
2909 himself attempts to get in such position to do any act so that he will be  
2910 enabled to see or know how any elector other than himself votes on  
2911 such [machine] tabulator, or does any act which invades or interferes  
2912 with the secrecy of the voting or causes the same to be invaded or  
2913 interfered with, shall be imprisoned not more than five years.

2914 Sec. 98. Section 9-367 of the general statutes is repealed and the  
2915 following is substituted in lieu thereof (*Effective from passage*):

2916 Any person, not being an election official, who, during any election  
2917 or before any election, [after a voting machine has had placed upon it  
2918 the ballot label for such election,] tampers with [such machine] a  
2919 voting tabulator, disarranges, defaces, injures or impairs the same in  
2920 any manner, or mutilates, injures or destroys any ballot [label placed  
2921 thereon or to be placed thereon,] or any other appliance used in  
2922 connection with such [machine] tabulator, shall be imprisoned for not  
2923 more than five years.

2924 Sec. 99. Section 9-369 of the general statutes is repealed and the  
2925 following is substituted in lieu thereof (*Effective from passage*):

2926 Whenever at any regular or special state or municipal election any  
2927 vote for approval or disapproval of any constitutional amendment or  
2928 any question or proposal is taken pursuant to the Constitution, the  
2929 general statutes or any special act, unless otherwise provided, such  
2930 election shall be warned and held, the vote on such amendment,  
2931 question or proposal cast and canvassed and the result determined and  
2932 certified as nearly as may be in accordance with the provisions  
2933 governing the election of officers in the state or in such municipality.  
2934 The warning for such election shall state that a purpose of such  
2935 election is to vote for the approval or disapproval of such amendment,  
2936 question or proposal and shall state the section of the Constitution or  
2937 of the general statutes or the special act under authority of which such  
2938 vote is taken. The vote on such amendment, question or proposal shall  
2939 be taken by a "Yes" and "No" vote on the voting [machine] tabulator,  
2940 and the designation of such amendment, question or proposal on the  
2941 [voting machine ballot label] ballot shall be "Shall (here insert the  
2942 question or proposal, followed by a question mark)". Such ballot [label]  
2943 shall be provided for use in accordance with the provisions of section  
2944 9-250. The municipal clerk shall number on the ballot [label] the  
2945 questions to be voted upon according to the order in which they will  
2946 appear thereon, provided amendments to the Constitution shall be  
2947 numbered by the Secretary of the State in numerical order based upon  
2948 the dates on which resolutions proposing such amendments were  
2949 passed, precedence being given to the earliest passed unless otherwise  
2950 provided by the resolutions proposing such amendments. Each elector  
2951 shall vote "Yes" if in favor of the amendment, question or proposal or  
2952 "No" if not in favor thereof. [The registrars of voters shall cause an  
2953 adhesive label, three inches high by four inches wide, upon which  
2954 shall be imprinted, in clearly discernible lettering, the words "Vote on  
2955 the Questions" to be affixed to the upper left-hand corner of each such  
2956 voting machine, directly opposite the spaces provided for the  
2957 amendment, question or proposal. Such adhesive labels shall be  
2958 provided by the Secretary of the State upon receipt of a written order

2959 therefor from the registrars of voters, which order shall specify the  
2960 number of such labels required.] If, upon the official determination of  
2961 the result of such vote, it appears that a majority of all the votes so cast  
2962 are in approval of such amendment, question or proposal, such  
2963 amendment, question or proposal shall, unless otherwise provided,  
2964 take effect forthwith.

2965 Sec. 100. Subsection (c) of section 9-369c of the general statutes is  
2966 repealed and the following is substituted in lieu thereof (*Effective from*  
2967 *passage*):

2968 (c) Upon receipt of the written form of the question or proposal to  
2969 be voted on at any such referendum, the municipal clerk shall  
2970 immediately prepare and print absentee ballots for the referendum.  
2971 The phrasing of the question or proposal on the absentee ballots shall  
2972 be identical to the phrasing on the ballot [or ballot label] to be used for  
2973 voting in person at the referendum.

2974 Sec. 101. Subsection (b) of section 9-369d of the general statutes is  
2975 repealed and the following is substituted in lieu thereof (*Effective from*  
2976 *passage*):

2977 (b) (1) The procedures set forth in this subsection shall only apply if  
2978 a municipality so chooses and only upon approval of such procedure  
2979 by its legislative body or in any town in which the legislative body is a  
2980 town meeting, by the board of selectmen.

2981 (2) Voters who are not electors shall vote by separate voting  
2982 [machine] tabulator or paper ballot, containing solely the question, at  
2983 one separate location which may be a separate room in the location at  
2984 which electors vote. Such separate location shall be treated as a  
2985 separate voting district and polling place for such voters, except that  
2986 the registrars of voters shall appoint a moderator who shall be the  
2987 head moderator for the purpose of this question only, and such other  
2988 officials as the registrars deem necessary. The moderator of such  
2989 separate location shall add the results of the vote by electors on the  
2990 question to the results of the vote by voters who are not electors, and

2991 shall file such results in the office of the municipal clerk. The  
2992 moderator of such separate location shall be the moderator for the  
2993 purposes of a recanvass of a close vote on such question under section  
2994 9-370a. The head moderator of the town shall indicate on the return of  
2995 vote of such question filed with the Secretary of the State that such  
2996 return does not include the return of vote of voters who are not  
2997 electors.

2998 Sec. 102. Section 9-371b of the general statutes is repealed and the  
2999 following is substituted in lieu thereof (*Effective from passage*):

3000 Any person (1) claiming to have been aggrieved by any ruling of  
3001 any election official in connection with a referendum, (2) claiming that  
3002 there has been a mistake in the count of votes cast for a referendum, or  
3003 (3) claiming to be aggrieved by a violation of any provision of section  
3004 9-355, 9-357 to 9-361, inclusive, 9-364, 9-364a or 9-365 in the casting of  
3005 absentee ballots at a referendum, may bring a complaint to any judge  
3006 of the Superior Court for relief from such ruling, mistake or violation.  
3007 In any action brought pursuant to the provisions of this section, the  
3008 complainant shall send a copy of the complaint by first class mail, or  
3009 deliver a copy of the complaint by hand, to the State Elections  
3010 Enforcement Commission. If such complaint is made prior to such  
3011 referendum, such judge shall proceed expeditiously to render  
3012 judgment on the complaint and shall cause notice of the hearing to be  
3013 given to the Secretary of the State and the State Elections Enforcement  
3014 Commission. If such complaint is made subsequent to such  
3015 referendum, it shall be brought within thirty days after such  
3016 referendum to any judge of the Superior Court, in which the person  
3017 shall set out the claimed errors of the election official, the claimed  
3018 errors in the count or the claimed violations of said sections. Such  
3019 judge shall forthwith order a hearing to be held upon such complaint,  
3020 upon a day not more than five or less than three days from the making  
3021 of such order, and shall cause notice of not less than three or more than  
3022 five days to be given to any person who may be affected by the  
3023 decision upon such hearing, to such election official, the Secretary of  
3024 the State, the State Elections Enforcement Commission and to any

3025 other party or parties whom such judge deems proper parties to the  
3026 hearing, of the time and place for the hearing upon such complaint.  
3027 Such judge shall, on the day fixed for such hearing and without  
3028 unnecessary delay, proceed to hear the parties. If sufficient reason is  
3029 shown, such judge may order any voting [machines] tabulators to be  
3030 unlocked or any ballot boxes to be opened and a recount of the votes  
3031 cast, including absentee ballots, to be made. Such judge shall, if such  
3032 judge finds any error in the rulings of the election official or any  
3033 mistake in the count of the votes, certify the result of such judge's  
3034 finding or decision to the Secretary of the State before the tenth day  
3035 succeeding the conclusion of the hearing. Such judge may order a new  
3036 referendum or a change in the existing referendum schedule. Such  
3037 certificate of such judge's finding or decision shall be final and  
3038 conclusive upon all questions relating to errors in the ruling of such  
3039 election officials, to the correctness of such count, and, for the purposes  
3040 of this section only, such claimed violations, and shall operate to  
3041 correct the returns of the moderators or presiding officers, so as to  
3042 conform to such finding or decision, except that this section shall not  
3043 affect the right of appeal to the Supreme Court and it shall not prevent  
3044 such judge from reserving such questions of law for the advice of the  
3045 Supreme Court as provided in section 9-325. Such judge may, if  
3046 necessary, issue a writ of mandamus, requiring the adverse party and  
3047 those under such judge to deliver to the complainant the  
3048 appurtenances of such office, and shall cause such judge's finding and  
3049 decree to be entered on the records of the Superior Court in the proper  
3050 judicial district.

3051 Sec. 103. Subdivision (15) of section 9-372 of the general statutes is  
3052 repealed and the following is substituted in lieu thereof (*Effective from*  
3053 *passage*):

3054 (15) "Votes cast for the same office at the last-preceding election" or  
3055 "votes cast for all candidates for such office at the last-preceding  
3056 election" means, in the case of multiple openings for the same office,  
3057 the total number of electors checked as having voted at the last-  
3058 preceding election at which such office appeared on the ballot. [label.]

3059 Sec. 104. Section 9-377 of the general statutes is repealed and the  
3060 following is substituted in lieu thereof (*Effective from passage*):

3061 At a primary votes may be cast and counted only for duly qualified  
3062 candidates at such primary whose names appear on the ballot label on  
3063 primary day. [The write-in slides shall be covered on voting machines  
3064 used at a primary, and no write-in spaces shall appear on the absentee  
3065 ballots used at a primary] No write-in spaces shall appear on the  
3066 ballots used at a primary.

3067 Sec. 105. Subsection (a) of section 9-400 of the general statutes is  
3068 repealed and the following is substituted in lieu thereof (*Effective from*  
3069 *passage*):

3070 (a) A candidacy for nomination by a political party to a state office  
3071 may be filed by or on behalf of any person whose name appears upon  
3072 the last-completed enrollment list of such party in any municipality  
3073 within the state and who has either (1) received at least fifteen per cent  
3074 of the votes of the convention delegates present and voting on any roll-  
3075 call vote taken on the endorsement or proposed endorsement of a  
3076 candidate for such state office, whether or not the party-endorsed  
3077 candidate for such office received a unanimous vote on the last ballot,  
3078 or (2) circulated a petition and obtained the signatures of at least two  
3079 per cent of the enrolled members of such party in the state, in  
3080 accordance with the provisions of sections 9-404a to 9-404c, inclusive.  
3081 Candidacies described in subdivision (1) of this subsection shall be  
3082 filed by submitting to the Secretary of the State not later than four  
3083 o'clock p.m. on the fourteenth day following the close of the state  
3084 convention, a certificate, signed by such candidate and attested by  
3085 either (A) the chairman or presiding officer, or (B) the secretary of the  
3086 convention, that such candidate received at least fifteen per cent of  
3087 such votes, and that such candidate consents to be a candidate in a  
3088 primary of such party for such state office. Such certificate shall specify  
3089 the candidate's name as the candidate authorizes it to appear on the  
3090 ballot, the candidate's full residence address and the title of the office  
3091 for which the candidacy is being filed. A single such certificate or

3092 petition for state office may be filed on behalf of two or more  
3093 candidates for different state offices who consent to have their names  
3094 appear on a single row of the primary ballot [label] under subsection  
3095 (b) of section 9-437, as amended by this act. Candidacies described in  
3096 subdivision (2) of this subsection shall be filed by submitting said  
3097 petition not later than four o'clock p.m. on the sixty-third day  
3098 preceding the day of the primary for such office to the registrar of  
3099 voters of the towns in which the respective petition pages were  
3100 circulated. Each registrar shall file each page of such petition with the  
3101 Secretary in accordance with the provisions of section 9-404c. A  
3102 petition filed by or on behalf of a candidate for state office shall be  
3103 invalid for such candidate if such candidate is certified as the party-  
3104 endorsed candidate pursuant to section 9-388 or as receiving at least  
3105 fifteen per cent of the convention vote for such office pursuant to this  
3106 subsection. Except as provided in section 9-416a, upon the expiration  
3107 of the time period for party endorsement and circulation and  
3108 tabulation of petitions and signatures, if any, if one or more  
3109 candidacies for such state office have been filed pursuant to the  
3110 provisions of this section, the Secretary of the State shall notify all  
3111 town clerks in accordance with the provisions of section 9-433, that a  
3112 primary for such state office shall be held in each municipality in  
3113 accordance with the provisions of section 9-415.

3114 Sec. 106. Section 9-426 of the general statutes is repealed and the  
3115 following is substituted in lieu thereof (*Effective from passage*):

3116 If only one candidacy has been filed by a person other than a party-  
3117 endorsed candidate for the nomination by a political party to a  
3118 particular office and the candidate whose candidacy has been so filed  
3119 thereafter, but prior to the opening of the polls at such primary, dies,  
3120 withdraws [his] such candidate's name from nomination or for any  
3121 reason becomes disqualified to hold the office for which [he] such  
3122 person is a candidate, no primary shall be held for the nomination of  
3123 such party to that office and the party-endorsed candidate for such  
3124 office shall be deemed to have been lawfully chosen in the same  
3125 manner and to the same extent as is provided in sections 9-382 to 9-

3126 450, inclusive, in the case where no candidacy other than a party-  
3127 endorsed candidacy has been filed. If candidacies have been filed by  
3128 only one group of persons other than party-endorsed candidates for  
3129 election to a town committee, and the candidates whose candidacies  
3130 have been so filed thereafter, but prior to the opening of the polls at  
3131 such primary, die, withdraw their names from nomination or for any  
3132 reason become disqualified to hold the positions for which they are  
3133 candidates, so as to render the number of candidacies so filed less than  
3134 twenty-five per cent of the number of town committee members to be  
3135 elected by such party either in the municipality or in the political  
3136 subdivision, as the case may be, no primary shall be held for those  
3137 positions and the party-endorsed candidates for such positions shall be  
3138 deemed to have been lawfully chosen in the same manner and to the  
3139 same extent as is provided in sections 9-382 to 9-450, inclusive, in the  
3140 case where no candidacies other than party-endorsed candidacies have  
3141 been filed. If any person on a slate, prior to the opening of the polls at  
3142 such primary, dies, withdraws [his] such person's name from  
3143 nomination or for any reason becomes disqualified to hold the position  
3144 for which [he] such person is a candidate, such partial slate shall  
3145 appear on the ballot [label] at the primary and, if such partial slate  
3146 wins, then the remaining members may fill the vacancy. If only one  
3147 such slate other than a slate of party-endorsed candidates has been  
3148 filed for election and prior to the opening of the polls at such primary  
3149 each of the persons on such slate dies, withdraws or becomes  
3150 disqualified, no primary shall be held for those positions and the  
3151 party-endorsed candidates for those positions shall be deemed to have  
3152 been lawfully chosen in the same manner and to the same extent as is  
3153 provided in sections 9-382 to 9-450, inclusive, in the case where no  
3154 candidacies other than party-endorsed candidacies have been filed.

3155 Sec. 107. Section 9-434 of the general statutes is repealed and the  
3156 following is substituted in lieu thereof (*Effective from passage*):

3157 Upon the filing with the clerk of a municipality of the names of  
3158 party-endorsed candidates pursuant to section 9-390 or upon the filing  
3159 with such clerk of petitions for contesting candidates pursuant to

3160 section 9-412, such clerk shall verify and correct the names of such  
3161 candidates in accordance with the registry list of such municipality,  
3162 endorse the same as having been so verified and corrected and use the  
3163 same in the preparation of the [ballot labels] ballots for the primary.  
3164 The provisions of this section shall not apply to the municipal offices of  
3165 state senator and state representative.

3166 Sec. 108. Section 9-437 of the general statutes is repealed and the  
3167 following is substituted in lieu thereof (*Effective from passage*):

3168 (a) At the top of each ballot [label] shall be printed the name of the  
3169 party holding the primary, and each ballot [label] shall contain the  
3170 names of all candidates to be voted upon at such primary, except the  
3171 names of justices of the peace. The vertical columns shall be headed by  
3172 the designation of the office or position and instructions as to the  
3173 number for which an elector may vote for such office or position, in the  
3174 same manner as a ballot [label] used in a regular election. The name of  
3175 each candidate for town committee or municipal office, except for the  
3176 municipal offices of state senator and state representative, shall appear  
3177 on the ballot [label] as it appears on the registry list of such candidate's  
3178 town of voting residence, except as provided in section 9-42a. The  
3179 name of each candidate for state or district office or for the municipal  
3180 offices of state senator or state representative shall appear on the ballot  
3181 as it appears on the certificate or statement of consent filed under  
3182 section 9-388, 9-391, 9-400 or 9-409. On the first horizontal line, below  
3183 the designation of the office or position in each column, shall be placed  
3184 the name of the party-endorsed candidate for such office or position,  
3185 such name to be marked with an asterisk; provided, where more than  
3186 one person may be voted for any office or position, the names of the  
3187 party-endorsed candidates shall be arranged in alphabetical order  
3188 from left to right under the appropriate office or position designation  
3189 and shall continue, if necessary, from left to right on the next lower  
3190 line or lines. In the case of no party endorsement there shall be inserted  
3191 the designation "no party endorsement" at the head of the vertical  
3192 column, immediately beneath the designation of the office or position.  
3193 On the horizontal lines below the line for party-endorsed candidates

3194 shall be placed, in the appropriate columns, the names of all other  
3195 candidates as hereinafter provided.

3196 (b) (1) In the case of two or more such candidates for the same state  
3197 or district office, precedence as to row shall be determined by the  
3198 alphabetical order of the surnames of such candidates, except as  
3199 provided under subdivision (2) of this subsection. (2) If a single  
3200 certificate or a single petition has been filed under subsection (a) of  
3201 section 9-400, as amended by this act, on behalf of two or more  
3202 candidates and proposing one candidate for each state office to be  
3203 contested at such primary, a single row shall be used for the names of  
3204 such candidates and precedence as to row between such certificates  
3205 and petitions shall be determined by the Secretary of the State by lot in  
3206 a ceremony which shall be open to the public. The names of all other  
3207 candidates for state office shall be placed in the appropriate columns in  
3208 alphabetical order on the rows below the row or rows used for  
3209 candidates whose names are contained in such a single certificate,  
3210 certificates, single petition or petitions.

3211 (c) Whenever the position of candidates or slates on the ballot [label]  
3212 under the provisions of this section is affected by the time or order of  
3213 filing of primary petitions, and the registrar of voters certifies in  
3214 writing to the town clerk that (1) two or more of the petitions to which  
3215 such provisions apply were filed simultaneously, or (2) [he] the  
3216 registrar is unable to determine the time or order of filing of two or  
3217 more such petitions, then for purposes of this section the order of filing  
3218 of the petitions specified in the registrar's certification shall be  
3219 determined by the town clerk by lot in a ceremony which shall be open  
3220 to the public.

3221 (d) In the case of candidates for municipal office, a single row shall  
3222 be used for the candidates whose names are contained in one primary  
3223 petition, provided such petition proposes at least two candidates and  
3224 the full number of candidates for each office to be contested at such  
3225 primary as the party may nominate or choose thereat, precedence as to  
3226 row being given to the candidates whose names appear in the first

3227 such petition filed, and so on in descending order.

3228 (e) The names of candidates for town committee members which are  
3229 contained in one primary petition shall be placed in a separate row,  
3230 precedence as to row being given to the candidates whose names  
3231 appear in petitions in the order determined in accordance with this  
3232 subsection. Petitions filed by nine o'clock a.m. on the first business day  
3233 following the day on which petitions become available shall be given  
3234 precedence as to row based on the number of valid signatures filed, in  
3235 descending order from the greatest to the least. Petitions filed after  
3236 nine o'clock a.m. on the first business day following the day on which  
3237 petitions become available shall be given precedence as to row based  
3238 on the order in which they are filed, if such petitions are filed during  
3239 the regular business hours of the office of the registrars of voters or  
3240 during any different hours for said office required under the general  
3241 statutes. Such order of precedence shall be determined separately for  
3242 petitions proposing the full number of candidates which the party may  
3243 choose at the primary and for petitions proposing fewer than such full  
3244 number of candidates, and provided further that petitions proposing  
3245 such full number of candidates shall have precedence as to row over  
3246 petitions proposing fewer than such full number of candidates.

3247 (f) Within such row or rows for those whose names are contained in  
3248 one primary petition, where more than one person may be voted for  
3249 any municipal office or position, such names shall be arranged in  
3250 alphabetical order from left to right under the appropriate municipal  
3251 office or position designation. The names of all other candidates shall  
3252 be placed in the appropriate columns in alphabetical order on the  
3253 horizontal lines below the line or lines used for candidates whose  
3254 names are contained in one primary petition, if any; provided where  
3255 more than one person may be voted for any office or position, such  
3256 names shall be arranged in alphabetical order from left to right under  
3257 the appropriate office or position designation and shall continue, if  
3258 necessary, from left to right on the next lower line or lines.

3259 (g) The name of each candidate shall appear on the ballot [label] in

3260 such position as is hereinbefore required, and such position shall be  
3261 determined as of the final time for filing candidacies specified in  
3262 section 9-400, as amended by this act, or 9-405. Vacancies in  
3263 candidacies thereafter occurring shall not cause the position of any  
3264 candidate's name on the ballot [label] to be changed to another  
3265 position. The name of any candidate whose candidacy has been  
3266 vacated shall not appear on the ballot, [label]. The voting machine  
3267 pointer over each position where no candidate's name appears shall be  
3268 locked so that no vote can be cast for such position.] If such a vacancy  
3269 results in the cancellation of a primary for any office, the office column  
3270 or columns where the names of the candidates and the title of the  
3271 office would have appeared if the primary for that office had not been  
3272 cancelled shall be left blank. If a vacancy occurs in a party-endorsed  
3273 candidacy and a person is chosen in accordance with section 9-426, as  
3274 amended by this act, or 9-428 to fill the resulting vacancy in candidacy,  
3275 the name of the person so chosen shall appear in the same position as  
3276 that in which the name of the vacating candidate appeared. The  
3277 municipal clerk shall have the ballot [label] prepared so that the name  
3278 of any candidate who has vacated [his] such candidate's candidacy is  
3279 deleted and so that the name of any candidate chosen to fill a vacancy  
3280 in candidacy appears in the same position as that in which the vacated  
3281 candidacy appeared. The municipal clerk may use blank or printed  
3282 stickers, as the case may be, in preparing the [ballot labels] ballots if  
3283 the [ballot labels] ballots were printed before the occurrence of the  
3284 vacancy in candidacy or the selection of a candidate to fill a vacancy in  
3285 candidacy. The order of the offices and positions shall be as prescribed  
3286 by the Secretary of the State.

3287 (h) The names of candidates for election as justices of the peace shall  
3288 not appear on the ballot, [label.] A single vertical column shall be used  
3289 for all the candidates for election to the office of justice the peace of a  
3290 particular town. The vertical column used for justices of the peace shall  
3291 be headed by the words "justices of the peace". On the first horizontal  
3292 line in the vertical column used for justice of the peace shall be placed  
3293 the words "party-endorsed slate". On the second and succeeding  
3294 horizontal lines, in the order of the time of filing, shall be placed the

3295 words "challenge slate", preceded, in quotation marks, by the letter  
3296 designating such line. The municipal clerk shall prepare a list of the  
3297 names of all candidates on each slate for election as justices of the  
3298 peace, including the complete ballot [label] designation of each such  
3299 slate as provided in this subsection, which shall be posted in the  
3300 polling places by each moderator for the inspection of the electors  
3301 prior to voting.

3302 (i) The names of candidates for nomination to any elective office or  
3303 for election as members of a town committee, as the case may be, shall  
3304 be separated from each other by a light line, but shall not be separated  
3305 from each other on the ballot [label] by names of candidates for any  
3306 other office or position or by columns used for any other office or  
3307 position; and the column or columns used for each office or position  
3308 shall be separated from the columns used for other offices or positions  
3309 by a heavy line.

3310 (j) All [ballot labels] ballots used at a primary shall be prepared by  
3311 the clerk of the municipality in which such primary is held and shall be  
3312 printed at the expense of the municipality. Each municipality shall  
3313 provide for all polling places:

3314 (1) At least forty-eight hours before the primary, such clerk shall  
3315 have sample ballot labels for general distribution, which shall [be  
3316 arranged in the form of a diagram showing the entire front of the  
3317 voting machine as it will appear after the official ballot labels are  
3318 arranged for voting on the day of the primary or that portion thereof  
3319 that will] contain the offices or positions and names of candidates to be  
3320 voted upon. Each such sample ballot [label] shall also include printed  
3321 instructions approved by the Secretary of the State concerning the use  
3322 of the voting [machine] tabulator and information concerning the date  
3323 of the primary and the hours during which polling places will be open.  
3324 Such clerk shall have available for distribution such number of sample  
3325 [ballot labels] ballots as [he] such clerk deems advisable, but in no  
3326 event less than three which shall be posted inside the polling place so  
3327 as to be visible to those within the polling place during the whole day

3328 of the primary. At least one of such sample [ballot labels] ballots shall  
3329 be posted so as to be visible to an elector being instructed on the  
3330 demonstrator [or spare voting machine] device, pursuant to section 9-  
3331 260, as amended by this act. If paper ballots are used in any primary,  
3332 such sample paper ballots shall be overprinted with the word  
3333 "Sample";

3334 (2) Instructions on how to cast a provisional ballot, as prescribed by  
3335 the Secretary of the State;

3336 (3) Instructions for mail-in registrants and first-time voters who  
3337 register to vote by mail on or after January 1, 2003, as prescribed by the  
3338 Secretary of the State;

3339 (4) General information concerning voting rights under federal and  
3340 Connecticut laws, including information on the right of an individual  
3341 to cast a provisional ballot and instructions on how to contact the  
3342 appropriate officials if such rights are alleged to have been violated, as  
3343 prescribed by the Secretary of the State; and

3344 (5) General information on federal and state laws concerning  
3345 prohibitions on acts of fraud and misrepresentation, as prescribed by  
3346 the Secretary of the State.

3347 (k) When unaffiliated electors are authorized under section 9-431 to  
3348 vote for some but not all offices to be contested at a primary, (1)  
3349 separate voting [machines] tabulators shall be used for the unaffiliated  
3350 electors in a voting district, (2) the ballot label shall indicate that it is a  
3351 partial ballot for unaffiliated electors, (3) the ballot [label] shall contain  
3352 only the offices and names of candidates for which such electors may  
3353 vote, with blank columns left wherever necessary to assure that each  
3354 candidate's position is the same as on the full ballot for such primary  
3355 in the voting district, and (4) three sample [ballot labels] ballots  
3356 showing such partial ballot shall also be posted inside the polling place  
3357 so as to be visible to such unaffiliated electors.

3358 Sec. 109. Section 9-440 of the general statutes is repealed and the

3359 following is substituted in lieu thereof (*Effective from passage*):

3360       Upon the closing of the polls at any primary held under sections 9-  
3361 382 to 9-450, inclusive, the moderator, in the presence of the other  
3362 officials, shall immediately lock the voting [machines] tabulators  
3363 against voting and shall then proceed to ascertain, record and  
3364 announce the result in the manner provided by law for ascertaining,  
3365 recording and announcing the result in regular elections. The election  
3366 officials shall execute certificates and returns similar to those required  
3367 in regular elections. The moderator in each town not divided into  
3368 voting districts, and the head moderator in each town divided into  
3369 voting districts, shall transmit the results of the vote for each office  
3370 contested at any such primary in the same manner and within the  
3371 same time as provided under section 9-314 in an election for such  
3372 office. The late filing fee provided under section 9-314 shall apply to  
3373 late filing of results of primaries for state or district office. In the case of  
3374 primaries for state or district offices, the Secretary of the State shall  
3375 forthwith cause to be tabulated the result of the votes cast in the  
3376 several municipalities in which such primaries have been held and  
3377 shall publicly declare the result thereof, and a certificate attesting  
3378 thereto shall be entered in [his] the secretary's records.

3379       Sec. 110. Section 9-445 of the general statutes is repealed and the  
3380 following is substituted in lieu thereof (*Effective from passage*):

3381       Forthwith after a primary for nomination to a municipal office or for  
3382 election of members of a town committee, or forthwith upon tabulation  
3383 of the vote for a state or district office by the Secretary of the State  
3384 when the plurality of an elected or nominated candidate over the vote  
3385 for a defeated candidate receiving the next highest number of votes  
3386 was either (1) less than a vote equivalent to one-half of one per cent of  
3387 the total number of votes cast at the primary for the office or position  
3388 but not more than one thousand votes, or (2) less than twenty votes,  
3389 there shall be a recanvass of the returns of the voting [machine]  
3390 tabulator or voting [machines] tabulators used in such primary for said  
3391 office or position unless within one day after the primary, in the case of

3392 nomination to a municipal office or for election of members of a town  
3393 committee, or prior to the time the Secretary of the State notifies the  
3394 town clerk of state and district offices which qualify for an automatic  
3395 recanvass, the defeated candidate or defeated candidates, as the case  
3396 may be, for such office or position file a written statement waiving this  
3397 right to such recanvass with the municipal clerk in the case of a  
3398 municipal office or town committee, or with the Secretary of the State  
3399 in the case of a state or district office. In the case of a state or district  
3400 office, the Secretary of the State upon tabulation of the votes for such  
3401 an office shall notify the town clerks in the state or district, as the case  
3402 may be, of the state and district offices which qualify for an automatic  
3403 recanvass and shall also notify each candidate for any such office.  
3404 When a recanvass is to be held the municipal clerk shall promptly  
3405 notify the moderator, as defined in section 9-311, who shall proceed  
3406 forthwith to recanvass such returns of the office in question in the  
3407 same manner as is provided for a recanvass in regular elections, except  
3408 that the recanvass officials shall be divided equally, as nearly as may  
3409 be, among the candidates for such office. In addition to the notice  
3410 required under section 9-311, the moderator shall, before such  
3411 recanvass is made, give notice in writing of the time and place of such  
3412 recanvass to each candidate for a municipal office which qualifies for  
3413 an automatic recanvass under this section. For purposes of this section,  
3414 "the total number of votes cast at the primary for the office or position"  
3415 means in the case of multiple openings for the same office or position,  
3416 the total number of electors checked as having voted in the primary, in  
3417 the state, district, municipality or political subdivision, as the case may  
3418 be. When a recanvass of the returns for an office for which there are  
3419 multiple openings is required by the provisions of this section, the  
3420 returns for all candidates for all openings for the office shall be  
3421 recanvassed. Nothing in this section shall preclude the right to judicial  
3422 proceedings in behalf of such defeated candidate under any provision  
3423 of this chapter.

3424 Sec. 111. Section 9-446 of the general statutes is repealed and the  
3425 following is substituted in lieu thereof (*Effective from passage*):

3426 (a) If two or more candidates obtain the same number of votes at a  
3427 primary held to nominate candidates for a state or district office, and a  
3428 tie vote thereby occurs, any of such candidates, or the state chairman  
3429 of the political party, may apply for a recanvass of the returns in the  
3430 manner provided in section 9-445, as amended by this act. If no such  
3431 application is made, or if any such recanvass results in a tie vote, such  
3432 primary shall stand adjourned for three weeks at the same hour at  
3433 which the first primary was held. [Ballot labels] Ballots of the same  
3434 form and description as described in section 9-437, as amended by this  
3435 act, shall be used in the primary on such adjourned day, and the  
3436 primary shall be conducted in the same manner as on the first day,  
3437 except that the votes shall be cast for such office only. [Ballot labels]  
3438 Ballots for such primary shall be provided forthwith by the clerk of  
3439 each municipality wherein such primary stands adjourned, and each  
3440 such clerk shall furnish the Secretary of the State with an accurate list  
3441 of all candidates to be voted for at such adjourned primary. The clerk  
3442 of each municipality in the state or the district, whichever is applicable,  
3443 wherein such primary so stands adjourned shall, at least three days  
3444 prior to the day of such adjourned primary, give notice of the day,  
3445 hours, place and purpose thereof by publishing such notice in a  
3446 newspaper published in such municipality or having a circulation  
3447 therein. No such primary shall be held if prior to such primary all but  
3448 one of the candidates for such office die, withdraw their names or for  
3449 any reason become disqualified to hold such office, and, in such event,  
3450 the remaining candidate shall be deemed to be lawfully voted upon as  
3451 the candidate for such office. No withdrawal shall be valid until the  
3452 candidate who has withdrawn has filed a letter of withdrawal signed  
3453 by such candidate with the Secretary of the State. When such a  
3454 primary is required to be held under the provisions of this section and  
3455 prior to such primary all but one of the candidates for such office die,  
3456 withdraw their names or for any reason become disqualified to hold  
3457 such office, the Secretary of the State shall forthwith notify the  
3458 municipal clerk of such fact, and shall forthwith direct the clerk that  
3459 such primary shall not be held. In the case of a multiple-opening office  
3460 only the names of those candidates whose votes are equal shall be

3461 placed on the ballot [label] of the adjourned primary. If such second  
3462 primary results in a tie vote, the Secretary of the State, in the presence  
3463 of not fewer than three disinterested persons, and after notification to  
3464 the candidates obtaining the same number of votes and the  
3465 chairperson of the state central committee of the party holding the  
3466 primary of the time when and the place where such tie vote is to be  
3467 dissolved, shall dissolve such tie vote by lot. The Secretary of the State  
3468 shall execute a certificate attesting to the result of the dissolution of  
3469 such tie vote, and the person so certified or the slate so certified as  
3470 having been chosen by lot shall be deemed to have received a plurality  
3471 of the votes cast and shall be deemed to have been chosen as the  
3472 nominee of such party to such office.

3473 (b) If two or more candidates obtain the same number of votes at a  
3474 primary held to nominate candidates for a municipal office or to elect  
3475 members of a town committee, or if two or more slates of candidates  
3476 obtain the same number of votes at a primary held for justices of the  
3477 peace, and a tie vote thereby occurs, any of such candidates, or the  
3478 town chairman of the political party, may apply for a recanvass of the  
3479 returns in the manner provided in section 9-445, as amended by this  
3480 act. If no such application is made, or if any such recanvass results in a  
3481 tie vote, such primary shall stand adjourned for three weeks at the  
3482 same hour at which the first primary was held. [Ballot labels] Ballots of  
3483 the same form and description as described in section 9-437, as  
3484 amended by this act, shall be used in the primary on such adjourned  
3485 day, and the primary shall be conducted in the same manner as on the  
3486 first day, except that the votes shall be cast for such office only. [Ballot  
3487 labels] Ballots for such primary shall be provided forthwith by the  
3488 clerk of the municipality wherein such primary stands adjourned, and  
3489 such clerk shall furnish the Secretary of the State with an accurate list  
3490 of all candidates to be voted for at such adjourned primary. The clerk  
3491 of the municipality wherein such primary so stands adjourned shall, at  
3492 least three days prior to the day of such adjourned primary, give notice  
3493 of the day, hours, place and purpose thereof by publishing such notice  
3494 in a newspaper published in such municipality or having a circulation  
3495 therein. No such primary shall be held if prior to such primary all but

3496 one of the candidates for such office die, withdraw their names or for  
3497 any reason become disqualified to hold such office, and, in such event,  
3498 the remaining candidate shall be deemed to be lawfully voted upon as  
3499 the candidate for such office. No withdrawal shall be valid until the  
3500 candidate who has withdrawn has filed a letter of withdrawal signed  
3501 by such candidate with the municipal clerk. When such a primary is  
3502 required to be held under the provisions of this section and prior to  
3503 such primary all but one of the candidates for such office die,  
3504 withdraw their names or for any reason become disqualified to hold  
3505 such office, the Secretary of the State shall forthwith notify the  
3506 municipal clerk of such fact, and shall forthwith direct the clerk that  
3507 such primary shall not be held. In the case of a multiple-opening office  
3508 only the names of those candidates whose votes are equal shall be  
3509 placed on the ballot [label] of the adjourned primary. If such second  
3510 primary results in a tie vote, the registrar, in the presence of not fewer  
3511 than three disinterested persons, and after notification to the  
3512 candidates obtaining the same number of votes and the chairperson of  
3513 the town committee of the party holding the primary of the time when  
3514 and the place where such tie vote is to be dissolved, shall dissolve such  
3515 tie vote by lot. The registrar shall execute a certificate attesting to the  
3516 result of the dissolution of such tie vote, and the person so certified or  
3517 the slate so certified as having been chosen by lot shall be deemed to  
3518 have received a plurality of the votes cast and shall be deemed to have  
3519 been chosen as the nominee of such party to such office.

3520 Sec. 112. Section 9-447 of the general statutes is repealed and the  
3521 following is substituted in lieu thereof (*Effective from passage*):

3522 The voting [machines] tabulators used in any primary shall not be  
3523 unlocked for a period of fourteen days from the date of the primary,  
3524 unless otherwise ordered by any judge of the Superior Court [,] or by  
3525 the State Elections Enforcement Commission. If a contest or  
3526 investigation is pending, such [machines] tabulators shall not be  
3527 unlocked for such longer period of time as may be ordered by any  
3528 judge of the Superior Court, unless a recanvass has been applied for  
3529 under the provisions of section 9-445, as amended by this act, or unless

3530 an order has been issued by the State Elections Enforcement  
3531 Commission.

3532 Sec. 113. Section 9-453d of the general statutes is repealed and the  
3533 following is substituted in lieu thereof (*Effective from passage*):

3534 Each petition shall be signed by a number of qualified electors equal  
3535 to the lesser of (1) one per cent of the votes cast for the same office or  
3536 offices at the last-preceding election, or the number of qualified  
3537 electors prescribed by section 9-380 with regard to newly-created  
3538 offices, or (2) seven thousand five hundred. "Qualified electors" means  
3539 electors eligible to vote for all the candidates proposed by the petition.  
3540 "Votes cast for the same office at the last-preceding election" means, in  
3541 the case of multiple openings for the same office, the total number of  
3542 electors checked as having voted at the last-preceding election at  
3543 which such office appeared on the ballot. [label.]

3544 Sec. 114. Subsection (b) of section 9-453r of the general statutes is  
3545 repealed and the following is substituted in lieu thereof (*Effective from*  
3546 *passage*):

3547 (b) On the horizontal rows below the rows so used for candidates, if  
3548 any, who are so entitled to a party designation on the [voting  
3549 machines] ballot, shall be placed, in the appropriate office columns, the  
3550 names of candidates contained in petitions approved pursuant to  
3551 section 9-453o bearing no party designation. Such candidates shall not  
3552 be entitled to separate rows. Precedence as to horizontal row between  
3553 or among such candidates shall be determined, if necessary, by the  
3554 order in which their applications for petitions were filed with the  
3555 Secretary of the State from the earliest to the latest; provided that  
3556 within any such horizontal row the names of as many of such  
3557 candidates for the same multiple-opening office as such row will  
3558 accommodate shall be placed before placing the names of other such  
3559 candidates for such office on the next such row. The order of the names  
3560 of such candidates for the same multiple-opening office, within and  
3561 between any such horizontal rows, shall be determined by the  
3562 registrars of voters by lot in a ceremony which shall be open to the

3563 public. The registrars of voters shall provide at least five days public  
3564 notice for each such ceremony. Each row in which a candidate's name  
3565 appears who is not entitled to a party designation shall be labeled  
3566 "Petitioning Candidates", the print of which shall correspond to that  
3567 used for party designations.

3568 Sec. 115. Section 9-453s of the general statutes is repealed and the  
3569 following is substituted in lieu thereof (*Effective from passage*):

3570 Vacancies in candidacies occurring after all nominating petitions  
3571 have been approved under section 9-453o, shall not cause the position  
3572 of any candidate's name on the ballot [label] to be changed to another  
3573 position unless a blank row on the [machine] ballot results from such  
3574 vacancy or vacancies in which case the position of candidates  
3575 appearing on lines under the blank row may change if the consent of  
3576 all candidates involved in such a change is filed in the Secretary of the  
3577 State's office prior to the time for printing and filing sample [ballot  
3578 labels] ballots with said secretary. The name of any candidate whose  
3579 candidacy has been vacated shall not appear on the ballot, [label. The  
3580 voting machine pointer over each position where no candidate's name  
3581 appears shall be locked so that no vote can be cast in that position.]

3582 Sec. 116. Section 9-470 of the general statutes is repealed and the  
3583 following is substituted in lieu thereof (*Effective from passage*):

3584 The secretary shall determine by lot, in a public ceremony held on  
3585 the thirty-fifth day preceding the day of the primary, the order in  
3586 which the names of the candidates will appear on the ballot of each  
3587 party at such primary; provided that the category "uncommitted" shall  
3588 appear last on such ballots. Notwithstanding any provision of the  
3589 general statutes to the contrary, no candidate shall be designated on  
3590 the ballot as the party-endorsed candidate. The names of such  
3591 candidates shall appear, in the order so determined by the secretary, in  
3592 the first vertical column of the [voting machine] ballot. Such column  
3593 shall be designated "Nomination for President of the United States";  
3594 provided if the number of candidates is such that there is an  
3595 insufficient number of places in such column, the secretary shall

3596 determine whether the names of the candidates shall also extend, in  
3597 the order so determined, to the second and succeeding columns as  
3598 may be necessary, or shall appear on the first and succeeding  
3599 horizontal rows as may be necessary. Such columns or rows shall be  
3600 designated as hereinabove provided. Except as otherwise provided in  
3601 this chapter, the form of the ballot shall be prescribed by the secretary  
3602 and shall conform, as nearly as may be, to the provisions of section 9-  
3603 437, as amended by this act.

3604 Sec. 117. Section 9-476 of the general statutes is repealed and the  
3605 following is substituted in lieu thereof (*Effective from passage*):

3606 Except as otherwise provided in this chapter, the provisions of  
3607 chapter 145 and chapter 153 concerning absentee voting at primaries,  
3608 conduct of primaries and return and tabulation of the vote at such  
3609 primaries shall apply as nearly as practicable and in the manner  
3610 prescribed by the secretary, to a presidential preference primary. The  
3611 primary officials of each party for each polling place shall be as  
3612 specified in section 9-436, except that (1) the appointment of assistant  
3613 registrars of voters and absentee ballot counters shall be permitted but  
3614 not required, (2) the minimum number of official checkers shall be one,  
3615 (3) the minimum number of voting [machine] tabulator tenders shall  
3616 be one for each two voting [machines] tabulators in use, (4) if two  
3617 parties are holding primaries and the registrars of voters of such  
3618 parties so agree, such registrars may jointly appoint (A) one enrolled  
3619 member of either party to serve as moderator of both primaries, and  
3620 (B) one enrolled member of either party to serve as head moderator of  
3621 both primaries, (5) notwithstanding any reduction in the number of  
3622 primary officials as permitted by this section, any duty required of  
3623 primary officials by the general statutes may be performed by one or  
3624 more primary officials, at the direction of the registrar of voters of the  
3625 party of such officials, and (6) the registrar of voters shall have the sole  
3626 power to appoint such officials. In making such appointments the  
3627 registrar shall attempt, to the extent practicable, to provide  
3628 representation for each candidate at each polling place. The provisions  
3629 of section 9-436a shall apply to each candidate whose name appears on

3630 the ballot, except that each such candidate, through [his] such  
3631 candidate's authorized or known representative, may submit to the  
3632 registrar the name of one designee as candidate checker for each  
3633 polling place, and the registrar shall appoint such designee as  
3634 candidate checker for such candidate. Notwithstanding the provisions  
3635 of section 9-438, the polls shall be open for voting at the primary  
3636 between the hours of six o'clock a.m. and eight o'clock p.m. The  
3637 moderator or head moderator of the primary in each town shall  
3638 prepare duplicate lists of returns in the manner provided by section 9-  
3639 440, as amended by this act, but notwithstanding the provisions of said  
3640 section, [he] the moderator or head moderator shall hand deliver one  
3641 of such lists to either the secretary or the state police by two o'clock  
3642 p.m. of the day following the primary. Any moderator or head  
3643 moderator, as the case may be, who fails to deliver such list to either  
3644 the secretary or the state police by such time shall pay a late filing fee  
3645 of fifty dollars.

3646 Sec. 118. Section 9-189a of the general statutes is repealed and the  
3647 following is substituted in lieu thereof (*Effective January 1, 2011*):

3648 Notwithstanding the provisions of sections 9-189 and 9-190a, any  
3649 town or municipality may, by charter or ordinance, provide that the  
3650 treasurer or the town clerk of said town or municipality, [or the  
3651 registrars of voters of said town,] or any of such officers, shall, at the  
3652 next succeeding regular election for such office and thereafter, be  
3653 elected for a term of four years. In such event, such four-year term  
3654 shall begin on the first Monday of January succeeding an election for  
3655 treasurer or town clerk, except as provided in section 9-187a, [and from  
3656 the Wednesday following the first Monday of January succeeding an  
3657 election for registrars of voters,] provided, if any such town or  
3658 municipality holds its town or municipal election on the first Monday  
3659 of May of the odd-numbered years, the term of such treasurer or town  
3660 clerk shall begin on the first day of July following the election, except  
3661 as provided in section 9-187a.

3662 Sec. 119. (*Effective from passage*) Notwithstanding the provisions of

3663 section 9-6 of the general statutes, as amended by this act, concerning  
3664 compensation by the municipality which a registrar of voters  
3665 represents for attending two conferences a year, until January 9, 2013,  
3666 in towns divided into two voting districts that elect registrars of voters  
3667 for each voting district, only two registrars of opposite political parties  
3668 need be so compensated for each such conference and, if the registrars  
3669 are unable to agree as to the two registrars to be so compensated, such  
3670 determination shall be made at least three days prior to such  
3671 conference by the chief executive officer of the municipality.

3672       Sec. 120. (*Effective from passage*) Notwithstanding the provisions of  
3673 section 9-53 of the general statutes, as amended by this act, concerning  
3674 the holding of an enrollment session, until January 9, 2013, in each  
3675 municipality divided into two voting districts that elects registrars of  
3676 voters for each voting district, any session for enrollment in such  
3677 municipality shall be held in each such district of the municipality by  
3678 the registrars of such district, and the notice required under said  
3679 section 9-53 shall specify the place in each such district in which such  
3680 session is to be held.

3681       Sec. 121. (*Effective from passage*) Notwithstanding the provisions of  
3682 section 9-54 of the general statutes, as amended by this act, concerning  
3683 transfer of enrollment, until January 9, 2013, in municipalities divided  
3684 into two voting districts or wards where registrars are elected for each  
3685 voting district or where assistant registrars are appointed for each  
3686 voting district under section 9-192 of the general statutes, when a  
3687 transfer of enrollment is made between separate enrollment lists of the  
3688 same political party because of the removal of an elector from one  
3689 voting district or ward to another voting district or ward in the same  
3690 municipality, the registrars or assistant registrars from the voting  
3691 district or ward where the elector formerly resided shall remove the  
3692 elector's name from the list and shall report the removal to the  
3693 registrars or assistant registrars of the same political party in the voting  
3694 district or ward to which such elector has moved, at which time the  
3695 registrars or assistant registrars who represent the new district or ward  
3696 in which the elector then resides shall add such name to the list of the

3697 same political party in such district or ward unless such elector has  
 3698 made application for erasure or transfer of enrollment to the list of  
 3699 another party.

3700 Sec. 122. (*Effective from passage*) Notwithstanding the provisions of  
 3701 section 9-65 of the general statutes, as amended by this act, concerning  
 3702 submission of a statement setting forth the total number of names of  
 3703 new electors added to the registry list and the total number of names  
 3704 of former electors removed from the registry list, until January 9, 2013,  
 3705 in municipalities divided into two voting districts that elect registrars  
 3706 of voters for each district, such statement shall be so submitted by the  
 3707 registrars of voters of the first district.

3708 Sec. 123. (*Effective from passage*) Notwithstanding the provisions of  
 3709 section 9-235 of the general statutes, as amended by this act,  
 3710 concerning the appointment of unofficial checkers, until January 9,  
 3711 2013, in municipalities divided into two voting districts in which  
 3712 registrars are elected for each district, such appointments may be made  
 3713 by the registrars in each district.

3714 Sec. 124. Sections 9-6a, 9-191, 9-232d to 9-232f, inclusive, 9-242c, 9-  
 3715 243, 9-270, 9-271, 9-273 to 9-276, inclusive, and 9-279 to 9-306, inclusive,  
 3716 of the general statutes are repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-35c
Sec. 2	<i>from passage</i>	9-36
Sec. 3	<i>from passage</i>	9-37
Sec. 4	<i>from passage</i>	9-38
Sec. 5	<i>from passage</i>	9-39
Sec. 6	<i>from passage</i>	9-42
Sec. 7	<i>from passage</i>	9-42a
Sec. 8	<i>from passage</i>	9-50a
Sec. 9	<i>from passage</i>	9-50b(d)
Sec. 10	<i>from passage</i>	9-55
Sec. 11	<i>from passage</i>	9-140c(e) to (h)
Sec. 12	<i>from passage</i>	9-150a

Sec. 13	<i>from passage</i>	9-172b(a) and (b)
Sec. 14	<i>January 1, 2011</i>	9-190
Sec. 15	<i>January 1, 2011</i>	9-190a
Sec. 16	<i>from passage</i>	9-23r(e)
Sec. 17	<i>from passage</i>	9-232c
Sec. 18	<i>from passage</i>	9-232i
Sec. 19	<i>from passage</i>	9-232j
Sec. 20	<i>from passage</i>	9-232k
Sec. 21	<i>from passage</i>	9-232l
Sec. 22	<i>from passage</i>	9-232n
Sec. 23	<i>from passage</i>	9-236b(e)
Sec. 24	<i>from passage</i>	9-244
Sec. 25	<i>from passage</i>	9-246
Sec. 26	<i>from passage</i>	9-247
Sec. 27	<i>from passage</i>	9-247a
Sec. 28	<i>from passage</i>	9-250
Sec. 29	<i>from passage</i>	9-253
Sec. 30	<i>from passage</i>	9-254
Sec. 31	<i>from passage</i>	9-258
Sec. 32	<i>from passage</i>	9-260
Sec. 33	<i>from passage</i>	9-265
Sec. 34	<i>from passage</i>	9-272
Sec. 35	<i>from passage</i>	9-311
Sec. 36	<i>from passage</i>	9-369a(b) and (c)
Sec. 37	<i>from passage</i>	9-435
Sec. 38	<i>from passage</i>	9-436
Sec. 39	<i>from passage</i>	9-453o(b)
Sec. 40	<i>from passage</i>	New section
Sec. 41	<i>from passage</i>	New section
Sec. 42	<i>from passage</i>	New section
Sec. 43	<i>from passage</i>	9-241(a)
Sec. 44	<i>from passage</i>	9-6
Sec. 45	<i>from passage</i>	9-53
Sec. 46	<i>from passage</i>	9-54
Sec. 47	<i>from passage</i>	9-65
Sec. 48	<i>from passage</i>	9-235(d)
Sec. 49	<i>from passage</i>	9-1
Sec. 50	<i>from passage</i>	9-4
Sec. 51	<i>from passage</i>	9-7b(a)(1)
Sec. 52	<i>from passage</i>	9-135a(a)
Sec. 53	<i>from passage</i>	9-135b(a)

Sec. 54	<i>from passage</i>	9-150b(b) and (c)
Sec. 55	<i>from passage</i>	9-150d
Sec. 56	<i>from passage</i>	9-168a(a) and (b)
Sec. 57	<i>from passage</i>	9-188
Sec. 58	<i>from passage</i>	9-224
Sec. 59	<i>from passage</i>	9-229(b)
Sec. 60	<i>from passage</i>	9-234
Sec. 61	<i>from passage</i>	9-235(b)
Sec. 62	<i>from passage</i>	9-235d
Sec. 63	<i>from passage</i>	9-236a
Sec. 64	<i>from passage</i>	9-238
Sec. 65	<i>from passage</i>	9-238a
Sec. 66	<i>from passage</i>	9-239
Sec. 67	<i>from passage</i>	9-240
Sec. 68	<i>from passage</i>	9-240a
Sec. 69	<i>from passage</i>	9-242
Sec. 70	<i>from passage</i>	9-242b
Sec. 71	<i>from passage</i>	9-245
Sec. 72	<i>from passage</i>	9-248
Sec. 73	<i>from passage</i>	9-249(a)
Sec. 74	<i>from passage</i>	9-249a(a)
Sec. 75	<i>from passage</i>	9-249b(a)
Sec. 76	<i>from passage</i>	9-250a
Sec. 77	<i>from passage</i>	9-251
Sec. 78	<i>from passage</i>	9-255
Sec. 79	<i>from passage</i>	9-256
Sec. 80	<i>from passage</i>	9-264
Sec. 81	<i>from passage</i>	9-267
Sec. 82	<i>from passage</i>	9-307
Sec. 83	<i>from passage</i>	9-308
Sec. 84	<i>from passage</i>	9-309
Sec. 85	<i>from passage</i>	9-311a
Sec. 86	<i>from passage</i>	9-323
Sec. 87	<i>from passage</i>	9-324
Sec. 88	<i>from passage</i>	9-328
Sec. 89	<i>from passage</i>	9-329a(b)
Sec. 90	<i>from passage</i>	9-329b
Sec. 91	<i>from passage</i>	9-330
Sec. 92	<i>from passage</i>	9-332
Sec. 93	<i>from passage</i>	9-352
Sec. 94	<i>from passage</i>	9-353

Sec. 95	<i>from passage</i>	9-354
Sec. 96	<i>from passage</i>	9-363
Sec. 97	<i>from passage</i>	9-366
Sec. 98	<i>from passage</i>	9-367
Sec. 99	<i>from passage</i>	9-369
Sec. 100	<i>from passage</i>	9-369c(c)
Sec. 101	<i>from passage</i>	9-369d(b)
Sec. 102	<i>from passage</i>	9-371b
Sec. 103	<i>from passage</i>	9-372(15)
Sec. 104	<i>from passage</i>	9-377
Sec. 105	<i>from passage</i>	9-400(a)
Sec. 106	<i>from passage</i>	9-426
Sec. 107	<i>from passage</i>	9-434
Sec. 108	<i>from passage</i>	9-437
Sec. 109	<i>from passage</i>	9-440
Sec. 110	<i>from passage</i>	9-445
Sec. 111	<i>from passage</i>	9-446
Sec. 112	<i>from passage</i>	9-447
Sec. 113	<i>from passage</i>	9-453d
Sec. 114	<i>from passage</i>	9-453r(b)
Sec. 115	<i>from passage</i>	9-453s
Sec. 116	<i>from passage</i>	9-470
Sec. 117	<i>from passage</i>	9-476
Sec. 118	<i>January 1, 2011</i>	9-189a
Sec. 119	<i>from passage</i>	New section
Sec. 120	<i>from passage</i>	New section
Sec. 121	<i>from passage</i>	New section
Sec. 122	<i>from passage</i>	New section
Sec. 123	<i>from passage</i>	New section
Sec. 124	<i>from passage</i>	Repealer section

**Statement of Legislative Commissioners:**

Changed effective date in sections 14 and 15 to be consistent with the provisions of those sections.

**GAE**      *Joint Favorable Subst.*

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The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:**

Municipalities	Effect	FY 11 \$	FY 12 \$
All Municipalities	Savings	Minimal	Minimal

**Explanation**

The bill makes changes that will result in potential minimal savings to municipalities. Beginning January 9, 2013, the bill eliminates the authority of towns with 2 voting districts to elect 2 registrars of voters per district, creating a cap of 2 registrars of voters per municipality.

The bill also gives the registrar of voters the option to appoint one or two official checkers for primaries, instead of requiring two. Both changes will result in a minimal savings to towns.

In addition, the bill makes several changes to conform statute to current practice, which does not result in a fiscal impact.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****sHB 5441*****AN ACT CONCERNING CERTAIN REVISIONS TO ELECTIONS RELATED STATUTES.*****SUMMARY:**

This bill makes changes affecting voter registry lists, the conduct of elections, voting equipment, election officials, and post-election procedures. It makes several technical and conforming changes to reflect the switch from lever voting machines to optical scan machines. It also eliminates statutes rendered obsolete by the change in voting technology.

Concerning voter registry lists, the bill generally eliminates processing deadlines and duplication requirements rendered obsolete as a result of the centralized voter registration system (CVRS).

With respect to the conduct of elections, the bill, among other things, (1) extends the use of provisional ballots to state and municipal elections and primaries and eliminates challenged ballots, (2) expands the reasons for which paper ballots may be used when voting tabulators cannot be, and (3) codifies an existing regulation requiring privacy sleeves for ballots.

Concerning election officials, it, among other things, (1) allows the secretary of the state, or her designee, access to polling places during primaries and elections to review them for compliance with state and federal law; (2) establishes four-year terms for registrars of voters; and (3) transfers certain election-related duties from town clerks to registrars of voters.

The bill also establishes a deadline by which town clerks must file a notice of a primary for municipal office candidates and town

committee members. They must do so within three days of receiving the notice from the registrars (§ 37). It eliminates the requirement that town clerks submit to the secretary of the state a list of offices that will be filled at regular state elections, but retains the requirement for municipal elections (§ 30).

The bill makes technical changes to reflect the switch from lever voting machines to optical scan voting tabulators, which primarily include substituting “tabulator” for “machine” and “ballot” for “ballot label.” It eliminates obsolete references to “voting tabulator technicians” and “machine mechanics” (see BACKGROUND). It deletes references specific to the characteristics of the lever voting machine. For example, it eliminates references to pointers and counters and a requirement for voters with disabilities to be provided a paper ballot when the lever machine cannot be adjusted to allow the voters to reach all necessary parts.

Lastly, it makes a technical change by eliminating the obsolete Voting Technology Standards Board, which was established to develop standards for electronic voting systems used in this state, and a requirement for the secretary of the state to comply with the standards adopted by the board when determining whether to approve an electronic voting machine for use in this state. Instead, the bill requires the secretary to comply with applicable standards for electronic voting tabulators. The board was required to terminate after submitting a report on voting standards to the Government Administration and Elections Committee, governor, and secretary of the state. The report was due by January 16, 2006.

**EFFECTIVE DATE:** Upon passage, except the provisions concerning four-year terms for registrars of voters are effective January 1, 2011.

### **§§ 2-10 & 13 — VOTER REGISTRY LISTS**

The bill makes several changes as a result of the CVRS affecting the completion, distribution, and retention of preliminary, final, and

supplementary voter registry lists. Primarily, it eliminates most (1) obsolete deadlines associated with completing these lists because they are updated on an ongoing basis and (2) printing, copying, and availability and distribution requirements.

For example, it:

1. eliminates the deadline by which the preliminary registry list must be completed and provided to town clerks, and instead requires it to be available to the public in or outside the registrars' office on an ongoing basis;
2. requires the registrars, upon request, to give any candidate, not just one for legislative office, a copy of the preliminary or final list for each voting district in which the candidate is running for office;
3. eliminates the requirement for registrars to notice and hold sessions to correct the preliminary list before primaries and elections, and instead requires them to be available and post their office hours before all elections to make corrections;
4. extends the deadlines by which the registrars must file the final and supplementary (i.e., updated) lists with town clerks from the second Friday and three days before a regular election, respectively, to the day before;
5. removes the requirement that the registrars compile a list of changes to the active and inactive registry lists on a monthly basis;
6. requires the registrars to make the complete and corrected enrollment list available to the public upon request, rather than requiring them to make several copies;
7. eliminates the requirement for town committee chairpersons to receive five copies of the registry list and instead (a) authorizes the chairpersons to request them in electronic format and (b)

requires registrars to deliver one hard copy to committees that make the request; and

8. gives registrars the option of maintaining each final registry list in paper or electronically.

By law, the list must be kept for two years.

The bill also eliminates a provision allowing municipal office candidates, other than state senator or state representative, to change their name on the registry list up 29 or 55 days preceding a primary or election, respectively, and have it reflected on the ballot. The bill conforms to the current practice for statewide and legislative office candidates.

### **CVRS**

The bill establishes a firm deadline by which registrars of voters must update the CVRS after each election or primary, indicating whether each eligible voter voted and if so, whether in person or by absentee ballot. Under the bill, they must do so no later than 60 days after the election or primary rather than “promptly” afterward, as they must under current law.

### ***Restoration of Name to the Supplemental List***

The bill amends the process for restoring an elector’s name to the voter registry list. In most cases, it requires (1) electors to submit a voter registration card, rather than a written request, to restore their names and (2) registrars to restore omitted names to the supplementary, rather than the active, list.

By law, the registrars of voters must restore to the active list the name of a voter that has been omitted if the omission results from clerical error. Under current law, they must also restore the name to the active list if:

1. it appears the elector was formerly on the active registry list or registered in the town and the individual submits a written

request, signed under penalty of false statement, stating he or she is eligible to vote in that town or

2. on Election Day, an elector whose name appears on the inactive list submits a written request, signed under penalty of false statement, stating he or she is still a bona fide town resident.

Under the bill, the registrars must restore the name to the supplemental list when the omission does not appear to be clerical in nature or when the name is on the inactive list. In those cases, the elector must submit a new voter registration application.

The law, unchanged by the bill, gives registrars the option to restore a name to the active registry on Election Day if both registrars consent.

### **§ 39 — NOMINATIONS**

The bill establishes earlier deadlines for certain nominating petitions. Specifically, it requires party endorsements for candidates petitioning under a minor party or reserved party designation to be filed with the secretary of the state by 4:00 p.m. on the 62<sup>nd</sup>, rather than the 55<sup>th</sup>, day before the election.

### **BALLOTS**

#### **§§ 12 & 16-23 — Provisional Ballots**

The bill (1) authorizes provisional ballots for use in state and municipal elections and primaries under the same circumstances as they are currently authorized for use in federal elections and primaries and (2) requires their use in place of challenged ballots.

By law, the secretary of the state prescribes the provisional ballot format. Under the bill, these ballots have to be in the same format as regular absentee ballots rather than overseas ballots. It eliminates the requirement for the secretary to provide them to towns; instead, towns must print provisional ballots as they currently print regular and absentee ballots.

The bill allows an individual to apply for and receive a provisional

ballot to vote for candidates for state or municipal office when he or she:

1. appears at the polling place claiming to be eligible to vote but his or her name does not appear on the official registry list and the registrars determine that the name cannot be immediately restored or transferred from another polling place,
2. is the subject of a challenge and the moderator decides he or she is not eligible to vote, or
3. registered by mail without the necessary identification and appears at a polling place or applies for an absentee ballot for the first time after registering without proper identification.

These provisions already apply to voting for candidates for federal office.

The bill eliminates challenged ballots and the procedures for casting and counting them, replacing them with provisional ballots. However, it maintains the right of (1) individuals to challenge voters and (2) challenged voters to request a ballot and vote.

**Instructions.** Current law requires the secretary to prescribe, and town clerks to provide, certain information for polling places during an election for federal office. The bill transfers the clerks' responsibility to the registrars of voters and covers primaries and elections for municipal and state offices. The information must include instructions on how to cast a provisional ballot, as well as instructions for mail-in registrants and first-time voters and information concerning voting rights.

### **§§ 11-12 — Counting Absentee Ballots**

The bill removes registrars' duty to count absentee ballots several times throughout the day of a primary, election, or referendum. To reflect the switch to the new optical scan voting machines, it instead provides that they be counted once after the polls close, at a time the

registrars designate, and according to the procedure the law specifies. Registrars must nonetheless check absentee ballots (by making a notation on the official checklist used at the primary, election, or referendum) at various times throughout the day.

### **§§ 34 & 124 — Paper Ballot Elections**

The bill expands the reasons for which paper ballots may be used if voting tabulators cannot be. Under the bill, these ballots (which are different from those used with voting tabulators) may be used for any election, primary, or referendum (1) when using tabulators would be impractical due to the number of candidates to be voted on, (2) when there is an insufficient number of tabulators, or (3) for some other reason. Under current law, paper ballots (1) may be used only at a general election for the above-stated reasons, (2) may not be used at a primary, and (3) may be used at a referendum only if there is insufficient space for the question on the voting machine.

The bill requires that the procedures for securing and counting paper ballots comply as nearly as possible with the procedure for counting absentee ballots. It eliminates obsolete provisions under current law on formatting, handling, storing, casting, and counting paper ballots. It also eliminates the penalties for violations.

### **§§ 28-29 & 38 — Ballot Form and Layout**

When a candidate is cross-endorsed in a race where political parties may make more than one nomination for the same office (e.g., a board of education), the bill eliminates a requirement that the candidate's name appear in the same column for each party. The law, unchanged by the bill, requires registrars of voters to determine by lot the order of names as they will appear on the ballot. Under the bill, when a candidate is cross-endorsed, the order of his or her name on each party row is determined by lot.

The bill eliminates the requirement that ballots be printed in black ink and on clear white material (i.e., paper) (see BACKGROUND). It requires town clerks to consult with the registrars of voters when they

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print ballots for use in a primary or election.

### **§ 33 — Write-In Votes**

The bill authorizes write-in votes for candidates running in an election when political parties can nominate more than one candidate for a particular office. Current law prohibits write-in votes for these major and minor party candidates and petitioning candidates under all circumstances. The bill allows write-ins to be counted and recorded if the identity of the candidate can be determined. Presumably, as under existing law, candidates for these offices must register as a write-in candidate for any write-in vote to be counted.

### **§§ 27, 38, & 41- 42 — POLLING PLACES & VOTING EQUIPMENT**

The bill makes changes to accommodate the new voting equipment, including requiring registrars to furnish voting booths, rather than lever voting machines, based on the number of electors in the district. Specifically, for a primary they must provide one voting booth for every 500 electors (or fraction thereof), rather than one voting machine for every 2,400 electors (or fraction thereof).

The bill prohibits business entities of which candidates are members from having contact with voting tabulators. Specifically, it prohibits them from transporting, preparing, repairing, or maintaining a tabulator.

It also requires that a demonstrator device, rather than a spare machine, be available in each polling place for instructing electors on the proper way to cast their vote.

### ***Notification of Polling Place Location***

The bill requires the registrars to notify the secretary of the state no later than 31 days before each municipal, state, or federal election or primary of the polling places that the town will use. The notice must provide the name, address, and corresponding federal, state, and municipal districts associated with each polling place. Under current law, the secretary is not notified of polling place locations, only the town clerks and voters are.

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***Voter Privacy***

The bill codifies a voter privacy practice currently in regulation. To prevent anyone from seeing how an elector is voting, the bill requires registrars of voters to ensure that each ballot clerk (a) offers each elector a privacy sleeve into which he or she can insert his or her ballot or (b) places a privacy sleeve in each voting booth.

**ELECTION OFFICIALS****§ 40 — *Secretary of the State***

The bill allows the secretary of the state, or her designee, access to each polling place during a municipal, state, or federal election or primary to review it for compliance with state and federal law. If the secretary is a candidate in that election, only her designee must be allowed access.

**§§ 14-15, 19, 23, 31, 44-48, 72, & 119-123 — *Registrars of Voters***

The bill eliminates a requirement that registrars who are at the polling place during polling hours (1) be available by telephone and notify all registrars of voters' offices in the state of their phone number, (2) be connected to the CVRS, and (3) have all voter-card files in the polling place for reference. It instead specifies that either the registrars or their designees must be in their office.

The bill requires registrars of voters, instead of town clerks, to prepare and furnish moderators with supplies for each tabulator and blank tally- and moderator return-forms. It also requires them to provide moderators with provisional ballots packets.

***Four-Year Terms.*** The bill establishes four-year terms of office for all registrars of voters. Under the bill, the office will be on the ballot at the November 2012 presidential election, and every four years thereafter. Registrars who are in office on January 6, 2011 will serve only until January 9, 2013, regardless of whether they work in a town that currently has two- or four-year terms.

***Two Per Town.*** Beginning January 9, 2013, the bill eliminates the

authority of legislative bodies in towns with two voting districts to vote to elect two registrars of voters per district, thus capping at two the number of registrars in each municipality under most circumstances.

The bill retains the provision in existing law that provides for the election of more than two registrars per municipality if the top two vote-getters are not major party candidates. By law, the two candidates for registrar receiving the most votes are elected. If a major party candidate is not one of them, he or she is also elected. This means a municipality could have up to four registrars of voters if the top two vote-getters are minor party candidates. For purposes of selecting registrars of voters, a "major party" is one with the largest or next largest number of enrolled members in the state, according to the latest enrollment list that the secretary of the state maintains.

Until January 9, 2013, in any municipality divided into two voting districts:

1. registrars of voters must continue to hold voter registration sessions in each district, as required by law;
2. registrars or assistant registrars must remove an elector's name from the enrollment list when he or she moves between the municipality's districts and report it to the registrar or assistant registrar in the same political party representing the new district so that they may add it to their list;
3. registrars of voters in the first district must submit to the secretary of the state the total number of electors added to and removed from the registry list; and
4. registrars in each district may appoint unofficial checkers.

The bill specifies that such municipalities must only compensate two registrars of opposite political parties, even if they have more, for the two training conferences they attend per year.

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**§§ 31 & 38 — Poll Workers**

The bill changes the required number of primary day poll workers. It gives the registrar of voters the option to appoint one or two official checkers, instead of requiring two, and gives them the same discretion concerning ballot clerks. They already have this discretion with respect to general elections.

The bill allows a municipality with one voting district to hire poll workers who do not reside there, as long as they are state electors. Municipalities with more than one voting district already have this option under existing law.

**§ 35 — POST-ELECTION PROCEDURES**

By law, election officials must recanvass an election when there is a discrepancy, close vote, or tie vote. The bill establishes a deadline by which moderators must notify the secretary of the state of a recanvass—24 hours after determining one is needed. It transfers most responsibilities town clerks have with respect to a recanvass to the registrars of voters, including maintaining possession of the voting tabulator keys. It also allows the moderator to use as many other recanvass officials as necessary, in addition to the checkers, absentee ballot counters, and registrars who serve under current law.

***Voter Intent***

The bill requires recanvass officials to hand count any ballot that the tabulator is unable to read. For any such ballot, it specifies that voter intent governs. If the voter's intent is difficult to determine due to uncertain, conflicting, or incorrect ballot markings, the recanvass officials must submit the ballot and their questions to the moderator and count the ballot in accordance with the moderator's decision. If the moderator cannot determine voter intent with respect to one or more ballot marks, the applicable offices or questions are not counted. The bill requires the moderator to endorse the "question" (presumably the ballot mark or marks in question) and sign the ballot.

**OBSOLETE STATUTES**

The bill eliminates statutory provisions rendered obsolete by the change in voting technology. For example, it eliminates a requirement for town clerks to notify the secretary of the state of the total number of voters in their town each February. Under prior law, the secretary would use this number to determine the number of voting machines each town needed. Under current regulations (Conn. Agencies Reg. § 9-242a-2), each town must provide a number of voting tabulators sufficient to provide a voting tabulator for each voting district for each primary and election and a sufficient number of spare voting tabulators when more than one party is holding a primary in a polling place.

The bill eliminates a requirement for registrars of voters to appoint voting machine mechanics to prepare, adjust, and place voting machines that will be used before state elections and primaries and instead requires the registrars to perform “mechanic’s” duties, including testing tabulators to ensure that they are prepared for use (see BACKGROUND).

## **BACKGROUND**

### ***Ballots***

According to the Office of the Secretary of the State, it is the general practice to print regular ballots on white paper and absentee ballots on yellow paper. If there is a mistake on a ballot and it requires reprinting, the reprint will usually be on a different color. In addition, the office sometimes prints demonstration ballots in red ink.

### ***Machine Mechanics and Technicians***

The optical scan voting tabulator self-tests before it is used. If a tabulator jams or otherwise malfunctions, the tabulator tender notifies the appropriate election official who replaces it (Conn. Agencies Reg. §§ 9-242a-9 and -16). Voting tabulator technicians, formerly machine mechanics, do not repair the machines and, in practice, several towns do not have the position.

### ***Related Bills***

sSB 363, reported favorably by the Government Administration and Elections Committee (GAE), allows registrars of voters to jointly designate the number and location of polling places for state and municipal primaries in their municipality or district; it requires them to do so 90 day before a primary.

sHB 5428, reported favorably by the GAE Committee, makes similar changes affecting voter registry lists.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 15 Nay 0 (03/26/2010)