



General Assembly

Substitute Bill No. 5441

February Session, 2010

* _____ HB05441GAE ___ 032610 _____ *

**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 Section 9-35c of the general statutes is repealed and the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 Section 9-36 of the general statutes is repealed and the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 years₂ 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 years₂ 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.*