



General Assembly

February Session, 2010

Amendment

LCO No. 4336

HB0544104336HDO

Offered by:
REP. SPALLONE, 36th Dist.

To: Subst. House Bill No. 5441 File No. 482 Cal. No. 300

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

1 Strike sections 26, 28, 80 and 119 in their entirety and renumber the
2 remaining sections and internal references accordingly

3 In line 1220, insert brackets around "and"

4 In line 1225, after "position" insert ", and (5) in the case of either a
5 municipality or a political subdivision holding more than one primary
6 on the same day for different political parties, one certified moderator
7 may serve as moderator for both primaries, if the registrars of voters so
8 agree"

9 After the last section, add the following and renumber sections and
10 internal references accordingly:

11 "Sec. 501. Section 9-247 of the general statutes is repealed and the
12 following is substituted in lieu thereof (*Effective from passage*):

13 The registrars of voters shall, before the day of the election, cause

14 [the mechanic or mechanics to insert on each machine the ballot labels
15 corresponding with the sample diagrams provided and to put each
16 such machine] test ballots to be inserted in each tabulator to ensure
17 that each tabulator is prepared and ready and cause each other voting
18 system approved by the Secretary of the State for use in the election,
19 including, but not limited to, voting systems equipped for individuals
20 with disabilities that comply with the provisions of the Help America
21 Vote Act, P.L. 107-252, as amended from time to time, to be put in
22 order in every way and set and adjust the same so that it shall be ready
23 for use in voting when delivered at the polling place. Such registrars
24 shall cause [the machine so labeled,] each such voting system to be in
25 order and set and adjusted, to be delivered at the polling place,
26 together with all necessary furniture and appliances that go with the
27 same, at the room where the election is to be held, not later than [six
28 o'clock in the afternoon of the day preceding the election. Each voting
29 machine shall be furnished with light sufficient to enable electors while
30 voting to read the ballot labels and suitable for use by the election
31 officials in examining the counters. A pencil shall also be provided,
32 within each voting machine, for use in casting a write-in ballot] one
33 hour prior to the opening of the polling place.

34 Sec. 502. Section 9-264 of the general statutes is repealed and the
35 following is substituted in lieu thereof (*Effective from passage*):

36 [(a)] An elector who requires assistance to vote, by reason of
37 blindness, disability or inability to write or to read the ballot, may be
38 given assistance by a person of the elector's choice, other than (1) the
39 elector's employer, (2) an agent of such employer, [or] (3) an officer or
40 agent of the elector's union, or (4) a candidate for any office on the
41 ballot, unless the elector is a member of the immediate family of such
42 candidate. The person assisting the elector may accompany the elector
43 into the voting [machine] booth. Such person shall register such
44 elector's vote upon the [machine] ballot as such elector directs. Any
45 person accompanying an elector into the voting [machine] booth who
46 deceives any elector in registering [his] the elector's vote under this
47 section or seeks to influence any elector while in the act of voting, or

48 who registers any vote for any elector or on any question other than as
49 requested by such elector, or who gives information to any person as
50 to what person or persons such elector voted for, or how [he] such
51 elector voted on any question, shall be fined not more than one
52 thousand dollars or imprisoned not more than five years or both. As
53 used in this subsection, "immediate family" means the candidate's
54 spouse, child or parent, or a dependent relative who resides with the
55 candidate.

56 [(b) Paper ballots provided by the municipal clerk to the moderator
57 pursuant to section 9-259 shall be made available for electors with
58 disabilities in polling places in which a voting machine cannot be
59 adjusted to allow all necessary parts to be reached from a chair. Such
60 paper ballots shall be used at the option of the elector with disabilities.
61 The elector shall announce the elector's name to the checkers who shall
62 cross the elector's name off the registry list and add it with the elector's
63 address to the end of the official checklist where it shall be designated
64 "paper ballot for persons with disabilities" or "PBD" and serially
65 numbered. After the elector has so announced the elector's name, the
66 moderator shall deliver to the elector an absentee ballot and a serially-
67 numbered envelope. The elector shall forthwith mark the ballot in the
68 presence of the moderator in such manner that the moderator shall not
69 know how the ballot is marked. The elector shall fold the ballot in the
70 presence of the moderator so as to conceal the markings and deposit
71 and seal it in the serially-numbered envelope. The elector shall deliver
72 the envelope to the moderator who shall place it in a specially-
73 designated depository envelope. The paper ballots thus received shall
74 be counted at the next scheduled absentee ballot count in the same
75 manner as other absentee ballots. Such ballots so counted shall be
76 preserved by placing them in the depository envelopes with the
77 regular absentee ballots, and such serially-numbered envelopes shall
78 be placed in the depository envelopes with the regular absentee ballot
79 envelopes.]

80 Sec. 503. Section 9-438 of the general statutes is repealed and the
81 following is substituted in lieu thereof (*Effective from passage*):

82 In each municipality or voting district, the polling place or places
83 for [primaries] a primary held under sections 9-382 to 9-450, inclusive,
84 as amended by this act, shall be [the same as those used for the election
85 to be held] designated by the registrars of voters of such municipality
86 or voting district, at least ninety days prior to the primary. At least
87 thirty days prior to a primary, the registrars of voters shall send
88 notification of the polling place for the primary, by mail, to each elector
89 whose polling place for the primary will be different than the elector's
90 polling place for the election. If a municipality's registrars of voters
91 cannot agree upon a polling place or places for a primary, the polling
92 place or places shall be the same as those used for the election to be
93 held. When unaffiliated electors are authorized under section 9-431 to
94 vote in the primary of either of two parties, both parties shall hold
95 their primaries in the same room of each such polling place. On the
96 day of the primary, the polls shall remain open for voting from six
97 o'clock a.m. until eight o'clock p.m. Notwithstanding any provision of
98 the general statutes, any special act, charter or ordinance, if the
99 number of polling places are reduced pursuant to the provisions of this
100 section, the number of moderators required for such primary may be
101 reduced, if the registrars of voters so agree, provided at least one
102 certified moderator serves each polling place.

103 Sec. 504. Section 9-250 of the general statutes is repealed and the
104 following is substituted in lieu thereof (*Effective from passage*):

105 Ballots shall be printed in [black ink, in] plain clear type [,] and on
106 [clear white] material of such size as will fit the tabulator, and shall be
107 furnished by the registrar of voters. The size and style of the type used
108 to print the name of a political party on a ballot shall be identical with
109 the size and style of the type used to print the names of all other
110 political parties appearing on such ballot. The name of each major
111 party candidate for a municipal office, as defined in section 9-372,
112 [except for the municipal offices of state senator and state
113 representative,] shall appear on the ballot as [it appears on the registry
114 list of the candidate's town of voting residence, except as provided in
115 section 9-42a] the candidate authorizes it to appear on the ballot,

116 pursuant to the certificate filed or the statement of consent filed. The
117 name of each major party candidate for a state or district office, as
118 defined in section 9-372, or for [the] a municipal office [of state senator
119 or state representative] shall appear on the ballot as it appears on the
120 certificate or statement of consent filed under section 9-388, subsection
121 [(b)] (c) of section 9-391, or section 9-400 or 9-409, as amended by this
122 act. The name of each minor party candidate shall appear on the ballot
123 as it appears on the [registry list] certificate or statement of consent
124 filed under section 9-388, or in accordance with the provisions of
125 section 9-452, as amended by this act. The name of each nominating
126 petition candidate shall appear on the ballot as [it is verified by the
127 town clerk on the application filed under section 9-453b] the candidate
128 authorizes it to appear on the ballot, pursuant to the certificate filed or
129 the statement of consent filed. The size and style of the type used to
130 print the name of a candidate on a ballot shall be identical with the size
131 and style of the type used to print the names of all other candidates
132 appearing on such ballot. Such ballot shall contain the names of the
133 offices and the names of the candidates arranged thereon. The names
134 of the political parties and party designations shall be arranged on the
135 ballots, either in columns or horizontal rows as set forth in section 9-
136 249a, immediately adjacent to the column or row occupied by the
137 candidate or candidates of such political party or organization. [When
138 two or more candidates are to be elected to the same office, the] The
139 ballot shall be printed in such manner as to indicate [that] how many
140 candidates the elector may vote for, [any two or such other number as
141 he is entitled to vote for,] provided in the case of a town adopting the
142 provisions of section 9-204a, such ballot shall indicate the maximum
143 number of candidates who may be elected to such office from any
144 party. If two or more candidates are to be elected to the same office for
145 different terms, the term for which each is nominated shall be printed
146 on the official ballot as a part of the title of the office. If, at any election,
147 one candidate is to be elected for a full term and another to fill a
148 vacancy, the official ballot containing the names of the candidates in
149 the foregoing order shall, as a part of the title of the office, designate
150 the term which such candidates are severally nominated to fill. No

151 column, under the name of any political party or independent
152 organization, shall be printed on any official ballot, which contains
153 more candidates for any office than the number for which an elector
154 may vote for that office.

155 Sec. 505. Section 9-409 of the general statutes is repealed and the
156 following is substituted in lieu thereof (*Effective July 1, 2010*):

157 Petition forms for candidacies for nomination to municipal office or
158 for election as members of town committees shall be available from the
159 registrar beginning on the day following the making of the party's
160 endorsement of a candidate or candidates for such office or position, or
161 beginning on the day following the final day for the making of such
162 endorsement under the provisions of section 9-391, as amended by this
163 act, whichever comes first. Any person who requests a petition form
164 shall give his name and address and the name, address and office or
165 position sought of each candidate for whom the petition is being
166 obtained, and shall file a statement signed by each such candidate that
167 he consents to be a candidate for such office or position. [In the case of
168 the municipal offices of state senator and state representative, each]
169 Each such candidate shall include on the statement of consent his
170 name as he authorizes it to appear on the ballot. Upon receiving such
171 information and statement, the registrar shall type or print on a
172 petition form the name and address of each such candidate, the office
173 sought and the political party holding the primary. The registrar shall
174 give to any person requesting such form one or more petition pages,
175 suitable for duplication, as the registrar deems necessary. If the person
176 is requesting the form on behalf of an indigent candidate or a group of
177 indigent candidates listed on the same petition, the registrar shall give
178 the person a number of petition pages determined by the registrar as at
179 least two times the number needed to contain the required number of
180 signatures for a candidacy for nomination to municipal office or a
181 number of petition pages determined by the registrar as at least five
182 times the number needed to contain the required number of signatures
183 for a candidacy for election as a town committee member. An original
184 petition page filled in by the registrar may be duplicated by or on

185 behalf of the candidate or candidates listed on the page and signatures
186 may be obtained on such duplicates. The duplicates may be filed in the
187 same manner and shall be subject to the same requirements as original
188 petition pages. All information relative to primary petitions shall be a
189 public record.

190 Sec. 506. Subsection (a) of section 9-437 of the general statutes is
191 repealed and the following is substituted in lieu thereof (*Effective July*
192 *1, 2010*):

193 (a) At the top of each ballot [label] shall be printed the name of the
194 party holding the primary, and each ballot [label] shall contain the
195 names of all candidates to be voted upon at such primary, except the
196 names of justices of the peace. The vertical columns shall be headed by
197 the designation of the office or position and instructions as to the
198 number for which an elector may vote for such office or position, in the
199 same manner as a ballot [label] used in a regular election. The name of
200 each candidate for town committee or municipal office, [except for the
201 municipal offices of state senator and state representative,] shall
202 appear on the ballot [label as it appears on the registry list of such
203 candidate's town of voting residence] as the candidate authorizes it to
204 appear on the ballot, pursuant to the certificate filed or the statement of
205 consent filed, except as provided in section 9-42a. The name of each
206 candidate for state or district office or for the municipal offices of state
207 senator or state representative shall appear on the ballot as it appears
208 on the certificate or statement of consent filed under section 9-388, 9-
209 391, as amended by this act, 9-400 or 9-409, as amended by this act. On
210 the first horizontal line, below the designation of the office or position
211 in each column, shall be placed the name of the party-endorsed
212 candidate for such office or position, such name to be marked with an
213 asterisk; provided, where more than one person may be voted for for
214 any office or position, the names of the party-endorsed candidates
215 shall be arranged in alphabetical order from left to right under the
216 appropriate office or position designation and shall continue, if
217 necessary, from left to right on the next lower line or lines. In the case
218 of no party endorsement there shall be inserted the designation "no

219 party endorsement" at the head of the vertical column, immediately
220 beneath the designation of the office or position. On the horizontal
221 lines below the line for party-endorsed candidates shall be placed, in
222 the appropriate columns, the names of all other candidates as
223 hereinafter provided.

224 Sec. 507. Section 2-30a of the general statutes is repealed and the
225 following is substituted in lieu thereof (*Effective from passage*):

226 (a) At such time as a proposed constitutional amendment [is] and its
227 concomitant ballot question are approved by the General Assembly for
228 presentation to the electors of the state for their consideration at a
229 general election, the Office of Legislative Research shall prepare a
230 concise explanatory text as to the content and purpose of the proposed
231 constitutional amendment subject to the approval of the joint standing
232 committee of the General Assembly having cognizance of
233 constitutional amendments. Upon such approval, the Secretary of the
234 State shall cause such proposed amendment and such explanatory text
235 to be printed and transmitted to the town clerk in each town in the
236 state in sufficient supply for public distribution.

237 (b) The Secretary of the State shall print the explanations of
238 proposed constitutional amendments, as required by subsection (a) of
239 this section, on posters of a size to be determined by said secretary and
240 shall mail at least three such posters for every polling place within a
241 town, to the [town clerk] registrars of voters. Said [clerk] registrars
242 shall cause at least three such posters to be posted at each polling place
243 at which electors shall be voting on such proposed constitutional
244 amendments. Any posters received by [a town clerk] the registrars in
245 excess of the number required by this subsection to be so posted may
246 be displayed by said [clerk at his] registrars at their discretion at
247 locations which are frequented by the public. No expenditure of state
248 funds shall be made to influence electors to vote for or against any
249 such proposed constitutional amendment.

250 Sec. 508. Subsection (a) of section 9-391 of the general statutes is

251 repealed and the following is substituted in lieu thereof (*Effective July*
252 *1, 2010*):

253 (a) Each endorsement of a candidate to run in a primary for the
254 nomination of candidates for municipal office to be voted upon at a
255 municipal election, or for the election of town committee members
256 shall be made under the provisions of section 9-390 not earlier than the
257 fifty-sixth day or later than the forty-ninth day preceding the day of
258 such primary. The endorsement shall be certified to the clerk of the
259 municipality by either (1) the chairman or presiding officer, or (2) the
260 secretary of the town committee, caucus or convention, as the case may
261 be, not later than four o'clock p.m. on the forty-eighth day preceding
262 the day of such primary. Such certification shall contain the name
263 [and] of each such endorsed candidate as the candidate authorizes it to
264 appear on the ballot, the signature of each such endorsed candidate,
265 the street address of each person so endorsed, the title of the office or
266 the position as committee member and the name or number of the
267 political subdivision or district, if any, for which each such person is
268 endorsed. If such a certificate of a party's endorsement is not received
269 by the town clerk by such time, such certificate shall be invalid and
270 such party, for purposes of sections 9-417, 9-418 and 9-419, shall be
271 deemed to have neither made nor certified such endorsement of any
272 candidate for such office.

273 Sec. 509. Section 9-452 of the general statutes is repealed and the
274 following is substituted in lieu thereof (*Effective July 1, 2010*):

275 All minor parties nominating candidates for any elective office shall
276 make such nominations and certify and file a list of such nominations,
277 as required by this section, not later than the sixty-second day prior to
278 the day of the election at which such candidates are to be voted for. A
279 list of nominees in printed or typewritten form that includes each
280 candidate's name as each candidate authorizes it to appear on the
281 ballot, the signature of each candidate, the full street address of each
282 candidate and the title and district of the office for which each
283 candidate was nominated shall be certified by the presiding officer of

284 the committee, meeting or other authority making such nomination
285 and shall be filed by such presiding officer with the Secretary of the
286 State, in the case of state or district office or the municipal office of
287 state representative, state senator or judge of probate, or with the clerk
288 of the municipality, in the case of municipal office, not later than the
289 sixty-second day prior to the day of the election. The clerk of such
290 municipality shall promptly verify and correct the names on any such
291 list filed with him, or the names of nominees forwarded to him by the
292 Secretary of the State, in accordance with the registry list of such
293 municipality and endorse the same as having been so verified and
294 corrected. For purposes of this section, a list of nominations shall be
295 deemed to be filed when it is received by the secretary or clerk, as
296 appropriate.

297 Sec. 510. Section 9-461 of the general statutes is repealed and the
298 following is substituted in lieu thereof (*Effective July 1, 2010*):

299 Not later than the seventh day following the date set for the primary
300 for nomination at any election at which a municipal office is to be
301 filled, the clerk of the municipality in which such election is to be held
302 shall file with the Secretary of the State a list of the candidates of each
303 party for the municipal offices to be filled at such election nominated
304 in accordance with the provisions of this chapter. Such list shall be on a
305 form provided by the Secretary of the State and shall indicate the name
306 and address of each candidate and the office and term for which each
307 candidate has been nominated, and, except for major party candidates
308 for the municipal offices of state senator or state representative, shall
309 contain the certification of such municipal clerk that he has compared
310 the name of each such candidate with the candidate's name as [it
311 appears on the registry list] the candidate authorizes it to appear on
312 the ballot, pursuant to the certificate filed in accordance with
313 subsection (c) of section 9-391, or the statement of consent filed in
314 accordance with section 9-409, as amended by this act, as applicable,
315 and has verified and corrected the same. In the case of major party
316 candidates for the municipal offices of state senator or state
317 representative, such list shall contain the certification of the [town]

318 municipal clerk that he has compared the name of each such candidate
319 with the candidate's name as the candidate has authorized, on the
320 certificate or statement of consent filed under subsection [(b)] (c) of
321 section 9-391 or section 9-409, as amended by this act, his name to
322 appear, and has verified and corrected the same. Such list shall include
323 a statement of the total number of candidates for which each elector
324 may vote for each office and term at such election as set forth in the list
325 or amendment or supplement thereto filed with the Secretary of the
326 State under section 9-254. After the filing of such list of candidates, the
327 clerk of the municipality shall forthwith notify the Secretary of the
328 State of any errors in such list or of any changes in such list provided
329 for in section 9-329a or 9-460.

330 Sec. 511. (*Effective from passage*) Notwithstanding the provisions of
331 section 9-6 of the general statutes, as amended by this act, a
332 municipality divided into two voting districts that elect registrars of
333 voters for each voting district and that compensates such registrars of
334 voters for attending two conferences a year shall, until January 9,
335 2013, only compensate two registrars of opposite political parties for
336 each such conference and, if the registrars are unable to agree as to the
337 two registrars to be so compensated, such determination shall be made
338 at least three days prior to such conference by the chief executive
339 officer of the municipality."