



General Assembly

January Session, 2011

***Raised Bill No. 938***

LCO No. 3130

\*03130\_\_\_\_\_GAE\*

Referred to Committee on Government Administration and Elections

Introduced by:  
(GAE)

***AN ACT CONCERNING TECHNICAL AND MINOR CHANGES TO ELECTIONS-RELATED STATUTES.***

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

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 Section 9-1 of the general statutes is repealed and the  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

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

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

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

12 (c) "Clerical error" means any error in the registry list or enrollment  
13 list due to a mistake or an omission on the part of the printer or a

14 mistake or omission made by the registrars or their assistants;

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

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

21 (f) Repealed by P.A. 77-298, S. 14;

22 (g) "Municipal clerk" means the clerk of a municipality;

23 (h) "Municipal election" means the regularly recurring election held  
24 in a municipality at which the electors of the municipality choose  
25 public officials of such municipality;

26 (i) "Municipality" means any city, borough or town within the state;

27 (j) "Official ballot" means the official ballot to be used at an election,  
28 or the official [paper] ballot to be used thereat in accordance with the  
29 provisions of [sections 9-271 and] section 9-272;

30 (k) "Population" means the population according to the last-  
31 completed United States census;

32 (l) "Presidential electors" means persons elected to cast their ballots  
33 for President and Vice President of the United States;

34 (m) "Print" means methods of duplication of words by mechanical  
35 process, but shall not include typewriting;

36 (n) "Referendum" means (1) a question or proposal which is  
37 submitted to a vote of the electors or voters of a municipality at any  
38 regular or special state or municipal election, as defined in this section,  
39 (2) a question or proposal which is submitted to a vote of the electors  
40 or voters, as the case may be, of a municipality at a meeting of such

41 electors or voters, which meeting is not an election, as defined in  
42 subsection (d) of this section, and is not a town meeting, or (3) a  
43 question or proposal which is submitted to a vote of the electors or  
44 voters, as the case may be, of a municipality at a meeting of such  
45 electors or voters pursuant to section 7-7 or pursuant to charter or  
46 special act;

47 (o) "Regular election" means any state or municipal election;

48 (p) "Registrars" means the registrars of voters of the municipality;

49 (q) "Registry list" means the list of electors of any municipality  
50 certified by the registrars;

51 (r) "Special election" means any election not a regular election;

52 (s) "State election" means the election held in the state on the first  
53 Tuesday after the first Monday in November in the even-numbered  
54 years in accordance with the provisions of the Constitution of  
55 Connecticut;

56 (t) "State officers" means the Governor, Lieutenant Governor,  
57 Secretary of the State, Treasurer, Comptroller and Attorney General;

58 (u) "Voter" means a person qualified to vote at town and district  
59 meetings under the provisions of section 7-6;

60 (v) "Voting district" means any municipality, or any political  
61 subdivision thereof, having not more than one polling place in a  
62 regular election;

63 (w) "Voting tabulator" means a machine, including, but not limited  
64 to, a device which operates by electronic means, for the registering and  
65 recording of votes cast at elections, primaries and referenda;

66 (x) "Write-in ballot" means a vote cast for any person whose name  
67 does not appear on the official ballot as a candidate for the office for  
68 which [his] the person's name is written in;

69 (y) "The last session for admission of electors prior to an election"  
70 means the day which is the seventh day prior to an election.

71 Sec. 2. Section 9-4 of the general statutes is repealed and the  
72 following is substituted in lieu thereof (*Effective from passage*):

73 The Secretary of the State, in addition to other duties imposed by  
74 law, shall, as such commissioner, (1) advise local election officials in  
75 connection with proper methods of conducting elections and referenda  
76 as defined in subsection (n) of section 9-1, as amended by this act, and,  
77 upon request of a municipal official, matters arising under chapter 99;  
78 (2) prepare regulations and instructions for the conduct of elections, as  
79 designated by law; (3) provide local election officials with a sufficient  
80 number of copies of election laws pamphlets and materials necessary  
81 to the conduct of elections; (4) distribute all materials concerning  
82 proposed laws or amendments required by law to be submitted to the  
83 electors; (5) recommend to local election officials the form of  
84 registration cards and blanks; (6) determine, in the manner provided  
85 by law, the forms for the preparation of voting [machines] tabulators,  
86 for the recording of the vote and the conduct of the election and  
87 certification of election returns; (7) prepare the ballot title or statement  
88 to be placed on the ballot for any proposed law or amendment to the  
89 Constitution to be submitted to the electors of the state; (8) certify to  
90 the several boards the form of official ballots for state and municipal  
91 offices; (9) provide the form and manner of filing notification of  
92 vacancies, nomination and subsequent appointment to fill such  
93 vacancies; (10) prescribe, provide and distribute absentee voting forms  
94 for use by the municipal clerks; (11) examine and approve nominating  
95 petitions filed under section 9-453o; and (12) distribute corrupt  
96 practices forms and provide instructions for completing and filing the  
97 same.

98 Sec. 3. Subdivision (1) of subsection (a) of section 9-7b of the general  
99 statutes is repealed and the following is substituted in lieu thereof  
100 (*Effective from passage*):

101 (1) To make investigations on its own initiative or with respect to  
102 statements filed with the commission by the Secretary of the State or  
103 any town clerk, or upon written complaint under oath by any  
104 individual, with respect to alleged violations of any provision of the  
105 general statutes relating to any election or referendum, any primary  
106 held pursuant to section 9-423, 9-425 or 9-464 or any primary held  
107 pursuant to a special act, and to hold hearings when the commission  
108 deems necessary to investigate violations of any provisions of the  
109 general statutes relating to any such election, primary or referendum,  
110 and for the purpose of such hearings the commission may administer  
111 oaths, examine witnesses and receive oral and documentary evidence,  
112 and shall have the power to subpoena witnesses under procedural  
113 rules the commission shall adopt, to compel their attendance and to  
114 require the production for examination of any books and papers which  
115 the commission deems relevant to any matter under investigation or in  
116 question. In connection with its investigation of any alleged violation  
117 of any provision of chapter 145, or of any provision of section 9-359 or  
118 section 9-359a, the commission shall also have the power to subpoena  
119 any municipal clerk and to require the production for examination of  
120 any absentee ballot, inner and outer envelope from which any such  
121 ballot has been removed, depository envelope containing any such  
122 ballot or inner or outer envelope as provided in sections 9-150a and 9-  
123 150b, as amended by this act, and any other record, form or document  
124 as provided in section 9-150b, as amended by this act, in connection  
125 with the election, primary or referendum to which the investigation  
126 relates. In case of a refusal to comply with any subpoena issued  
127 pursuant to this subsection or to testify with respect to any matter  
128 upon which that person may be lawfully interrogated, the superior  
129 court for the judicial district of Hartford, on application of the  
130 commission, may issue an order requiring such person to comply with  
131 such subpoena and to testify; failure to obey any such order of the  
132 court may be punished by the court as a contempt thereof. In any  
133 matter under investigation which concerns the operation or inspection  
134 of or outcome recorded on any voting [machine] tabulator, the

135 commission may issue an order to the municipal clerk to impound  
136 such [machine] tabulator until the investigation is completed.

137 Sec. 4. Subsection (a) of section 9-135a of the general statutes is  
138 repealed and the following is substituted in lieu thereof (*Effective from*  
139 *passage*):

140 (a) Each absentee ballot shall be arranged to resemble the  
141 appropriate ballot [label] and sample ballot [label] as prescribed by  
142 law, and shall include, as applicable, the offices, party designations,  
143 names of candidates and questions to be voted upon and spaces for  
144 write-in votes. A replica of the state seal shall be printed on the ballot.  
145 The size, type, form, instructions, specifications for paper and printing  
146 and other specifications shall be prescribed by the Secretary of the  
147 State. [The Secretary of the State shall provide a ballot facsimile to each  
148 municipal clerk for use in preparing the ballot form.]

149 Sec. 5. Subsection (a) of section 9-135b of the general statutes is  
150 repealed and the following is substituted in lieu thereof (*Effective from*  
151 *passage*):

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

157 Sec. 6. Subsections (b) and (c) of section 9-150b of the general  
158 statutes are repealed and the following is substituted in lieu thereof  
159 (*Effective from passage*):

160 (b) If the absentee ballots were counted at the polls, when all  
161 counting is complete the moderator shall publicly declare the result of  
162 such count as provided in section 9-309, as amended by this act, and  
163 add such count to the results from the voting [machines] tabulators  
164 recorded on the moderator's return. Such return shall show separately

165 the [machine] tabulator vote and the absentee vote and the totals  
166 thereof.

167 (c) If the absentee ballots were counted at a central location, when  
168 all counting is complete the moderator shall publicly declare the result  
169 of such count. [He] The moderator shall then deliver to the head  
170 moderator the central counting moderator's returns, together with all  
171 other information required by law or by the Secretary of the State's  
172 instructions. The head moderator shall add the results from the voting  
173 [machines] tabulators, recorded on the moderator's return for each  
174 polling place, to the absentee count recorded on the central counting  
175 moderator's return for the corresponding voting district, in the manner  
176 prescribed by the Secretary of the State. The returns so completed shall  
177 show separately the [machine] tabulator vote and the absentee vote  
178 and the totals thereof.

179 Sec. 7. Section 9-150d of the general statutes is repealed and the  
180 following is substituted in lieu thereof (*Effective from passage*):

181 A voting [machine] tabulator approved by the Secretary of the State  
182 under section 9-242, as amended by this act, may be used to count  
183 absentee ballots in any municipality at an election, primary or  
184 referendum, provided the registrars of voters of the municipality  
185 approve the use of such [machine] tabulator and the Secretary of the  
186 State prescribes specifications for (1) the security, testing, set-up,  
187 operation and canvassing of the [machine] tabulator, (2) such absentee  
188 ballots, and (3) the training of election officials in the use of the  
189 [machine] tabulator.

190 Sec. 8. Subsections (a) and (b) of section 9-168a of the general  
191 statutes are repealed and the following is substituted in lieu thereof  
192 (*Effective from passage*):

193 (a) Any provision of the general statutes to the contrary  
194 notwithstanding, in any municipality in which, at any election, or  
195 primary, as a result of the assembly, senatorial or congressional district

196 lines in effect, there is a voting district or a part of a voting district  
197 which differs geographically from the district lines as constituted in a  
198 municipal election year, the registrars of voters may either provide a  
199 suitable polling place therein or may, in lieu thereof, with the approval  
200 of the legislative body of the municipality, provide separate voting  
201 [machines] tabulators in the polling place of another voting district in  
202 [said] such municipality for use by such electors. The registrars of  
203 voters shall determine which polling place officials are necessary for  
204 such separate [machines] tabulators and shall provide the procedure to  
205 ensure that the electors use the proper voting [machine] tabulator,  
206 which procedure may include the registrars of voters prescribing and  
207 providing receipts.

208 (b) Any provision of the general statutes to the contrary  
209 notwithstanding, in any municipality in which, at any election or  
210 primary, as a result of the assembly, senatorial or congressional district  
211 lines in effect, there is a voting district with less than one thousand five  
212 hundred electors who vote for a combination of officers that no other  
213 electors of the town vote for, the registrars of voters may either  
214 provide a suitable polling place therein or may, in lieu thereof, provide  
215 separate voting [machines] tabulators in the polling place of another  
216 voting district in [said] such municipality for use by such electors. If  
217 the registrars of voters provide separate voting [machines] tabulators  
218 in the polling place of another voting district, they shall determine  
219 which polling place officials are necessary for the district containing  
220 less than one thousand five hundred electors and shall provide the  
221 procedure to ensure that the electors use the proper voting [machines]  
222 tabulator, which procedure may include the registrars of voters  
223 prescribing and providing receipts.

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

226 Unless otherwise provided by law each town shall, at its regular  
227 municipal election, elect a first selectman, who shall be town agent

228 unless otherwise provided by law, and two other selectmen or, in the  
229 case of any town having a population of ten thousand or more, not  
230 more than six other selectmen. The selectmen so elected shall  
231 constitute the board of selectmen for such town. Unless otherwise  
232 provided by special act, charter or ordinance the votes cast, including  
233 any valid write-in votes, for an unsuccessful candidate for first  
234 selectman shall be counted as votes for him as a member of such  
235 board, provided no elector may be a candidate for both the office of  
236 first selectman and that of selectman by virtue of nomination by a  
237 major or minor party or a nominating petition or registration of write-  
238 in candidacy, or any combination thereof. The provisions of section 9-  
239 167a shall apply to the election of selectmen, except that when the total  
240 membership of such board is five, the maximum number who may be  
241 members of the same political party shall be three, and provided that  
242 for the purpose of determining minority representation, the total  
243 membership of such board shall be deemed to include the first  
244 selectman, unless otherwise provided by special act or charter. Unless  
245 otherwise provided by special act, charter or ordinance, an elector shall  
246 not vote for more candidates for the office of selectman than a political  
247 party can elect pursuant to section 9-167a, provided that the number of  
248 such candidates that an elector can vote for shall be deemed to include  
249 the first selectman. If the electors fail to elect a first selectman at any  
250 election by reason of an equality of votes, such election for the office of  
251 first selectman and the election for selectmen shall stand adjourned  
252 and such adjourned election shall be held as provided in section 9-332.  
253 The [ballot labels] ballots used in such adjourned election shall contain  
254 only the names of the candidates for the offices of first selectman and  
255 selectman which appeared on the ballot [label] used in the election at  
256 which the tie vote resulted for the office of first selectman.

257 Sec. 10. Section 9-224 of the general statutes is repealed and the  
258 following is substituted in lieu thereof (*Effective from passage*):

259 If any special election is called to fill a vacancy in any office on the  
260 same day as a regular election, the names of the candidates for such

261 office shall be placed on the same [voting machine] ballot as the names  
262 of the candidates to be voted for at such regular election, and except as  
263 otherwise specifically provided by statute, the provisions of the  
264 statutes governing regular elections shall apply to such special  
265 election.

266 Sec. 11. Subsection (b) of section 9-229 of the general statutes is  
267 repealed and the following is substituted in lieu thereof (*Effective from*  
268 *passage*):

269 (b) The Secretary of the State shall (1) request registrars of voters to  
270 volunteer to serve as instructors for moderators and alternate  
271 moderators, (2) select registrars from among such volunteers to serve  
272 as such instructors, (3) establish a curriculum for instructional sessions  
273 for moderators and alternate moderators, (4) establish the number of  
274 such instructional sessions, provided at least one such instructional  
275 session shall be held in each congressional district in each calendar  
276 year, (5) train the instructors for such sessions, and (6) certify  
277 moderators and alternate moderators. The curriculum for such  
278 instructional sessions shall include, without limitation, procedures for  
279 counting and recording absentee ballots, "hands on" training in the use  
280 of voting [machines] tabulators, and the duties of a moderator in the  
281 conduct of a primary and election. The secretary may employ  
282 assistants on a temporary basis within existing budgetary resources for  
283 the purpose of implementing the provisions of this section. Such  
284 assistants shall not be subject to the provisions of chapter 67. The  
285 instructors shall conduct instructional sessions for moderators and  
286 alternate moderators in accordance with their training by the Secretary  
287 of the State and the curriculum for such sessions. Any elector may  
288 attend one or more of such instructional sessions. Each instructor shall  
289 provide the Secretary of the State with the name and address of each  
290 person who completes such a session.

291 Sec. 12. Section 9-234 of the general statutes is repealed and the  
292 following is substituted in lieu thereof (*Effective from passage*):

293 Each registrar shall be present during the taking of the vote at any  
294 regular or special state or municipal election in [his] the registrar's  
295 town or district. The assistants in their respective districts shall, when  
296 requested by either registrar, be present at the taking of any such vote  
297 and discharge the duties of registrars. Each registrar shall appoint  
298 some suitable person to check the list in each district, unless the  
299 municipality has established two shifts for election officials under the  
300 provisions of section 9-258a, in which case each such registrar shall  
301 appoint one such person for each district for each shift. Each such  
302 person, who is so appointed checker, shall check the name of each  
303 elector [thereon] on such list when [he] the elector offers [his] the  
304 elector's vote, and no voting [machine] tabulator tender shall permit  
305 any vote to be cast upon the voting [machine] tabulator until the name  
306 has been so checked.

307 Sec. 13. Subsection (b) of section 9-235 of the general statutes is  
308 repealed and the following is substituted in lieu thereof (*Effective from*  
309 *passage*):

310 (b) Except for rows of candidates entitled to unofficial checkers  
311 under subsection (a) of this section, each group of three or more  
312 electors whose names appear in one single row on the [voting  
313 machine] ballot [label] in a voting district, may designate not more  
314 than two electors of the town in which the voting district is located, to  
315 serve as unofficial checkers on behalf of the candidates whose names  
316 appear in such row. Such candidates shall submit a list of the names of  
317 such designees to the registrars of voters at least forty-eight hours  
318 prior to the election. The registrars shall verify that each such designee  
319 is an elector of the town and shall appoint not more than two such  
320 designees to serve each such row of candidates. The registrars shall, at  
321 the request of such a group of three or more electors, change such  
322 designations at any time before the closing of the polls on the day of an  
323 election.

324 Sec. 14. Section 9-235d of the general statutes is repealed and the

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

326 (a) Notwithstanding any provision of sections 9-233, 9-235 and 9-258  
327 to the contrary, a United States citizen who is sixteen or seventeen  
328 years of age and a bona fide resident of a town may be (1) appointed as  
329 a challenger or unofficial checker in an election, or (2) appointed as a  
330 checker, translator or voting [machine] tabulator tender in an election  
331 after (A) attending poll worker training, and (B) receiving the written  
332 permission of a parent, guardian or the principal of the school that the  
333 citizen attends if the citizen is a secondary school student and the  
334 citizen is to be appointed to work on a day when such school is in  
335 session.

336 (b) Notwithstanding any provision of section 9-436 or 9-436a to the  
337 contrary, a United States citizen who is sixteen or seventeen years of  
338 age and a bona fide resident of a town or political subdivision holding  
339 a primary may be (1) appointed as a challenger or candidate checker in  
340 the primary, or (2) appointed as a checker, translator or voting  
341 [machine] tabulator tender in a primary after (A) attending poll worker  
342 training, and (B) receiving the written permission of a parent, guardian  
343 or the principal of the school that the citizen attends if the citizen is a  
344 secondary school student and the citizen is to be appointed to work on  
345 a day when such school is in session.

346 Sec. 15. Section 9-236a of the general statutes is repealed and the  
347 following is substituted in lieu thereof (*Effective from passage*):

348 Any town, on its own initiative or upon a request by the Secretary of  
349 the State, and with the approval of the legislative body of the town or,  
350 in the case of a town in which the legislative body is a town meeting,  
351 the board of selectmen, may require a spare voting [machine] tabulator  
352 or ballot box to be provided inside any polling place or in a room  
353 adjacent to the polling place, for the educational use of students from  
354 kindergarten to grade twelve, inclusive. Upon such approval, the  
355 registrars shall establish procedures for the use of the [machine]  
356 tabulator or ballot box, including, but not limited to: (1) Location and

357 preparation of the [machine] tabulator or ballot box, (2) duties of  
358 [machine] tabulator or ballot box tenders, and (3) canvassing the  
359 returns. Any such machine shall be in addition to the demonstrator or  
360 spare voting [machine] tabulator required by section 9-260. Ballots  
361 completed by students under this section shall be unofficial, and  
362 polling place officials shall not be required to handle or count such  
363 ballots. Each student who will be using such [machine] tabulator or  
364 ballot box inside a polling place or a room adjacent to the polling place  
365 shall be accompanied by an adult. The supervisor of such students for  
366 the purposes of this section shall submit the names of all adults who  
367 will be working with such students to the registrars at least forty-eight  
368 hours before the election.

369 Sec. 16. Section 9-238 of the general statutes is repealed and the  
370 following is substituted in lieu thereof (*Effective from passage*):

371 (a) Except as provided in [sections 9-271 and] section 9-272, voting  
372 [machines] tabulators shall be used at all elections held in any  
373 municipality, or in any part thereof, for voting and registering and  
374 counting votes cast at such elections for officers, and upon all  
375 questions or amendments submitted at such elections. The board of  
376 selectmen of each town, the common council of each city and the  
377 warden and burgesses of each borough shall purchase or lease, or  
378 otherwise provide, for use at elections in each such municipality a  
379 number of voting tabulators approved by the Secretary of the State.  
380 Different voting tabulators may be provided for different voting  
381 districts in the same municipality. Notwithstanding any provision of  
382 this subsection to the contrary, the registrars of voters of a  
383 municipality may determine the number of voting tabulators that shall  
384 be provided for use at any special election in such municipality,  
385 provided the registrars shall provide at least one voting tabulator in  
386 the municipality or, in a municipality divided into voting districts, at  
387 least one voting tabulator in each such district.

388 (b) Upon the purchase or lease of a voting tabulator for use in any

389 municipality, the officials of such municipality purchasing or leasing  
390 the same shall forthwith send notification in writing to the Secretary of  
391 the State of the name or make of such tabulator, the name of the person  
392 who manufactured the same, the name of the person from whom it  
393 was purchased or leased and the date on which it was purchased or  
394 leased. No voting tabulator shall be used in an election which, in the  
395 opinion of the Secretary of the State, does not conform to the  
396 requirements of law, is unsuitable for use in such election or does not  
397 comply with the voluntary performance and test standards for voting  
398 systems adopted by the Election Assistance Commission pursuant to  
399 the Help America Vote Act, P.L. 107-252, 43 USC 15481. When in any  
400 municipality the use of a voting tabulator at elections is discontinued  
401 because of its age or condition or because it is sold, or for any other  
402 reason, such officials shall send written notification to the Secretary of  
403 the discontinuance of such tabulator, of the time of and reason for such  
404 discontinuance and of the information required in connection with  
405 notification of original purchasing or leasing.

406 Sec. 17. Section 9-238a of the general statutes is repealed and the  
407 following is substituted in lieu thereof (*Effective from passage*):

408 During the first week of February in each year, the town clerk of  
409 each town shall notify the Secretary of the State, on a form provided by  
410 said secretary, of the total number of [names on the active registry list  
411 and on each enrollment list and the total number of unaffiliated  
412 electors, in such town, and of the total number of] voting [machines  
413 therein] tabulators in such town and, in towns divided into voting  
414 districts, in addition, the same information for each voting district. If  
415 the number of [machines] tabulators listed in such notification is less  
416 than the number required under section 9-238, as amended by this act,  
417 the town clerk shall include in such notification an explanation of the  
418 discrepancy. Each such clerk shall also file a duplicate copy of such  
419 notification with the officials who are required to provide voting  
420 [machines] tabulators in [his] the clerk's municipality under section 9-  
421 238, as amended by this act.

422 Sec. 18. Section 9-239 of the general statutes is repealed and the  
423 following is substituted in lieu thereof (*Effective from passage*):

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

429 Sec. 19. Section 9-240 of the general statutes is repealed and the  
430 following is substituted in lieu thereof (*Effective from passage*):

431 The board of selectmen in each town, unless otherwise provided by  
432 law, shall provide or may authorize the registrars to provide a suitable  
433 room or rooms and voting [machine] booths for holding all elections.  
434 The interior of the booths shall be secure from outside observation.  
435 [Said] Such board shall provide for each polling place, in accordance  
436 with the requirements of section 9-238, as amended by this act, one or  
437 more voting [machines] tabulators in complete working order, and  
438 shall preserve and keep them in repair and have the custody of the  
439 voting [machines] tabulators, and the care and custody of the furniture  
440 and equipment of the polling place, when not in use at an election.

441 Sec. 20. Section 9-240a of the general statutes is repealed and the  
442 following is substituted in lieu thereof (*Effective from passage*):

443 Not more than two hundred ten days nor less than thirty days prior  
444 to each regular election for state officers, each voting [machine]  
445 tabulator to be used in the next succeeding regular election, including  
446 each additional [machines] tabulator required under section 9-238, as  
447 amended by this act, shall be examined by the company which  
448 manufactured the same or its successor or, with the approval of the  
449 Secretary of the State, by persons skilled in the mechanics and  
450 operation of [said machines] such tabulator, for the purpose of  
451 determining that such [machine] tabulator is in sound operable  
452 condition for use in such election. Arrangements for such examination

453 shall be made by the officials responsible for providing voting  
454 [machines] tabulators under section 9-238, as amended by this act. The  
455 company or person making such examination shall file a report with  
456 respect to each [machine] tabulator with the Secretary of the State and  
457 with [said] such officials, indicating whether or not such [machine]  
458 tabulator is in sound operable condition. When, as a result of any such  
459 examination, a [machine] tabulator is found not to be in sound  
460 operable condition, [said] such officials shall have such machine  
461 repaired, or shall provide a voting [machine] tabulator in sound  
462 operable condition to replace the [machine] tabulator found  
463 inoperable. The cost for such examination in each town shall be paid  
464 by such town. Failure to cause the examination of a voting [machine]  
465 tabulator, as herein required, shall not, of itself, prevent the use of such  
466 [machine] tabulator in any election.

467 Sec. 21. Subsection (a) of section 9-241 of the general statutes is  
468 repealed and the following is substituted in lieu thereof (*Effective from*  
469 *passage*):

470 (a) Any person owning or holding an interest in any voting  
471 [machine] tabulator, as defined in subsection (w) of section 9-1, may  
472 apply to the Secretary of the State to examine such [machine] tabulator  
473 and report on its accuracy and efficiency. The Secretary of the State  
474 shall examine the [machine] tabulator and determine whether, in the  
475 Secretary's opinion, the kind of [machine] tabulator so examined (1)  
476 meets the requirements of section 9-242, as amended by this act, (2) can  
477 be used at elections, primaries and referenda held pursuant to this title,  
478 and (3) [in the case of an electronic voting machine examined by the  
479 Secretary after the Voting Technology Standards Board submits the  
480 report required under section 9-242c, complies with the standards  
481 adopted by said board under section 9-242c] complies with applicable  
482 standards for electronic voting tabulators. If the Secretary of the State  
483 determines that the [machine] tabulator can be so used, such [machine]  
484 tabulator may be adopted for such use. No [machine] tabulator not so  
485 approved shall be so used. Each application shall be accompanied by a

486 fee of one hundred dollars and the Secretary of the State shall not  
487 approve any [machine] tabulator until such fee and the expenses  
488 incurred by the Secretary in making the examination have been paid  
489 by the person making such application. Any voting [machine]  
490 tabulator company that has had its voting [machine] tabulator  
491 approved and that subsequently alters such [machine] tabulator in any  
492 way shall provide the Secretary of the State with notice of such  
493 alterations, including a description thereof and a statement of the  
494 purpose of such alterations. If any such alterations appear to materially  
495 affect the accuracy, appearance or efficiency of the [machine] tabulator,  
496 or modify the [machine] tabulator so that it can no longer be used at  
497 elections, primaries or referenda held pursuant to this title, at the  
498 discretion of the Secretary of the State, the company shall submit such  
499 alterations for inspection and approval, at its own expense, before such  
500 altered [machines] tabulators may be used. The Secretary of the State  
501 may adopt regulations, in accordance with the provisions of chapter  
502 54, concerning examination and approval of voting [machines]  
503 tabulators under this section. No voting [machine] tabulator that  
504 records votes by means of holes punched in designated voting  
505 response locations may be approved or used at any election, primary  
506 or referendum held pursuant to this title.

507 Sec. 22. Section 9-242 of the general statutes is repealed and the  
508 following is substituted in lieu thereof (*Effective from passage*):

509 (a) A voting [machine] tabulator approved by the Secretary of the  
510 State shall be so constructed as to provide facilities for voting for the  
511 candidates of at least nine different parties or organizations. It shall  
512 permit voting in absolute secrecy. It shall be provided with a lock by  
513 means of which any illegal movement of the voting or registering  
514 mechanism is absolutely prevented. Such [machine] tabulator shall be  
515 so constructed that an elector cannot vote for a candidate or on a  
516 proposition for whom or on which [he] the elector is not lawfully  
517 entitled to vote.

518 (b) It shall be so constructed as to prevent an elector from voting for  
519 more than one person for the same office, except when [he] the elector  
520 is lawfully entitled to vote for more than one person for that office, and  
521 it shall afford [him] the elector an opportunity to vote for only as many  
522 persons for that office as [he] the elector is by law entitled to vote for,  
523 at the same time preventing [his] the elector from voting for the same  
524 person twice. It shall be so constructed that all votes cast will be  
525 registered or recorded by the machine.

526 (c) Notwithstanding the provisions of subsection (b) of this section,  
527 the Secretary of the State may approve a voting [machine] tabulator  
528 which requires the elector in the polls to place [his] the elector's ballot  
529 into the recording device and which meets the voluntary performance  
530 and test standards for voting systems adopted by (1) the Federal  
531 Election Commission on January 25, 1990, as amended from time to  
532 time, or (2) the Election Assistance Commission pursuant to the Help  
533 America Vote Act of 2002, P.L. 107-252, 42 USC 15481-85, as amended  
534 from time to time, whichever standards are most current at the time of  
535 the Secretary of the State's approval, and regulations which the  
536 Secretary of the State may adopt in accordance with the provisions of  
537 chapter 54, provided the voting [machine] tabulator shall (A) warn the  
538 elector of overvotes, (B) not record overvotes, and (C) not record more  
539 than one vote of an elector for the same person for an office.

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

543 (1) (A) Contemporaneously produce an individual, permanent,  
544 paper record containing all of the elector's selections of ballot  
545 preferences for candidates and questions or proposals, if any, prior to  
546 the elector's casting a ballot, as set forth in this subsection, and (B)  
547 produce at any time after the close of the polls a voting [machine]  
548 tabulator generated, individual, permanent, paper record of each such  
549 elector's selections of ballot preferences for candidates and questions

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

556 (2) Provide each elector with an opportunity to verify that the  
557 contemporaneously produced, individual, permanent, paper record  
558 accurately conforms to such elector's selection of ballot preferences, as  
559 reflected on the electronic summary screen, and to hear, if desired, an  
560 audio description of such electronic summary screen, for the purpose  
561 of having an opportunity to make any corrections or changes prior to  
562 casting the ballot. If an elector makes corrections or changes prior to  
563 casting the ballot, the voting [machine] tabulator shall void such  
564 contemporaneously produced paper record, contemporaneously  
565 produce another paper record containing such corrections or changes  
566 and provide the elector with another opportunity to verify ballot  
567 preferences in accordance with the provisions of this subdivision. As  
568 used in this section, "electronic summary screen" means a screen  
569 generated by a direct recording electronic voting [machine] tabulator  
570 that displays a summary of an elector's selections of ballot preferences  
571 for candidates and questions or proposals, if any, at an election or  
572 primary;

573 (3) Provide that a ballot shall be deemed cast on the voting  
574 [machine] tabulator at the time that an elector's contemporaneously  
575 produced, individual, permanent, voter-verified paper record,  
576 containing all of the elector's final selections of ballot preferences, is  
577 (A) deposited inside a receptacle designed to store all such paper  
578 records produced by such voting [machine] tabulator on the day of the  
579 election or primary, and (B) the elector's selection of ballot preferences  
580 is simultaneously electronically recorded inside the voting [machine]  
581 tabulator for the purpose of (i) being electronically tabulated  
582 immediately after the polls are closed on the day of the election or

583 primary, and (ii) producing, on such other day as required under  
584 section 9-242b, as amended by this act, a voting [machine] tabulator  
585 generated, individual, permanent, paper record of each such elector's  
586 selections of ballot preferences for candidates and questions or  
587 proposals, if any;

588 (4) Except as otherwise provided in subdivision (1) of section 9-  
589 242b, as amended by this act, secure the secrecy of each such elector's  
590 ballot by making it impossible for any other individual to identify the  
591 elector in relationship to such elector's selection of ballot preferences at  
592 the time that the elector (A) selects ballot preferences; (B) verifies the  
593 accuracy of the electronic summary screen by comparing it to the  
594 contemporaneously produced, individual, permanent, paper record or  
595 the audio description of such electronic summary screen, prior to  
596 casting a ballot; (C) makes corrections or changes by reselecting ballot  
597 preferences and verifies the accuracy of such preferences in accordance  
598 with the provisions of subdivision (2) of this subsection prior to casting  
599 a ballot; and (D) casts the ballot; and at the time that all electors' ballots  
600 are canvassed, recanvassed or otherwise tallied to produce a final  
601 count of the vote for candidates and questions or proposals, if any,  
602 whether through the electronic vote tabulation process or through the  
603 manual count process of each elector's contemporaneously produced,  
604 individual, permanent, voter-verified paper record, as set forth in  
605 section 9-242b, as amended by this act; and

606 (5) (A) Be accessible to blind or visually impaired persons by  
607 providing each elector, if desired by the elector, an audio description  
608 of the contemporaneously produced individual, permanent, paper  
609 record containing all of the elector's selections of ballot preferences, in  
610 addition to an audio description of the electronic summary screen and  
611 comply with such additional standards of accessibility included in  
612 regulations that the Secretary of the State may adopt in accordance  
613 with the provisions of chapter 54.

614 (B) Notwithstanding the provisions of subparagraph (A) of this

615 subdivision, on or before June 30, 2007, the Secretary of the State may  
616 approve an electronic voting [machine] tabulator that does not comply  
617 with the provisions of said subparagraph if (i) the Secretary  
618 determines that there are no electronic voting [machines] tabulators  
619 available for purchase or lease at the time of such approval that are  
620 capable of complying with said subparagraph (A), (ii) the electronic  
621 voting [machine] tabulator complies with the provisions of  
622 subdivisions (1) to (4), inclusive, of this subsection, and (iii) the person  
623 applying to the Secretary for approval of the electronic voting  
624 [machine] tabulator agrees to include a provision in any contract for  
625 the sale or lease of such voting [machines] tabulators that requires such  
626 person, upon notification by the Secretary that modifications to such  
627 [machines] tabulators that would bring the [machines] tabulators into  
628 compliance with said subparagraph (A) are available, to (I) so modify  
629 any electronic voting [machines] tabulators previously sold or leased  
630 under such contract in order to comply with said subparagraph (A),  
631 and (II) provide that any electronic voting [machines] tabulators sold  
632 or leased after receipt of such notice comply with said subparagraph  
633 (A). No voting [machine] tabulator approved under this subparagraph  
634 shall be used on or after July 1, 2007, unless it has been modified to  
635 comply with the provisions of subparagraph (A) of this subdivision.

636 Sec. 23. Section 9-242b of the general statutes is repealed and the  
637 following is substituted in lieu thereof (*Effective from passage*):

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

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

646 (2) A canvass of the votes shall take place inside the polling place

647 immediately following the close of the polls on the day of the election  
648 or primary in accordance with the requirements of chapter 148. With  
649 respect to direct recording electronic voting [machines] tabulators, any  
650 such canvass shall be an electronic vote tabulation of all of the votes  
651 cast on each such voting [machine] tabulator for each candidate and  
652 question or proposal, and the moderator shall attach a printout of such  
653 electronic vote tabulation to the tally sheets. The moderator shall then  
654 add together all of the votes recorded on each voting [machine]  
655 tabulator in use at the polling place, whether or not such voting  
656 [machines] tabulators were direct recording electronic voting  
657 [machines] tabulators, to produce a cumulative count within the  
658 polling place of all candidates and any questions or proposals  
659 appearing on the ballot in the election or primary. Any member of the  
660 public shall have a right to be present in the polling place to observe  
661 the canvass of the votes beginning as soon as the polls are declared  
662 closed by the moderator and continuing throughout the canvass of the  
663 votes of each voting [machine] tabulator until the final canvass of all of  
664 the votes cast on all of the voting [machines] tabulators in use in the  
665 polling place are added together for each candidate and question or  
666 proposal and publicly announced and declared by the moderator.

667 (3) If a recanvass of the votes is required pursuant to chapter 148,  
668 the recanvass officials shall, in addition to the other requirements of  
669 said chapter, conduct a manual tally of the individual, permanent,  
670 voter-verified, paper records contemporaneously produced by each  
671 direct recording electronic voting [machine] tabulator used within the  
672 geographical jurisdiction that is subject to such recanvass. The manual  
673 tally conducted for the recanvass shall be limited to the particular  
674 candidates and questions or proposals that are subject to recanvass. If  
675 the manual tabulation of such contemporaneously produced paper  
676 records does not reconcile with the electronic vote tabulation of a  
677 particular direct recording electronic voting [machine] tabulator or  
678 [machines] tabulators, such contemporaneously produced paper  
679 records shall be considered the true and correct record of each elector's  
680 vote on such electronic voting [machine] tabulator or [machines]

681 tabulators and shall be used as the official record for purposes of  
682 declaring the official election results or for purposes of any subsequent  
683 recanvass, tally or election contest conducted pursuant to chapters 148  
684 to 153, inclusive. If any of the contemporaneously produced  
685 individual, permanent, voter-verified paper records are found to have  
686 been damaged in such manner as they are unable to be manually  
687 tallied with respect to the ballot positions that are the subject of the  
688 recanvass, each such damaged record shall be matched against the  
689 voting [machine] tabulator generated, individual, permanent, paper  
690 record produced by the voting [machine] tabulator bearing the  
691 identical [machine-generated] tabulator-generated unique identifier as  
692 the damaged record and, in such instance, shall be substituted as the  
693 official record for purposes of determining the final election results or  
694 for purposes of any subsequent recanvass, tally or election contest.

695 (4) Notwithstanding the provisions of section 9-311, the Secretary of  
696 the State may order a discrepancy recanvass under said section of the  
697 returns of an election or a primary for a district office, a state office or  
698 the office of elector of President and Vice-President of the United  
699 States, if the Secretary has reason to believe that discrepancies may  
700 have occurred that could affect the outcome of the election or primary.  
701 Any such discrepancy recanvass may be conducted of the returns in  
702 any or all voting districts in (A) the district in which an election or  
703 primary is held, in the case of an election or primary for a district  
704 office, or (B) the state, in the case of an election or primary for a state  
705 office or the office of elector of President and Vice-President of the  
706 United States or a presidential preference primary, whichever is  
707 applicable. As used in this subdivision, "district office" and "state  
708 office" have the same meanings as provided in section 9-372.

709 (5) Not later than five business days after each election in which a  
710 direct recording electronic voting [machine] tabulator is used, the  
711 registrars of voters or their designees, representing at least two  
712 political parties, shall conduct a manual audit of the votes recorded on  
713 at least (A) two direct recording electronic voting [machines]

714 tabulators used in each assembly district, or (B) a number of direct  
715 recording electronic voting [machines] tabulators equal to fifty per cent  
716 of the number of voting districts in the municipality, whichever is less.  
717 Not later than five business days after a primary in which a direct  
718 recording electronic voting [machine] tabulator is used, the registrar of  
719 voters of the party holding the primary shall conduct such a manual  
720 audit by designating two or more individuals, one of whom may be  
721 the registrar, representing at least two candidates in the primary. The  
722 [machines] tabulators audited under this subdivision shall be selected  
723 in a random drawing that is announced in advance to the public and is  
724 open to the public. All direct recording electronic voting [machines]  
725 tabulators used within an assembly district shall have an equal chance  
726 of being selected for the audit. The Secretary of the State shall  
727 determine and publicly announce the method of conducting the  
728 random drawing, before the election. The manual audit shall consist of  
729 a manual tabulation of the contemporaneously produced, individual,  
730 permanent, voter-verified, paper records produced by each voting  
731 [machine] tabulator subject to the audit and a comparison of such  
732 count, with respect to all candidates and any questions or proposals  
733 appearing on the ballot, with the electronic vote tabulation reported  
734 for such voting [machine] tabulator on the day of the election or  
735 primary. Such audit shall not be required if a recanvass has been, or  
736 will be, conducted on the voting [machine] tabulator. Such manual  
737 audit shall be noticed in advance and be open to public observation. A  
738 reconciliation sheet, on a form prescribed by the Secretary of the State,  
739 that reports and compares the manual and electronic vote tabulations  
740 of each candidate and question or proposal on each such voting  
741 [machine] tabulator, along with any discrepancies, shall be prepared  
742 by the audit officials, signed and forthwith filed with the town clerk of  
743 the municipality and the Secretary of the State. If any  
744 contemporaneously produced, individual, permanent, voter-verified,  
745 paper record is found to have been damaged, the same procedures  
746 described in subdivision (3) of this section for substituting such record  
747 with the voting [machine] tabulator generated, individual, permanent,

748 paper record produced by the voting [machine] tabulator bearing the  
749 identical [machine] tabulator generated unique identifier as the  
750 damaged record shall apply and be utilized by the audit officials to  
751 complete the reconciliation. The reconciliation sheet shall be open to  
752 public inspection and may be used as prima facie evidence of a  
753 discrepancy in any contest arising pursuant to chapter 149. If the audit  
754 officials are unable to reconcile the manual count with the electronic  
755 vote tabulation and discrepancies, the Secretary of the State shall  
756 conduct such further investigation of the voting [machine] tabulator  
757 malfunction as may be necessary for the purpose of reviewing whether  
758 or not to decertify the voting [machine] tabulator or [machines]  
759 tabulators and may order a recanvass in accordance with the  
760 provisions of subdivision (4) of this section.

761 (6) The individual, permanent, voter-verified, paper records  
762 contemporaneously produced by any direct recording electronic  
763 voting [machine] tabulator in use at an election or primary held on or  
764 after July 1, 2005, shall be carefully preserved and returned in their  
765 designated receptacle in accordance with the requirements of section 9-  
766 266 [ 9-302] or 9-310, whichever is applicable, and may not be opened  
767 or destroyed, except during recanvass or manual audit as set forth in  
768 this section, for one hundred eighty days following an election or  
769 primary that does not include a federal office, pursuant to section 9-  
770 310, or for twenty-two months following an election or primary  
771 involving a federal office, pursuant to 42 USC 1974, as amended from  
772 time to time.

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

775 (8) After an election or primary, any voting [machine] tabulator may  
776 be kept locked for a period longer than that prescribed by sections 9-  
777 266, 9-310 and 9-447, as amended by this act, if such an extended  
778 period is ordered by either a court of competent jurisdiction or the  
779 State Elections Enforcement Commission. Either the court or said

780 commission may order an audit of such voting [machines] tabulators  
781 to be conducted by such persons as the court or said commission may  
782 designate.

783 Sec. 24. Section 9-245 of the general statutes is repealed and the  
784 following is substituted in lieu thereof (*Effective from passage*):

785 The reports of the [mechanics] registrars of voters, provided for  
786 under section 9-246, and the report provided for under subsection (c)  
787 of section 9-244, shall be filed with the municipal clerk and shall be  
788 kept by the municipal clerk for at least sixty days after the election for  
789 which the [machines] tabulators were so prepared.

790 Sec. 25. Section 9-248 of the general statutes is repealed and the  
791 following is substituted in lieu thereof (*Effective from passage*):

792 When a voting [machine] tabulator is purchased or leased or  
793 otherwise provided for use in any municipality, the Secretary of the  
794 State shall prepare or approve samples of the following printed matter  
795 and supplies and shall furnish one of each to the officials of such  
796 municipality who have so provided such [machine] tabulator in  
797 accordance with the provisions of section 9-238, as amended by this  
798 act: (1) Directions for testing and preparing the voting [machines]  
799 tabulators for the election; (2) one certificate on which the [mechanic]  
800 registrars of voters can certify that [he has] they have properly tested  
801 and prepared the [machine] tabulator for the election; (3) one  
802 certificate on which some person other than the [mechanic] registrars  
803 of voters who prepared the [machine] tabulator can certify that the  
804 [machine] tabulator has been examined and found to have been  
805 properly prepared for the election; (4) one certificate on which can be  
806 certified that party watchers have witnessed the testing and preparing  
807 of the [machines] tabulators; (5) one certificate that the [machines]  
808 tabulators have been delivered to polling places in good order; (6) one  
809 card for each polling place, stating the penalty for tampering with or  
810 injuring a voting [machine] tabulator; (7) two seals for sealing the  
811 [machine] tabulator; [(8) one envelope in which the keys to the

812 machine can be sealed and delivered to the election officials, such  
 813 envelope to have printed or written thereon the designation and  
 814 location of the voting district in which the machine is to be used, the  
 815 number of the machine, the number shown on the protective counter  
 816 thereof after the machine has been prepared for the election and the  
 817 number or other designation on such seal as the machine is sealed  
 818 with, such envelope to have attached to it a detachable receipt for the  
 819 delivery of the keys to the voting machine to the election officials; (9)  
 820 one envelope in which the keys to the voting machine can be returned  
 821 by the election officials after the election; (10) one card stating the  
 822 name and telephone number and address of the mechanic on the day  
 823 of the election; and (11)] and (8) a report of an inspection of the  
 824 [machines] tabulators by the moderator, registrars and checkers, which  
 825 inspection shall be made before the opening of the polls. The  
 826 [municipal clerk] registrars of voters shall, for each election, prepare  
 827 and furnish said supplies for each voting [machine] tabulator, in  
 828 conformity with said samples. The [municipal clerk] registrars of  
 829 voters shall also prepare and furnish to the election officials tally and  
 830 return blanks [containing the names of all candidates for office on the  
 831 official ballots,] in such manner as may be directed by the Secretary of  
 832 the State, except that all blanks furnished by said secretary throughout  
 833 the state shall be uniform in their printing.

834 Sec. 26. Subsection (a) of section 9-249 of the general statutes is  
 835 repealed and the following is substituted in lieu thereof (*Effective from*  
 836 *passage*):

837 (a) Before each election, the registrars of voters [,] and certified  
 838 moderator [and certified mechanic] shall instruct the election officials.  
 839 Any provision of the general statutes or of any special act to the  
 840 contrary notwithstanding, election officials shall be appointed at least  
 841 twenty days before the election except as provided in section 9-229, as  
 842 amended by this act. The registrars [,] and certified moderator [and  
 843 certified mechanic] shall instruct each election official who is to serve  
 844 in a voting district in which a voting [machine] tabulator is to be used

845 in the use of the [machine] tabulator and [his] the election official's  
846 duties in connection therewith, and for the purpose of giving such  
847 instruction, such instructors shall call such meeting or meetings of the  
848 election officials as are necessary. Such instructors shall, without delay,  
849 file a report in the office of the municipal clerk and with the Secretary  
850 of the State, (1) stating that they have instructed the election officials  
851 named in the report and the time and place where such instruction  
852 was given, and (2) containing a signed statement from each such  
853 election official acknowledging that the official has received such  
854 instruction.

855 Sec. 27. Subsection (a) of section 9-249a of the general statutes is  
856 repealed and the following is substituted in lieu thereof (*Effective from*  
857 *passage*):

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

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

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

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

867 (4) Petitioning candidates with party designation whose names are  
868 contained in petitions approved pursuant to section 9-453o; and

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

871 Sec. 28. Subsection (a) of section 9-249b of the general statutes is  
872 repealed and the following is substituted in lieu thereof (*Effective from*  
873 *passage*):

874 (a) If, after applying the provisions of sections 9-249a, as amended  
875 by this act, and 9-453r, as amended by this act, the number of party  
876 designations and petitioning candidate rows on the ballot exceeds  
877 nine, the Secretary of the State may authorize (1) two or more party  
878 designations and petitioning candidates to appear on the same row of  
879 the [voting machines] ballot, beginning with the ninth row on the  
880 [voting machines] ballot and, if necessary, then moving up one or  
881 more rows, (2) that an office take two or more columns on the [voting  
882 machines] ballot, and (3) that the party designation, or an abbreviation  
883 of it, be repeated on the ballot.

884 Sec. 29. Section 9-250a of the general statutes is repealed and the  
885 following is substituted in lieu thereof (*Effective from passage*):

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

890 Sec. 30. Section 9-251 of the general statutes is repealed and the  
891 following is substituted in lieu thereof (*Effective from passage*):

892 In the preparation of [ballot labels] ballots for use at a state election  
893 precedence shall be given to the offices to be voted for at such election  
894 in the following descending order: Presidential electors, Governor and  
895 Lieutenant Governor, United States senator, representative in  
896 Congress, state senator, state representative, Secretary of the State,  
897 Treasurer, Comptroller, Attorney General and judge of probate. In the  
898 preparation of [ballot labels] ballots for use at a municipal election,  
899 unless otherwise provided by law, the order of the offices shall be as  
900 prescribed by the Secretary of the State, which order, so far as  
901 practicable, shall be uniform throughout the state.

902 Sec. 31. Section 9-255 of the general statutes is repealed and the  
903 following is substituted in lieu thereof (*Effective from passage*):

904 The board of selectmen or the municipal clerk shall provide for all  
905 polling places using voting [machines] tabulators at least three sample  
906 [ballot labels which shall be arranged in the form of a diagram  
907 showing the entire front of the voting machine as it will appear after  
908 the official ballot labels are arranged for voting on election day or that  
909 portion thereof which will] ballots that shall contain the offices, party  
910 designations, names of candidates, write-in slots and questions to be  
911 voted upon. On each such sample ballot [label] shall be printed  
912 instructions as to the use of the voting [machine] tabulator, which  
913 instructions shall be approved by the Secretary of the State. Such  
914 sample [ballot labels] ballots shall be so posted inside the polling place  
915 as to be visible to those within the polling place during the whole day  
916 of election. At least one of such sample [ballot labels] ballots shall be so  
917 posted as to be visible to an elector being instructed on the  
918 [demonstrator or spare voting machine] use of the voting tabulator  
919 under section 9-260.

920 Sec. 32. Section 9-256 of the general statutes is repealed and the  
921 following is substituted in lieu thereof (*Effective from passage*):

922 The clerk of each municipality shall, not less than ten days prior to  
923 an election, file with the Secretary of the State a sample ballot [label]  
924 identical with those to be provided for each polling place under section  
925 9-255, as amended by this act. The Secretary of the State shall examine  
926 the sample ballot [label] required to be filed under this section, and if  
927 such sample ballot [label] contains an error, the Secretary of the State  
928 shall order the municipal clerk to reprint a corrected sample ballot  
929 [label] or to take other such action as the secretary may deem  
930 appropriate.

931 Sec. 33. Section 9-264 of the general statutes is repealed and the  
932 following is substituted in lieu thereof (*Effective from passage*):

933 [(a)] An elector who requires assistance to vote, by reason of  
934 blindness, disability or inability to write or to read the ballot, may be  
935 given assistance by a person of the elector's choice, other than (1) the

936 elector's employer, (2) an agent of such employer, or (3) an officer or  
937 agent of the elector's union. The person assisting the elector may  
938 accompany the elector into the voting [machine] booth. Such person  
939 shall register such elector's vote upon the [machine] ballot as such  
940 elector directs. Any person accompanying an elector into the voting  
941 [machine] booth who deceives any elector in registering [his] the  
942 elector's vote under this section or seeks to influence any elector while  
943 in the act of voting, or who registers any vote for any elector or on any  
944 question other than as requested by such elector, or who gives  
945 information to any person as to what person or persons such elector  
946 voted for, or how [he] such elector voted on any question, shall be  
947 fined not more than one thousand dollars or imprisoned not more than  
948 five years or both.

949 [(b) Paper ballots provided by the municipal clerk to the moderator  
950 pursuant to section 9-259 shall be made available for electors with  
951 disabilities in polling places in which a voting machine cannot be  
952 adjusted to allow all necessary parts to be reached from a chair. Such  
953 paper ballots shall be used at the option of the elector with disabilities.  
954 The elector shall announce the elector's name to the checkers who shall  
955 cross the elector's name off the registry list and add it with the elector's  
956 address to the end of the official checklist where it shall be designated  
957 "paper ballot for persons with disabilities" or "PBD" and serially  
958 numbered. After the elector has so announced the elector's name, the  
959 moderator shall deliver to the elector an absentee ballot and a serially-  
960 numbered envelope. The elector shall forthwith mark the ballot in the  
961 presence of the moderator in such manner that the moderator shall not  
962 know how the ballot is marked. The elector shall fold the ballot in the  
963 presence of the moderator so as to conceal the markings and deposit  
964 and seal it in the serially-numbered envelope. The elector shall deliver  
965 the envelope to the moderator who shall place it in a specially-  
966 designated depository envelope. The paper ballots thus received shall  
967 be counted at the next scheduled absentee ballot count in the same  
968 manner as other absentee ballots. Such ballots so counted shall be  
969 preserved by placing them in the depository envelopes with the

970 regular absentee ballots, and such serially-numbered envelopes shall  
971 be placed in the depository envelopes with the regular absentee ballot  
972 envelopes.]

973 Sec. 34. Section 9-267 of the general statutes is repealed and the  
974 following is substituted in lieu thereof (*Effective from passage*):

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

979 Sec. 35. Section 9-307 of the general statutes is repealed and the  
980 following is substituted in lieu thereof (*Effective from passage*):

981 Immediately after the polls are closed, the official checkers,  
982 appointed under the provisions of section 9-234, as amended by this  
983 act, shall make and deliver to the moderator a certificate, in duplicate,  
984 stating the whole number of names on the registry list or enrollment  
985 list including, if applicable, unaffiliated electors authorized under  
986 section 9-431 to vote in the primary, and the number checked as  
987 having voted in that election or primary. For the purpose of computing  
988 the whole number of names on the registry list, the lists of persons  
989 who have applied for presidential or overseas ballots prepared in  
990 accordance with section 9-158h shall be included. Thereupon the  
991 registrars or assistant registrars, as the case may be, acting at the  
992 respective polls, shall write and sign with ink, on the list or lists so  
993 used and checked, a certificate of the whole number of names  
994 registered thereon eligible to vote in the election or primary and the  
995 number checked as having voted in that election or primary, and  
996 deposit it in the office of the municipal clerk of their town on or before  
997 the following day. The municipal clerk shall carefully preserve the  
998 same on file, with the marks on it without alteration, for public  
999 inspection, and shall immediately enter a certified copy of such  
1000 certificate on the town records. Subject to the provisions of section 7-  
1001 109, the municipal clerk may destroy any voting check list four years

1002 after the date upon which it was used. The moderator shall place one  
1003 of the duplicate certificates which [he] the moderator received from the  
1004 official checkers [in the voting machine together with] with the voted  
1005 ballots from the polling place and the moderator's return provided for  
1006 in sections 9-259 and 9-310 and shall then lock the [machine] tabulator  
1007 as provided in section 9-310, and [he] the moderator shall deposit the  
1008 other of such duplicate certificates in the office of the municipal clerk  
1009 on or before the following day.

1010 Sec. 36. Section 9-308 of the general statutes is repealed and the  
1011 following is substituted in lieu thereof (*Effective from passage*):

1012 Immediately on the close of the polls, the election officials shall  
1013 proceed to canvass the returns as provided in section 9-309, as  
1014 amended by this act, and shall not stop for any purpose until the  
1015 canvass is completed. The room in which such canvass is made shall  
1016 be clearly lighted and such canvass shall be made in plain view of the  
1017 public. No person or persons, during the canvass, shall close or cause  
1018 to be closed the main entrance to the room in which such canvass is  
1019 conducted, in such manner as to prevent ingress or egress thereby, but,  
1020 during such canvass, no person other than the election officials shall be  
1021 permitted to be on the side of the guard rail where the voting  
1022 [machine] tabulator is located.

1023 Sec. 37. Section 9-309 of the general statutes is repealed and the  
1024 following is substituted in lieu thereof (*Effective from passage*):

1025 As soon as the polls are closed, the moderator, in the presence of the  
1026 other election officials, shall immediately lock the voting [machine]  
1027 tabulator against voting and immediately [open the counting  
1028 compartments, giving a full view of all the counter numbers to all the  
1029 election officials present] cause the vote totals for all candidates and  
1030 questions to be produced. The moderator shall, in the order of the  
1031 offices as their titles are arranged on the [machine] ballot, read and  
1032 announce in distinct tones the result as shown, [by the counter  
1033 numbers,] giving the number indicated [by each counter] and

1034 indicating the candidate to whom such [counter] total belongs, and  
1035 shall read the votes recorded for each office on the [voting machine  
1036 ballot label] ballot. [He] The moderator shall also, in the same manner,  
1037 announce the vote on each constitutional amendment, proposition or  
1038 other question voted on. The vote so announced by the moderator  
1039 shall be taken down by each checker and recorded on the tally sheets.  
1040 Each checker shall record the number of votes received for each  
1041 candidate on the [voting machine ballot label] ballot and also the  
1042 number received by each person for whom write-in ballots were cast.  
1043 The [counter compartment of the voting machine] result totals shall  
1044 remain [open] in full public view until the statement of canvass and all  
1045 other reports have been fully completed and signed by the moderator,  
1046 checkers and registrars, or assistant registrars, as the case may be. The  
1047 result of the votes cast shall be publicly announced by the moderator,  
1048 who shall read the name of each candidate, with the designating  
1049 number and letter [of his counter and the machine vote registered on  
1050 such counter] on the ballot and the absentee vote as furnished the  
1051 moderator by the absentee ballot counters; also the vote cast for and  
1052 against each question submitted. While such announcement is being  
1053 made, ample opportunity shall be given to any person lawfully present  
1054 to compare the results so announced with the [counter dials of the  
1055 machine] result totals provided by the tabulator and any necessary  
1056 corrections shall then and there be made by the moderator, checkers  
1057 and registrars or assistant registrars, after which the [doors]  
1058 compartments of the voting [machine] tabulator shall be closed and  
1059 locked. In canvassing, recording and announcing the result, the  
1060 election officials shall be guided by any instructions furnished by the  
1061 Secretary of the State. [If the machine is equipped with a device for  
1062 printing totals of candidate and question counters, and the device has  
1063 been made operational at the instruction of both registrars of voters,  
1064 the doors concealing the counters shall not be opened. The printed  
1065 record produced by the machine shall be the official return, and the  
1066 results of the votes as shown thereon shall be proclaimed in the same  
1067 manner as herein provided and ample opportunity shall be given to

1068 any person lawfully present to inspect such printed records. If the  
1069 moderator finds that the printed record is not clear, the doors  
1070 concealing the counters shall be opened and counting shall proceed as  
1071 with a machine which does not have such a device.]

1072 Sec. 38. Section 9-311a of the general statutes is repealed and the  
1073 following is substituted in lieu thereof (*Effective from passage*):

1074 For purposes of this section, state, district and municipal offices  
1075 shall be as defined in section 9-372, as amended by this act, except that  
1076 the office of presidential elector shall be deemed a state office.  
1077 Forthwith after a regular or special election for municipal office, or  
1078 forthwith upon tabulation of the vote for state and district offices by  
1079 the Secretary of the State, when at any such election the plurality of an  
1080 elected candidate for an office over the vote for a defeated candidate  
1081 receiving the next highest number of votes was either (1) less than a  
1082 vote equivalent to one-half of one per cent of the total number of votes  
1083 cast for the office but not more than two thousand votes, or (2) less  
1084 than twenty votes, there shall be a recanvass of the returns of the  
1085 voting [machine] tabulator or voting [machines] tabulators and  
1086 absentee ballots used in such election for such office unless such  
1087 defeated candidate or defeated candidates, as the case may be, for such  
1088 office file a written statement waiving this right to such canvass with  
1089 the municipal clerk in the case of a municipal office, or with the  
1090 Secretary of the State in the case of a state or district office. In the case  
1091 of state and district offices, the Secretary of the State upon tabulation of  
1092 the votes for such offices shall notify the town clerks in the state or  
1093 district, as the case may be, of the state and district offices which  
1094 qualify for an automatic recanvass and shall also notify each candidate  
1095 for any such office. When a recanvass is to be held the municipal clerk  
1096 shall promptly notify the moderator, as defined in section 9-311, who  
1097 shall proceed forthwith to cause a recanvass of such returns of the  
1098 office in question in the same manner as is provided in said section 9-  
1099 311. In addition to the notice required under section 9-311, the  
1100 moderator shall before such recanvass is made give notice in writing of

1101 the time when, and place where, such recanvass is to be made to each  
1102 candidate for a municipal office which qualifies for an automatic  
1103 recanvass under this section. Nothing in this section shall preclude the  
1104 right to judicial proceedings on behalf of a candidate under any  
1105 provision of chapter 149. For the purposes of this section, "the total  
1106 number of votes cast for the office" means in the case of multiple  
1107 openings for the same office, the total number of electors checked as  
1108 having voted in the state, district, municipality or political subdivision,  
1109 as the case may be. When a recanvass of the returns for an office for  
1110 which there are multiple openings is required by the provisions of this  
1111 section, the returns for all candidates for all openings for the office  
1112 shall be recanvassed. No one other than a recanvass official shall take  
1113 part in the recanvass. If any irregularity in the recanvass procedure is  
1114 noted by a candidate, [he] the candidate shall be permitted to present  
1115 evidence of such irregularity in any contest relating to the election.

1116 Sec. 39. Section 9-323 of the general statutes is repealed and the  
1117 following is substituted in lieu thereof (*Effective from passage*):

1118 Any elector or candidate who claims [that he is] to be aggrieved by  
1119 any ruling of any election official in connection with any election for  
1120 presidential electors and for a senator in Congress and for  
1121 representative in Congress or any of them, held in [his] such elector's  
1122 or candidate's town, or that there was a mistake in the count of the  
1123 votes cast at such election for candidates for such electors, senator in  
1124 Congress and representative in Congress, or any of them, at any voting  
1125 district in [his] such elector's or candidate's town, or any candidate for  
1126 such an office who claims [that he is] to be aggrieved by a violation of  
1127 any provision of section 9-355, 9-357 to 9-361, inclusive, 9-364, 9-364a  
1128 or 9-365 in the casting of absentee ballots at such election, may bring  
1129 [his] such elector's or candidate's complaint to any judge of the  
1130 Supreme Court, in which [he] such elector or candidate shall set out  
1131 the claimed errors of such election official, the claimed errors in the  
1132 count or the claimed violations of said sections. In any action brought  
1133 pursuant to the provisions of this section, the complainant shall file a

1134 certification attached to the complaint indicating that a copy of the  
1135 complaint has been sent by first-class mail or delivered to the State  
1136 Elections Enforcement Commission. If such complaint is made prior to  
1137 such election, such judge shall proceed expeditiously to render  
1138 judgment on the complaint and shall cause notice of the hearing to be  
1139 given to the Secretary of the State and the State Elections Enforcement  
1140 Commission. If such complaint is made subsequent to the election, it  
1141 shall be brought not later than fourteen days after the election or, if  
1142 such complaint is brought in response to the manual tabulation of  
1143 paper ballots authorized pursuant to section 9-320f, as amended by  
1144 this act, such complaint shall be brought not later than seven days after  
1145 the close of any such manual tabulation, and in either such  
1146 circumstance, the judge shall forthwith order a hearing to be had upon  
1147 such complaint, upon a day not more than five or less than three days  
1148 from the making of such order, and shall cause notice of not less than  
1149 three or more than five days to be given to any candidate or candidates  
1150 whose election may be affected by the decision upon such hearing, to  
1151 such election official, to the Secretary of the State, to the State Elections  
1152 Enforcement Commission and to any other party or parties whom  
1153 such judge deems proper parties thereto, of the time and place for the  
1154 hearing upon such complaint. Such judge, with two other judges of the  
1155 Supreme Court to be designated by the Chief Court Administrator,  
1156 shall, on the day fixed for such hearing and without unnecessary  
1157 delay, proceed to hear the parties. If sufficient reason is shown, such  
1158 judges may order any voting [machines] tabulators to be unlocked or  
1159 any ballot boxes to be opened and a recount of the votes cast, including  
1160 absentee ballots, to be made. Such judges shall thereupon, in the case  
1161 they, or any two of them, find any error in the rulings of the election  
1162 official, any mistake in the count of such votes or any violation of said  
1163 sections, certify the result of their finding or decision, or the finding or  
1164 decision of a majority of them, to the Secretary of the State before the  
1165 first Monday after the second Wednesday in December. Such judges  
1166 may order a new election or a change in the existing election schedule,  
1167 provided such order complies with Section 302 of the Help America

1168 Vote Act, P.L. 107-252, as amended from time to time. Such certificate  
1169 of such judges, or a majority of them, shall be final upon all questions  
1170 relating to the rulings of such election officials, to the correctness of  
1171 such count and, for the purposes of this section only, such claimed  
1172 violations, and shall operate to correct the returns of the moderators or  
1173 presiding officers so as to conform to such finding or decision.

1174 Sec. 40. Section 9-324 of the general statutes is repealed and the  
1175 following is substituted in lieu thereof (*Effective from passage*):

1176 Any elector or candidate who claims that such elector or candidate  
1177 is aggrieved by any ruling of any election official in connection with  
1178 any election for Governor, Lieutenant Governor, Secretary of the State,  
1179 State Treasurer, Attorney General, State Comptroller or judge of  
1180 probate, held in such elector's or candidate's town, or that there has  
1181 been a mistake in the count of the votes cast at such election for  
1182 candidates for said offices or any of them, at any voting district in such  
1183 elector's or candidate's town, or any candidate for such an office who  
1184 claims that such candidate is aggrieved by a violation of any provision  
1185 of section 9-355, 9-357 to 9-361, inclusive, 9-364, 9-364a or 9-365 in the  
1186 casting of absentee ballots at such election or any candidate for the  
1187 office of Governor, Lieutenant Governor, Secretary of the State, State  
1188 Treasurer, Attorney General or State Comptroller, who claims that  
1189 such candidate is aggrieved by a violation of any provision of sections  
1190 9-700 to 9-716, inclusive, may bring such elector's or candidate's  
1191 complaint to any judge of the Superior Court, in which such elector or  
1192 candidate shall set out the claimed errors of such election official, the  
1193 claimed errors in the count or the claimed violations of said sections. In  
1194 any action brought pursuant to the provisions of this section, the  
1195 complainant shall send a copy of the complaint by first-class mail, or  
1196 deliver a copy of the complaint by hand, to the State Elections  
1197 Enforcement Commission. If such complaint is made prior to such  
1198 election, such judge shall proceed expeditiously to render judgment on  
1199 the complaint and shall cause notice of the hearing to be given to the  
1200 Secretary of the State and the State Elections Enforcement Commission.

1201 If such complaint is made subsequent to the election, it shall be  
1202 brought not later than fourteen days after the election or, if such  
1203 complaint is brought in response to the manual tabulation of paper  
1204 ballots authorized pursuant to section 9-320f, as amended by this act,  
1205 such complaint shall be brought not later than seven days after the  
1206 close of any such manual tabulation and, in either such circumstance,  
1207 such judge shall forthwith order a hearing to be had upon such  
1208 complaint, upon a day not more than five nor less than three days  
1209 from the making of such order, and shall cause notice of not less than  
1210 three nor more than five days to be given to any candidate or  
1211 candidates whose election may be affected by the decision upon such  
1212 hearing, to such election official, the Secretary of the State, the State  
1213 Elections Enforcement Commission and to any other party or parties  
1214 whom such judge deems proper parties thereto, of the time and place  
1215 for the hearing upon such complaint. Such judge shall, on the day  
1216 fixed for such hearing and without unnecessary delay, proceed to hear  
1217 the parties. If sufficient reason is shown, such judge may order any  
1218 voting [machines] tabulators to be unlocked or any ballot boxes to be  
1219 opened and a recount of the votes cast, including absentee ballots, to  
1220 be made. Such judge shall thereupon, in case such judge finds any  
1221 error in the rulings of the election official, any mistake in the count of  
1222 the votes or any violation of said sections, certify the result of such  
1223 judge's finding or decision to the Secretary of the State before the  
1224 fifteenth day of the next succeeding December. Such judge may order a  
1225 new election or a change in the existing election schedule. Such  
1226 certificate of such judge of such judge's finding or decision shall be  
1227 final and conclusive upon all questions relating to errors in the rulings  
1228 of such election officials, to the correctness of such count, and, for the  
1229 purposes of this section only, such claimed violations, and shall  
1230 operate to correct the returns of the moderators or presiding officers,  
1231 so as to conform to such finding or decision, unless the same is  
1232 appealed from as provided in section 9-325.

1233 Sec. 41. Section 9-328 of the general statutes is repealed and the  
1234 following is substituted in lieu thereof (*Effective from passage*):

1235 Any elector or candidate claiming to have been aggrieved by any  
1236 ruling of any election official in connection with an election for any  
1237 municipal office or a primary for justice of the peace, or any elector or  
1238 candidate claiming that there has been a mistake in the count of votes  
1239 cast for any such office at such election or primary, or any candidate in  
1240 such an election or primary claiming [that he is] to be aggrieved by a  
1241 violation of any provision of sections 9-355, 9-357 to 9-361, inclusive, 9-  
1242 364, 9-364a or 9-365 in the casting of absentee ballots at such election or  
1243 primary, may bring a complaint to any judge of the Superior Court for  
1244 relief therefrom. In any action brought pursuant to the provisions of  
1245 this section, the complainant shall send a copy of the complaint by  
1246 first-class mail, or deliver a copy of the complaint by hand, to the State  
1247 Elections Enforcement Commission. If such complaint is made prior to  
1248 such election or primary, such judge shall proceed expeditiously to  
1249 render judgment on the complaint and shall cause notice of the hearing  
1250 to be given to the Secretary of the State and the State Elections  
1251 Enforcement Commission. If such complaint is made subsequent to  
1252 such election or primary, it shall be brought not later than fourteen  
1253 days after such election or primary, except that if such complaint is  
1254 brought in response to the manual tabulation of paper ballots,  
1255 authorized pursuant to section 9-320f, as amended by this act, such  
1256 complaint shall be brought not later than seven days after the close of  
1257 any such manual tabulation, to any judge of the Superior Court, in  
1258 which [he] the complainant shall set out the claimed errors of the  
1259 election official, the claimed errors in the count or the claimed  
1260 violations of said sections. Such judge shall forthwith order a hearing  
1261 to be had upon such complaint, upon a day not more than five nor less  
1262 than three days from the making of such order, and shall cause notice  
1263 of not less than three nor more than five days to be given to any  
1264 candidate or candidates whose election or nomination may be affected  
1265 by the decision upon such hearing, to such election official, the  
1266 Secretary of the State, the State Elections Enforcement Commission and  
1267 to any other party or parties whom such judge deems proper parties  
1268 thereto, of the time and place for the hearing upon such complaint.

1269 Such judge shall, on the day fixed for such hearing and without  
1270 unnecessary delay, proceed to hear the parties. If sufficient reason is  
1271 shown, [he] such judge may order any voting [machines] tabulators to  
1272 be unlocked or any ballot boxes to be opened and a recount of the  
1273 votes cast, including absentee ballots, to be made. Such judge shall  
1274 thereupon, if [he] such judge finds any error in the rulings of the  
1275 election official or any mistake in the count of the votes, certify the  
1276 result of [his] such judge's finding or decision to the Secretary of the  
1277 State before the tenth day succeeding the conclusion of the hearing.  
1278 Such judge may order a new election or primary or a change in the  
1279 existing election schedule. Such certificate of such judge of [his] such  
1280 judge's finding or decision shall be final and conclusive upon all  
1281 questions relating to errors in the ruling of such election officials, to the  
1282 correctness of such count, and, for the purposes of this section only,  
1283 such claimed violations, and shall operate to correct the returns of the  
1284 moderators or presiding officers, so as to conform to such finding or  
1285 decision, except that this section shall not affect the right of appeal to  
1286 the Supreme Court and it shall not prevent such judge from reserving  
1287 such questions of law for the advice of the Supreme Court as provided  
1288 in section 9-325. Such judge may, if necessary, issue [his] a writ of  
1289 mandamus, requiring the adverse party and those under [him] such  
1290 judge to deliver to the complainant the appurtenances of such office,  
1291 and shall cause [his] such judge's finding and decree to be entered on  
1292 the records of the Superior Court in the proper judicial district.

1293 Sec. 42. Subsection (b) of section 9-329a of the general statutes is  
1294 repealed and the following is substituted in lieu thereof (*Effective from*  
1295 *passage*):

1296 (b) Such judge shall forthwith order a hearing to be held upon such  
1297 complaint upon a day not more than five nor less than three days after  
1298 the making of such order, and shall cause notice of not less than three  
1299 days to be given to any candidate or candidates in any way directly  
1300 affected by the decision upon such hearing, to such election official, to  
1301 the Secretary of the State, the State Elections Enforcement Commission

1302 and to any other person or persons, whom such judge deems proper  
1303 parties thereto, of the time and place of the hearing upon such  
1304 complaint. Such judge shall, on the day fixed for such hearing, and  
1305 without delay, proceed to hear the parties and determine the result. If,  
1306 after hearing, sufficient reason is shown, such judge may order any  
1307 voting [machines] tabulators to be unlocked or any ballot boxes to be  
1308 opened and a recount of the votes cast, including absentee ballots, to  
1309 be made. Such judge shall thereupon, if [he] such judge finds any error  
1310 in the ruling of the election official, any mistake in the count of the  
1311 votes or any violation of said sections, certify the result of his finding  
1312 or decision to the Secretary of the State before the tenth day following  
1313 the conclusion of the hearing. Such judge may (1) determine the result  
1314 of such primary; (2) order a change in the existing primary schedule; or  
1315 (3) order a new primary if [he] such judge finds that but for the error in  
1316 the ruling of the election official, any mistake in the count of the votes  
1317 or any violation of said sections, the result of such primary might have  
1318 been different and [he] such judge is unable to determine the result of  
1319 such primary.

1320 Sec. 43. Section 9-329b of the general statutes is repealed and the  
1321 following is substituted in lieu thereof (*Effective from passage*):

1322 At any time prior to a primary held pursuant to sections 9-423, 9-425  
1323 and 9-464, or a special act or prior to any election, the Superior Court  
1324 may issue an order removing a candidate from a ballot [label] where it  
1325 is shown that said candidate is improperly on the ballot.

1326 Sec. 44. Section 9-330 of the general statutes is repealed and the  
1327 following is substituted in lieu thereof (*Effective from passage*):

1328 Any judge having jurisdiction over any action brought under  
1329 section 9-323, 9-324, 9-328, as amended by this act, or 9-329a, as  
1330 amended by this act, shall have the power, if sufficient reason is  
1331 shown, to order the examination and testing of any voting [machines]  
1332 tabulators.

1333 Sec. 45. Section 9-332 of the general statutes is repealed and the  
1334 following is substituted in lieu thereof (*Effective from passage*):

1335 If the electors fail to choose a candidate for any office by reason of  
1336 an equality of votes at any election, and no provision is otherwise  
1337 made by law for the election of a candidate to such office, such election  
1338 shall stand adjourned for three weeks at the same hour at which the  
1339 first election was held. [Ballot labels] Ballots of the same form and  
1340 description as described in sections 9-250 to 9-256, inclusive, as  
1341 amended by this act, except that such [ballot labels] ballots shall  
1342 contain only the names of the candidates for whom the same are to be  
1343 voted, shall be used in the election on such adjourned day, and the  
1344 election shall be conducted in the same manner as on the first day,  
1345 except that the votes shall be cast for such officer only. [Ballot labels]  
1346 Ballots for such election shall be provided forthwith by the clerk of the  
1347 municipality wherein such election stands adjourned, and such clerk  
1348 shall furnish the Secretary of the State with an accurate list of all  
1349 candidates to be voted for at such adjourned election. The clerk of the  
1350 municipality wherein such election so stands adjourned shall, at least  
1351 three days prior to the day of such adjourned election, give notice of  
1352 the day, hours, place and purpose thereof by publishing such notice in  
1353 a newspaper published in such municipality or having a circulation  
1354 therein. No such election shall be held if prior to such election all but  
1355 one of the candidates for such office die, withdraw their names or for  
1356 any reason become disqualified to hold such office, and, in such event,  
1357 the remaining candidate shall be deemed to be lawfully elected to such  
1358 office. No withdrawal shall be valid until the candidate who has  
1359 withdrawn has filed a letter of withdrawal signed by such candidate  
1360 with the Secretary of the State or, in the case of a municipal office, until  
1361 the candidate who has withdrawn has filed a letter of withdrawal  
1362 signed by such candidate with the municipal clerk. When such an  
1363 election is required to be held under the provisions of this section for  
1364 any office other than a municipal office, and prior to such election all  
1365 but one of the candidates for such office die, withdraw their names or  
1366 for any reason become disqualified to hold such office, the Secretary of

1367 the State shall forthwith notify the clerk of each municipality wherein  
1368 such election was to have been held of such fact, and shall forthwith  
1369 direct each such clerk that such election shall not be held. In the case of  
1370 a multiple opening office only the names of those candidates whose  
1371 votes are equal shall be placed on the ballot [label] of the adjourned  
1372 election.

1373 Sec. 46. Section 9-352 of the general statutes is repealed and the  
1374 following is substituted in lieu thereof (*Effective from passage*):

1375 Any election official who, with intent to cause or permit any voting  
1376 [machine] tabulator to fail to correctly register all votes cast thereon,  
1377 tampers with or disarranges such [machine] tabulator in any way or  
1378 any part or appliance thereof, or causes such [machine] tabulator to be  
1379 used or consents to its being used for voting at any election with  
1380 knowledge of the fact that the same is not in order, or not perfectly set  
1381 and adjusted to correctly register all votes cast thereon, or who, for the  
1382 purpose of defrauding or deceiving any elector or of causing it to be  
1383 doubtful for what candidate or candidates or proposition any vote is  
1384 cast, or causing it to appear upon such [machine] tabulator that votes  
1385 cast for one candidate or proposition were cast for another candidate  
1386 or proposition, removes, changes or mutilates any ballot [label on such  
1387 machine or any part thereof,] shall be fined not more than one  
1388 thousand dollars or imprisoned not more than five years, or both.

1389 Sec. 47. Section 9-353 of the general statutes is repealed and the  
1390 following is substituted in lieu thereof (*Effective from passage*):

1391 Any election official who, at the close of the polls, purposely causes  
1392 the vote registered on the [machine] tabulator to be incorrectly taken  
1393 down as to any candidate or proposition voted on, or who knowingly  
1394 causes to be made or signed any false statement, certificate or return of  
1395 any kind, of such vote, or who knowingly consents to any such act,  
1396 shall be fined not more than one thousand dollars or imprisoned not  
1397 more than five years, or both.

1398 Sec. 48. Section 9-354 of the general statutes is repealed and the  
1399 following is substituted in lieu thereof (*Effective from passage*):

1400 Any person who prints or causes to be printed upon any official  
1401 ballot [label] the name of any person not a candidate of a party whose  
1402 name is printed at the head of the column containing such nominees or  
1403 who prints or causes to be printed any authorized ballot [label] in any  
1404 manner other than that prescribed by the Secretary of the State shall be  
1405 fined not less than one hundred dollars nor more than one thousand  
1406 dollars or be imprisoned not more than five years or be both fined and  
1407 imprisoned.

1408 Sec. 49. Section 9-363 of the general statutes is repealed and the  
1409 following is substituted in lieu thereof (*Effective from passage*):

1410 Any person who, with intent to defraud any elector of [his] the  
1411 elector's vote or cause any elector to lose [his] the elector's vote or any  
1412 part thereof, gives in any way, or prints, writes or circulates, or causes  
1413 to be written, printed or circulated, any improper, false, misleading or  
1414 incorrect instructions or advice or suggestions as to the manner of  
1415 voting on any [machine] tabulator, the following of which or any part  
1416 of which would cause any elector to lose [his] the elector's vote or any  
1417 part thereof, or would cause any elector to fail in whole or in part to  
1418 register or record the same on the [machine] tabulator for the  
1419 candidates of [his] the elector's choice, shall be fined not more than five  
1420 hundred dollars or be imprisoned not more than five years or be both  
1421 fined and imprisoned.

1422 Sec. 50. Section 9-366 of the general statutes is repealed and the  
1423 following is substituted in lieu thereof (*Effective from passage*):

1424 Any person who induces or attempts to induce any elector to write,  
1425 paste or otherwise place, on a write-in ballot voted on a voting  
1426 [machine] tabulator at any election, any name, sign or device of any  
1427 kind, as a distinguishing mark by which to indicate to another how  
1428 such elector voted, or enters into or attempts to form any agreement or

1429 conspiracy with any person to induce or attempt to induce electors or  
1430 any elector to so place any distinguishing mark on such ballot, or  
1431 attempts to induce any elector to do anything with a view to enabling  
1432 another person to see or know for what persons or any of them such  
1433 elector votes on such [machine] tabulator, or enters into or attempts to  
1434 form any agreement or conspiracy to induce any elector to do any act  
1435 for the purpose of enabling another person or persons to see or know  
1436 for what person or persons such elector votes, or attempts to induce  
1437 any person to place himself in such position, or to do any other act for  
1438 the purpose of enabling him to see or know for what candidates any  
1439 elector other than himself votes on such [machine] tabulator, or  
1440 himself attempts to get in such position to do any act so that he will be  
1441 enabled to see or know how any elector other than himself votes on  
1442 such [machine] tabulator, or does any act which invades or interferes  
1443 with the secrecy of the voting or causes the same to be invaded or  
1444 interfered with, shall be imprisoned not more than five years.

1445       Sec. 51. Section 9-367 of the general statutes is repealed and the  
1446 following is substituted in lieu thereof (*Effective from passage*):

1447       Any person, not being an election official, who, during any election  
1448 or before any election, [after a voting machine has had placed upon it  
1449 the ballot label for such election,] tampers with [such machine] a  
1450 voting tabulator, disarranges, defaces, injures or impairs the same in  
1451 any manner, or mutilates, injures or destroys any ballot [label placed  
1452 thereon or to be placed thereon,] or any other appliance used in  
1453 connection with such [machine] tabulator, shall be imprisoned for not  
1454 more than five years.

1455       Sec. 52. Section 9-369 of the general statutes is repealed and the  
1456 following is substituted in lieu thereof (*Effective from passage*):

1457       Whenever at any regular or special state or municipal election any  
1458 vote for approval or disapproval of any constitutional amendment or  
1459 any question or proposal is taken pursuant to the Constitution, the  
1460 general statutes or any special act, unless otherwise provided, such

1461 election shall be warned and held, the vote on such amendment,  
1462 question or proposal cast and canvassed and the result determined and  
1463 certified as nearly as may be in accordance with the provisions  
1464 governing the election of officers in the state or in such municipality.  
1465 The warning for such election shall state that a purpose of such  
1466 election is to vote for the approval or disapproval of such amendment,  
1467 question or proposal and shall state the section of the Constitution or  
1468 of the general statutes or the special act under authority of which such  
1469 vote is taken. The vote on such amendment, question or proposal shall  
1470 be taken by a "Yes" and "No" vote on the voting [machine] tabulator,  
1471 and the designation of such amendment, question or proposal on the  
1472 [voting machine ballot label] ballot shall be "Shall (here insert the  
1473 question or proposal, followed by a question mark)". Such ballot [label]  
1474 shall be provided for use in accordance with the provisions of section  
1475 9-250. The municipal clerk shall number on the ballot [label] the  
1476 questions to be voted upon according to the order in which they will  
1477 appear thereon, provided amendments to the Constitution shall be  
1478 numbered by the Secretary of the State in numerical order based upon  
1479 the dates on which resolutions proposing such amendments were  
1480 passed, precedence being given to the earliest passed unless otherwise  
1481 provided by the resolutions proposing such amendments. Each elector  
1482 shall vote "Yes" if in favor of the amendment, question or proposal or  
1483 "No" if not in favor thereof. [The registrars of voters shall cause an  
1484 adhesive label, three inches high by four inches wide, upon which  
1485 shall be imprinted, in clearly discernible lettering, the words "Vote on  
1486 the Questions" to be affixed to the upper left-hand corner of each such  
1487 voting machine, directly opposite the spaces provided for the  
1488 amendment, question or proposal. Such adhesive labels shall be  
1489 provided by the Secretary of the State upon receipt of a written order  
1490 therefor from the registrars of voters, which order shall specify the  
1491 number of such labels required.] If, upon the official determination of  
1492 the result of such vote, it appears that a majority of all the votes so cast  
1493 are in approval of such amendment, question or proposal, such  
1494 amendment, question or proposal shall, unless otherwise provided,

1495 take effect forthwith.

1496 Sec. 53. Subsection (c) of section 9-369c of the general statutes is  
1497 repealed and the following is substituted in lieu thereof (*Effective from*  
1498 *passage*):

1499 (c) Upon receipt of the written form of the question or proposal to  
1500 be voted on at any such referendum, the municipal clerk shall  
1501 immediately prepare and print absentee ballots for the referendum.  
1502 The phrasing of the question or proposal on the absentee ballots shall  
1503 be identical to the phrasing on the ballot [or ballot label] to be used for  
1504 voting in person at the referendum.

1505 Sec. 54. Subsection (b) of section 9-369d of the general statutes is  
1506 repealed and the following is substituted in lieu thereof (*Effective from*  
1507 *passage*):

1508 (b) (1) The procedures set forth in this subsection shall only apply if  
1509 a municipality so chooses and only upon approval of such procedure  
1510 by its legislative body or in any town in which the legislative body is a  
1511 town meeting, by the board of selectmen.

1512 (2) Voters who are not electors shall vote by separate voting  
1513 [machine] tabulator or paper ballot, containing solely the question, at  
1514 one separate location which may be a separate room in the location at  
1515 which electors vote. Such separate location shall be treated as a  
1516 separate voting district and polling place for such voters, except that  
1517 the registrars of voters shall appoint a moderator who shall be the  
1518 head moderator for the purpose of this question only, and such other  
1519 officials as the registrars deem necessary. The moderator of such  
1520 separate location shall add the results of the vote by electors on the  
1521 question to the results of the vote by voters who are not electors, and  
1522 shall file such results in the office of the municipal clerk. The  
1523 moderator of such separate location shall be the moderator for the  
1524 purposes of a recanvass of a close vote on such question under section  
1525 9-370a. The head moderator of the town shall indicate on the return of

1526 vote of such question filed with the Secretary of the State that such  
1527 return does not include the return of vote of voters who are not  
1528 electors.

1529 Sec. 55. Section 9-371b of the general statutes is repealed and the  
1530 following is substituted in lieu thereof (*Effective from passage*):

1531 Any person (1) claiming to have been aggrieved by any ruling of  
1532 any election official in connection with a referendum, (2) claiming that  
1533 there has been a mistake in the count of votes cast for a referendum, or  
1534 (3) claiming to be aggrieved by a violation of any provision of section  
1535 9-355, 9-357 to 9-361, inclusive, 9-364, 9-364a or 9-365 in the casting of  
1536 absentee ballots at a referendum, may bring a complaint to any judge  
1537 of the Superior Court for relief from such ruling, mistake or violation.  
1538 In any action brought pursuant to the provisions of this section, the  
1539 complainant shall send a copy of the complaint by first class mail, or  
1540 deliver a copy of the complaint by hand, to the State Elections  
1541 Enforcement Commission. If such complaint is made prior to such  
1542 referendum, such judge shall proceed expeditiously to render  
1543 judgment on the complaint and shall cause notice of the hearing to be  
1544 given to the Secretary of the State and the State Elections Enforcement  
1545 Commission. If such complaint is made subsequent to such  
1546 referendum, it shall be brought within thirty days after such  
1547 referendum to any judge of the Superior Court, in which the person  
1548 shall set out the claimed errors of the election official, the claimed  
1549 errors in the count or the claimed violations of said sections. Such  
1550 judge shall forthwith order a hearing to be held upon such complaint,  
1551 upon a day not more than five or less than three days from the making  
1552 of such order, and shall cause notice of not less than three or more than  
1553 five days to be given to any person who may be affected by the  
1554 decision upon such hearing, to such election official, the Secretary of  
1555 the State, the State Elections Enforcement Commission and to any  
1556 other party or parties whom such judge deems proper parties to the  
1557 hearing, of the time and place for the hearing upon such complaint.  
1558 Such judge shall, on the day fixed for such hearing and without

1559 unnecessary delay, proceed to hear the parties. If sufficient reason is  
1560 shown, such judge may order any voting [machines] tabulators to be  
1561 unlocked or any ballot boxes to be opened and a recount of the votes  
1562 cast, including absentee ballots, to be made. Such judge shall, if such  
1563 judge finds any error in the rulings of the election official or any  
1564 mistake in the count of the votes, certify the result of such judge's  
1565 finding or decision to the Secretary of the State before the tenth day  
1566 succeeding the conclusion of the hearing. Such judge may order a new  
1567 referendum or a change in the existing referendum schedule. Such  
1568 certificate of such judge's finding or decision shall be final and  
1569 conclusive upon all questions relating to errors in the ruling of such  
1570 election officials, to the correctness of such count, and, for the purposes  
1571 of this section only, such claimed violations, and shall operate to  
1572 correct the returns of the moderators or presiding officers, so as to  
1573 conform to such finding or decision, except that this section shall not  
1574 affect the right of appeal to the Supreme Court and it shall not prevent  
1575 such judge from reserving such questions of law for the advice of the  
1576 Supreme Court as provided in section 9-325. Such judge may, if  
1577 necessary, issue a writ of mandamus, requiring the adverse party and  
1578 those under such judge to deliver to the complainant the  
1579 appurtenances of such office, and shall cause such judge's finding and  
1580 decree to be entered on the records of the Superior Court in the proper  
1581 judicial district.

1582 Sec. 56. Subdivision (15) of section 9-372 of the general statutes is  
1583 repealed and the following is substituted in lieu thereof (*Effective from*  
1584 *passage*):

1585 (15) "Votes cast for the same office at the last-preceding election" or  
1586 "votes cast for all candidates for such office at the last-preceding  
1587 election" means, in the case of multiple openings for the same office,  
1588 the total number of electors checked as having voted at the last-  
1589 preceding election at which such office appeared on the ballot. [label.]

1590 Sec. 57. Section 9-377 of the general statutes is repealed and the

1591 following is substituted in lieu thereof (*Effective from passage*):

1592 At a primary votes may be cast and counted only for duly qualified  
1593 candidates at such primary whose names appear on the ballot label on  
1594 primary day. [The write-in slides shall be covered on voting machines  
1595 used at a primary, and no write-in spaces shall appear on the absentee  
1596 ballots used at a primary] No write-in spaces shall appear on the  
1597 ballots used at a primary.

1598 Sec. 58. Subsection (a) of section 9-400 of the general statutes is  
1599 repealed and the following is substituted in lieu thereof (*Effective from*  
1600 *passage*):

1601 (a) A candidacy for nomination by a political party to a state office  
1602 may be filed by or on behalf of any person whose name appears upon  
1603 the last-completed enrollment list of such party in any municipality  
1604 within the state and who has either (1) received at least fifteen per cent  
1605 of the votes of the convention delegates present and voting on any roll-  
1606 call vote taken on the endorsement or proposed endorsement of a  
1607 candidate for such state office, whether or not the party-endorsed  
1608 candidate for such office received a unanimous vote on the last ballot,  
1609 or (2) circulated a petition and obtained the signatures of at least two  
1610 per cent of the enrolled members of such party in the state, in  
1611 accordance with the provisions of sections 9-404a to 9-404c, inclusive.  
1612 Candidacies described in subdivision (1) of this subsection shall be  
1613 filed by submitting to the Secretary of the State not later than four  
1614 o'clock p.m. on the fourteenth day following the close of the state  
1615 convention, a certificate, signed by such candidate and attested by  
1616 either (A) the chairman or presiding officer, or (B) the secretary of the  
1617 convention, that such candidate received at least fifteen per cent of  
1618 such votes, and that such candidate consents to be a candidate in a  
1619 primary of such party for such state office. Such certificate shall specify  
1620 the candidate's name as the candidate authorizes it to appear on the  
1621 ballot, the candidate's full residence address and the title of the office  
1622 for which the candidacy is being filed. A single such certificate or

1623 petition for state office may be filed on behalf of two or more  
1624 candidates for different state offices who consent to have their names  
1625 appear on a single row of the primary ballot [label] under subsection  
1626 (b) of section 9-437, as amended by this act. Candidacies described in  
1627 subdivision (2) of this subsection shall be filed by submitting said  
1628 petition not later than four o'clock p.m. on the sixty-third day  
1629 preceding the day of the primary for such office to the registrar of  
1630 voters of the towns in which the respective petition pages were  
1631 circulated. Each registrar shall file each page of such petition with the  
1632 Secretary in accordance with the provisions of section 9-404c. A  
1633 petition filed by or on behalf of a candidate for state office shall be  
1634 invalid for such candidate if such candidate is certified as the party-  
1635 endorsed candidate pursuant to section 9-388 or as receiving at least  
1636 fifteen per cent of the convention vote for such office pursuant to this  
1637 subsection. Except as provided in section 9-416a, upon the expiration  
1638 of the time period for party endorsement and circulation and  
1639 tabulation of petitions and signatures, if any, if one or more  
1640 candidacies for such state office have been filed pursuant to the  
1641 provisions of this section, the Secretary of the State shall notify all  
1642 town clerks in accordance with the provisions of section 9-433, that a  
1643 primary for such state office shall be held in each municipality in  
1644 accordance with the provisions of section 9-415.

1645       Sec. 59. Section 9-426 of the general statutes is repealed and the  
1646 following is substituted in lieu thereof (*Effective from passage*):

1647       If only one candidacy has been filed by a person other than a party-  
1648 endorsed candidate for the nomination by a political party to a  
1649 particular office and the candidate whose candidacy has been so filed  
1650 thereafter, but prior to the opening of the polls at such primary, dies,  
1651 withdraws [his] such candidate's name from nomination or for any  
1652 reason becomes disqualified to hold the office for which [he] such  
1653 person is a candidate, no primary shall be held for the nomination of  
1654 such party to that office and the party-endorsed candidate for such  
1655 office shall be deemed to have been lawfully chosen in the same

1656 manner and to the same extent as is provided in sections 9-382 to 9-  
1657 450, inclusive, in the case where no candidacy other than a party-  
1658 endorsed candidacy has been filed. If candidacies have been filed by  
1659 only one group of persons other than party-endorsed candidates for  
1660 election to a town committee, and the candidates whose candidacies  
1661 have been so filed thereafter, but prior to the opening of the polls at  
1662 such primary, die, withdraw their names from nomination or for any  
1663 reason become disqualified to hold the positions for which they are  
1664 candidates, so as to render the number of candidacies so filed less than  
1665 twenty-five per cent of the number of town committee members to be  
1666 elected by such party either in the municipality or in the political  
1667 subdivision, as the case may be, no primary shall be held for those  
1668 positions and the party-endorsed candidates for such positions shall be  
1669 deemed to have been lawfully chosen in the same manner and to the  
1670 same extent as is provided in sections 9-382 to 9-450, inclusive, in the  
1671 case where no candidacies other than party-endorsed candidacies have  
1672 been filed. If any person on a slate, prior to the opening of the polls at  
1673 such primary, dies, withdraws [his] such person's name from  
1674 nomination or for any reason becomes disqualified to hold the position  
1675 for which [he] such person is a candidate, such partial slate shall  
1676 appear on the ballot [label] at the primary and, if such partial slate  
1677 wins, then the remaining members may fill the vacancy. If only one  
1678 such slate other than a slate of party-endorsed candidates has been  
1679 filed for election and prior to the opening of the polls at such primary  
1680 each of the persons on such slate dies, withdraws or becomes  
1681 disqualified, no primary shall be held for those positions and the  
1682 party-endorsed candidates for those positions shall be deemed to have  
1683 been lawfully chosen in the same manner and to the same extent as is  
1684 provided in sections 9-382 to 9-450, inclusive, in the case where no  
1685 candidacies other than party-endorsed candidacies have been filed.

1686 Sec. 60. Section 9-434 of the general statutes is repealed and the  
1687 following is substituted in lieu thereof (*Effective from passage*):

1688 Upon the filing with the clerk of a municipality of the names of

1689 party-endorsed candidates pursuant to section 9-390 or upon the filing  
1690 with such clerk of petitions for contesting candidates pursuant to  
1691 section 9-412, such clerk shall verify and correct the names of such  
1692 candidates in accordance with the registry list of such municipality,  
1693 endorse the same as having been so verified and corrected and use the  
1694 same in the preparation of the [ballot labels] ballots for the primary.  
1695 The provisions of this section shall not apply to the municipal offices of  
1696 state senator and state representative.

1697 Sec. 61. Section 9-435 of the general statutes is repealed and the  
1698 following is substituted in lieu thereof (*Effective from passage*):

1699 Except as provided in sections 9-418 and 9-419, if in any  
1700 municipality, within the time specified in section 9-405, a candidacy for  
1701 nomination by a political party to any municipal office or for election  
1702 as a town committee member is filed with the registrar, in conformity  
1703 with the provisions of sections 9-405 to 9-412, inclusive, and section 9-  
1704 414, by or on behalf of any person other than party-endorsed  
1705 candidates, the registrar shall forthwith after the deadline for  
1706 certification of party-endorsed candidates notify the clerk of such  
1707 municipality that a primary is to be held by such party for the  
1708 nomination of such party to such office or for the election by such  
1709 party of town committee members, as the case may be. Such notice  
1710 shall include a list of all the proposed candidates, those endorsed as  
1711 well as those filing candidacies, together with their addresses and the  
1712 titles of the offices or positions for which they are candidates. In the  
1713 case of a primary for justices of the peace, such notice shall also contain  
1714 the complete ballot [label] designation of each slate pursuant to  
1715 subsection (h) of section 9-437, as amended by this act. The clerk of the  
1716 municipality shall thereupon cause such notice to be published  
1717 forthwith in a newspaper having a general circulation in such  
1718 municipality, together with a statement of the date upon which the  
1719 primary is to be held, the hours during which the polls shall be open  
1720 and the location of the polls. [, and shall send a copy of such notice to  
1721 the Secretary of the State and record the same.] The clerk of the

1722 municipality shall also file such notice with the Secretary of the State  
1723 not later than three business days after receipt of such notice from the  
1724 registrar of voters. The clerk shall forthwith publish any change in the  
1725 proposed candidates, listing such changes.

1726 Sec. 62. Section 9-436 of the general statutes is repealed and the  
1727 following is substituted in lieu thereof (*Effective from passage*):

1728 (a) Voting [machines] tabulators shall be used at each primary,  
1729 provided, (1) if, because of the number of offices and positions to be  
1730 voted upon at a primary, there is an insufficient number of vertical  
1731 columns on any [machine] ballot to be used in a municipality, the vote  
1732 in such municipality at such primary for such offices or positions as  
1733 the Secretary of the State determines shall be taken by paper ballots,  
1734 and (2) if, because of the number of candidates for any office or  
1735 position to be voted upon at a primary, there is an insufficient number  
1736 of horizontal rows with respect to such office or position on any  
1737 [machine] ballot to be used in the municipality, the vote in such  
1738 municipality at such primary for such office or position shall be taken  
1739 by paper ballots. More than one voting [machine] tabulator may be  
1740 used in any voting district if the registrar so prescribes. The registrar  
1741 shall furnish a number of voting [machines] booths sufficient to  
1742 provide a voting [machine] booth for each [twenty-four] five hundred  
1743 or fraction of [twenty-four] five hundred electors eligible to vote at  
1744 such primary in the municipality or voting district, as the case may be,  
1745 and other necessary equipment. In each polling place in which a party  
1746 has authorized unaffiliated electors, pursuant to section 9-431, to vote  
1747 for some but not all offices to be contested at the primary, a separate  
1748 voting [machine] tabulator shall be used for such unaffiliated electors  
1749 and the registrar shall separately furnish one voting [machine] booth  
1750 for each [twenty-four] five hundred or fraction of [twenty-four] five  
1751 hundred enrolled party members and one voting [machine] booth for  
1752 each [twenty-four] five hundred or fraction of [twenty-four] five  
1753 hundred unaffiliated electors authorized to vote at such primary in  
1754 such district. In determining such number of electors, enrolled party

1755 members or unaffiliated electors, the registrar shall not count the  
1756 names on the enrollment or registry lists of seventy-five per cent of  
1757 such electors, unaffiliated electors or enrolled party members who  
1758 reside in institutions, as defined in section 9-159q. The registrar may  
1759 provide more than the minimum number of voting [machines] booths  
1760 required by this section.

1761 [(b) The registrar shall appoint a suitable mechanic or mechanics to  
1762 prepare, adjust and place the voting machines for use at the primary  
1763 under the direction of the registrar. A voting machine mechanic shall  
1764 be deemed a primary official but need not be an elector of any town.]

1765 [(c)] (b) Each [machine] tabulator shall be so arranged that the  
1766 elector may vote for as many persons for nomination or election to  
1767 each office or position as there are persons to be nominated or elected,  
1768 as the case may be, and no more, and so that the elector may vote for  
1769 individual candidates; provided the vote for justices of the peace shall  
1770 be by slate, as provided in section 9-443.

1771 [(d)] (c) The registrar shall appoint from among the enrolled party  
1772 members in the municipality or political subdivision holding the  
1773 primary, as the case may be, to serve in each polling place, the primary  
1774 polling place officials, who shall consist of one moderator, at least one,  
1775 but not more than two official checkers, not more than two challengers  
1776 if he deems it necessary, and at least one and not more than two ballot  
1777 clerks and at least one but not more than two voting [machine]  
1778 tabulator tenders for each [machine] tabulator in use at such primary  
1779 and, in towns with two or more voting districts at least one and not  
1780 more than two assistant registrars, provided (1) in the case of a  
1781 political subdivision holding a primary, if no enrolled party member  
1782 who resides in the political subdivision and who is a certified  
1783 moderator consents to serve as a moderator, the registrar may appoint  
1784 any enrolled party member who resides in the municipality and is a  
1785 certified moderator to be moderator, (2) in the case of either a  
1786 municipality or a political subdivision holding a primary, if no

1787 enrolled party member can be found or no such person consents to  
1788 serve as a moderator, the registrar may appoint any elector who  
1789 resides in the municipality and is a certified moderator to be  
1790 moderator, (3) in the case of a political subdivision holding a primary,  
1791 if an insufficient number of enrolled party members who reside in the  
1792 political subdivision consent to serve as checkers, challengers, voting  
1793 machine tenders or assistant registrars, the registrar may appoint any  
1794 enrolled party member who resides in the municipality to be a checker,  
1795 challenger, voting [machine] tabulator tender or assistant registrar,  
1796 [and] (4) in the case of either a municipality or a political subdivision  
1797 holding a primary, if a sufficient number of enrolled party members  
1798 cannot be found or do not consent to serve in a position described in  
1799 subdivision (3) of this subsection, the registrar may appoint any elector  
1800 who resides in the municipality to any such position, and (5) in the  
1801 case of either a municipality or a political subdivision holding more  
1802 than one primary on the same day for different political parties, one  
1803 certified moderator may serve as moderator for both primaries, if the  
1804 registrars of voters so agree. If unaffiliated electors are authorized  
1805 under section 9-431 to vote for some but not all of the offices to be  
1806 contested at the primary, the registrar shall appoint two additional  
1807 checkers to check the list of unaffiliated electors who are authorized to  
1808 vote on the separate [machines] tabulators. If unaffiliated electors are  
1809 authorized under section 9-431 to vote in the primary of either of two  
1810 parties in the same polling place, whether for some or for all offices to  
1811 be contested at the primary, each such registrar shall appoint two  
1812 additional checkers to check the list of unaffiliated electors who are  
1813 authorized to vote in either such primary.

1814 [(e)] (d) The registrar shall designate one of the moderators so  
1815 appointed by the registrar to be head moderator or shall appoint as  
1816 head moderator an elector who is not also moderator of a polling place  
1817 and who shall be deemed a primary official. The registrar may also  
1818 appoint a deputy head moderator to assist the head moderator in the  
1819 performance of his duties. A deputy head moderator shall also be  
1820 deemed to be a primary official. Each registrar's appointments of

1821 primary polling place officials, except moderators of polling places,  
1822 and of designees to conduct supervised voting of absentee ballots  
1823 pursuant to sections 9-159q and 9-159r shall be divided equally, as  
1824 nearly as may be, between designees of the party-endorsed candidates  
1825 and designees of one or more of the contestants, provided, if a party-  
1826 endorsed candidate is a member of a party other than the one holding  
1827 the primary, such primary officials [, except voting machine  
1828 mechanics,] shall be enrolled party members of the party holding the  
1829 primary. Names of designees and alternate designees for such  
1830 positions shall be submitted in writing by party-endorsed candidates  
1831 and contestants to the registrar not later than ten days before the  
1832 primary, except that names of designees and alternate designees for  
1833 the position of moderator shall be so submitted not later than twenty-  
1834 one days before the primary and, if such lists are not so presented, all  
1835 such appointments shall be made by the registrar but in the above-  
1836 mentioned proportion. The registrar shall notify all such candidates  
1837 and contestants of their right to submit a list of designees under this  
1838 section. Notwithstanding any other provision of this section, the  
1839 registrar shall appoint as moderators only persons who are certified to  
1840 serve as moderators or alternate moderators pursuant to section 9-229,  
1841 as amended by this act, unless there is an insufficient number of such  
1842 persons who are enrolled members of the registrar's party in the  
1843 municipality or political subdivision holding the primary, in which  
1844 case the registrar may appoint a new moderator in accordance with  
1845 section 9-229, as amended by this act, but only to the extent of such  
1846 insufficiency. Primary central counting moderators and absentee ballot  
1847 counters shall also be deemed primary officials. No primary official  
1848 shall perform services for any candidate at the primary on primary  
1849 day.

1850 [(f)] (e) If paper ballots are required for the vote on any office or  
1851 position in a municipality, the clerk of the municipality, in consultation  
1852 with the registrars of voters, shall print a paper ballot for use in such  
1853 primary for nomination to such office or election to such position. The  
1854 Secretary of the State shall prescribe the form of such paper ballot. The

1855 Secretary of the State may prescribe general rules for the use of paper  
1856 ballots in any primary, including the duties of officials at the polls with  
1857 regard to the same, the marking of the same and the counting of the  
1858 same. The procedure to be followed when paper ballots are so used  
1859 shall conform, as nearly as may be, to the procedure applicable to  
1860 voting [machines] tabulators provided in this chapter and to the law  
1861 governing the use of paper ballots in regular elections and such rules  
1862 shall have the force and effect of law. Chapter 54 shall not apply to  
1863 rules made pursuant to this section.

1864 [(g)] (f) The provisions of section 9-258 concerning additional lines  
1865 of electors at a polling place, and of section 9-258a concerning two  
1866 shifts of officials at a polling place, shall apply to a primary. Except as  
1867 otherwise provided in this chapter, the provisions of the general  
1868 statutes relating to the use of voting [machines] tabulators at regular  
1869 elections shall apply as nearly as may be to the use of voting  
1870 [machines] tabulators at primaries.

1871 Sec. 63. Section 9-437 of the general statutes is repealed and the  
1872 following is substituted in lieu thereof (*Effective from passage*):

1873 (a) At the top of each ballot [label] shall be printed the name of the  
1874 party holding the primary, and each ballot [label] shall contain the  
1875 names of all candidates to be voted upon at such primary, except the  
1876 names of justices of the peace. The vertical columns shall be headed by  
1877 the designation of the office or position and instructions as to the  
1878 number for which an elector may vote for such office or position, in the  
1879 same manner as a ballot [label] used in a regular election. The name of  
1880 each candidate for town committee or municipal office, except for the  
1881 municipal offices of state senator and state representative, shall appear  
1882 on the ballot [label] as it appears on the registry list of such candidate's  
1883 town of voting residence, except as provided in section 9-42a. The  
1884 name of each candidate for state or district office or for the municipal  
1885 offices of state senator or state representative shall appear on the ballot  
1886 as it appears on the certificate or statement of consent filed under

1887 section 9-388, 9-391, 9-400, as amended by this act, or 9-409. On the first  
1888 horizontal line, below the designation of the office or position in each  
1889 column, shall be placed the name of the party-endorsed candidate for  
1890 such office or position, such name to be marked with an asterisk;  
1891 provided, where more than one person may be voted for for any office  
1892 or position, the names of the party-endorsed candidates shall be  
1893 arranged in alphabetical order from left to right under the appropriate  
1894 office or position designation and shall continue, if necessary, from left  
1895 to right on the next lower line or lines. In the case of no party  
1896 endorsement there shall be inserted the designation "no party  
1897 endorsement" at the head of the vertical column, immediately beneath  
1898 the designation of the office or position. On the horizontal lines below  
1899 the line for party-endorsed candidates shall be placed, in the  
1900 appropriate columns, the names of all other candidates as hereinafter  
1901 provided.

1902 (b) (1) In the case of two or more such candidates for the same state  
1903 or district office, precedence as to row shall be determined by the  
1904 alphabetical order of the surnames of such candidates, except as  
1905 provided under subdivision (2) of this subsection. (2) If a single  
1906 certificate or a single petition has been filed under subsection (a) of  
1907 section 9-400, as amended by this act, on behalf of two or more  
1908 candidates and proposing one candidate for each state office to be  
1909 contested at such primary, a single row shall be used for the names of  
1910 such candidates and precedence as to row between such certificates  
1911 and petitions shall be determined by the Secretary of the State by lot in  
1912 a ceremony which shall be open to the public. The names of all other  
1913 candidates for state office shall be placed in the appropriate columns in  
1914 alphabetical order on the rows below the row or rows used for  
1915 candidates whose names are contained in such a single certificate,  
1916 certificates, single petition or petitions.

1917 (c) Whenever the position of candidates or slates on the ballot [label]  
1918 under the provisions of this section is affected by the time or order of  
1919 filing of primary petitions, and the registrar of voters certifies in

1920 writing to the town clerk that (1) two or more of the petitions to which  
1921 such provisions apply were filed simultaneously, or (2) [he] the  
1922 registrar is unable to determine the time or order of filing of two or  
1923 more such petitions, then for purposes of this section the order of filing  
1924 of the petitions specified in the registrar's certification shall be  
1925 determined by the town clerk by lot in a ceremony which shall be open  
1926 to the public.

1927 (d) In the case of candidates for municipal office, a single row shall  
1928 be used for the candidates whose names are contained in one primary  
1929 petition, provided such petition proposes at least two candidates and  
1930 the full number of candidates for each office to be contested at such  
1931 primary as the party may nominate or choose thereat, precedence as to  
1932 row being given to the candidates whose names appear in the first  
1933 such petition filed, and so on in descending order.

1934 (e) The names of candidates for town committee members which are  
1935 contained in one primary petition shall be placed in a separate row,  
1936 precedence as to row being given to the candidates whose names  
1937 appear in petitions in the order determined in accordance with this  
1938 subsection. Petitions filed by nine o'clock a.m. on the first business day  
1939 following the day on which petitions become available shall be given  
1940 precedence as to row based on the number of valid signatures filed, in  
1941 descending order from the greatest to the least. Petitions filed after  
1942 nine o'clock a.m. on the first business day following the day on which  
1943 petitions become available shall be given precedence as to row based  
1944 on the order in which they are filed, if such petitions are filed during  
1945 the regular business hours of the office of the registrars of voters or  
1946 during any different hours for said office required under the general  
1947 statutes. Such order of precedence shall be determined separately for  
1948 petitions proposing the full number of candidates which the party may  
1949 choose at the primary and for petitions proposing fewer than such full  
1950 number of candidates, and provided further that petitions proposing  
1951 such full number of candidates shall have precedence as to row over  
1952 petitions proposing fewer than such full number of candidates.

1953 (f) Within such row or rows for those whose names are contained in  
1954 one primary petition, where more than one person may be voted for  
1955 any municipal office or position, such names shall be arranged in  
1956 alphabetical order from left to right under the appropriate municipal  
1957 office or position designation. The names of all other candidates shall  
1958 be placed in the appropriate columns in alphabetical order on the  
1959 horizontal lines below the line or lines used for candidates whose  
1960 names are contained in one primary petition, if any; provided where  
1961 more than one person may be voted for for any office or position, such  
1962 names shall be arranged in alphabetical order from left to right under  
1963 the appropriate office or position designation and shall continue, if  
1964 necessary, from left to right on the next lower line or lines.

1965 (g) The name of each candidate shall appear on the ballot [label] in  
1966 such position as is hereinbefore required, and such position shall be  
1967 determined as of the final time for filing candidacies specified in  
1968 section 9-400, as amended by this act, or 9-405. Vacancies in  
1969 candidacies thereafter occurring shall not cause the position of any  
1970 candidate's name on the ballot [label] to be changed to another  
1971 position. The name of any candidate whose candidacy has been  
1972 vacated shall not appear on the ballot, [label. The voting machine  
1973 pointer over each position where no candidate's name appears shall be  
1974 locked so that no vote can be cast for such position.] If such a vacancy  
1975 results in the cancellation of a primary for any office, the office column  
1976 or columns where the names of the candidates and the title of the  
1977 office would have appeared if the primary for that office had not been  
1978 cancelled shall be left blank. If a vacancy occurs in a party-endorsed  
1979 candidacy and a person is chosen in accordance with section 9-426, as  
1980 amended by this act, or 9-428 to fill the resulting vacancy in candidacy,  
1981 the name of the person so chosen shall appear in the same position as  
1982 that in which the name of the vacating candidate appeared. The  
1983 municipal clerk shall have the ballot [label] prepared so that the name  
1984 of any candidate who has vacated [his] such candidate's candidacy is  
1985 deleted and so that the name of any candidate chosen to fill a vacancy  
1986 in candidacy appears in the same position as that in which the vacated

1987 candidacy appeared. The municipal clerk may use blank or printed  
1988 stickers, as the case may be, in preparing the [ballot labels] ballots if  
1989 the [ballot labels] ballots were printed before the occurrence of the  
1990 vacancy in candidacy or the selection of a candidate to fill a vacancy in  
1991 candidacy. The order of the offices and positions shall be as prescribed  
1992 by the Secretary of the State.

1993 (h) The names of candidates for election as justices of the peace shall  
1994 not appear on the ballot. [label.] A single vertical column shall be used  
1995 for all the candidates for election to the office of justice the peace of a  
1996 particular town. The vertical column used for justices of the peace shall  
1997 be headed by the words "justices of the peace". On the first horizontal  
1998 line in the vertical column used for justice of the peace shall be placed  
1999 the words "party-endorsed slate". On the second and succeeding  
2000 horizontal lines, in the order of the time of filing, shall be placed the  
2001 words "challenge slate", preceded, in quotation marks, by the letter  
2002 designating such line. The municipal clerk shall prepare a list of the  
2003 names of all candidates on each slate for election as justices of the  
2004 peace, including the complete ballot [label] designation of each such  
2005 slate as provided in this subsection, which shall be posted in the  
2006 polling places by each moderator for the inspection of the electors  
2007 prior to voting.

2008 (i) The names of candidates for nomination to any elective office or  
2009 for election as members of a town committee, as the case may be, shall  
2010 be separated from each other by a light line, but shall not be separated  
2011 from each other on the ballot [label] by names of candidates for any  
2012 other office or position or by columns used for any other office or  
2013 position; and the column or columns used for each office or position  
2014 shall be separated from the columns used for other offices or positions  
2015 by a heavy line.

2016 (j) All [ballot labels] ballots used at a primary shall be prepared by  
2017 the clerk of the municipality in which such primary is held and shall be  
2018 printed at the expense of the municipality. Each municipality shall

2019 provide for all polling places:

2020 (1) At least forty-eight hours before the primary, such clerk shall  
2021 have sample ballot labels for general distribution, which shall [be  
2022 arranged in the form of a diagram showing the entire front of the  
2023 voting machine as it will appear after the official ballot labels are  
2024 arranged for voting on the day of the primary or that portion thereof  
2025 that will] contain the offices or positions and names of candidates to be  
2026 voted upon. Each such sample ballot [label] shall also include printed  
2027 instructions approved by the Secretary of the State concerning the use  
2028 of the voting [machine] tabulator and information concerning the date  
2029 of the primary and the hours during which polling places will be open.  
2030 Such clerk shall have available for distribution such number of sample  
2031 [ballot labels] ballots as [he] such clerk deems advisable, but in no  
2032 event less than three which shall be posted inside the polling place so  
2033 as to be visible to those within the polling place during the whole day  
2034 of the primary. At least one of such sample [ballot labels] ballots shall  
2035 be posted so as to be visible to an elector being instructed on the  
2036 demonstrator [or spare voting machine] device, pursuant to section 9-  
2037 260. If paper ballots are used in any primary, such sample paper  
2038 ballots shall be overprinted with the word "Sample";

2039 (2) Instructions on how to cast a provisional ballot, as prescribed by  
2040 the Secretary of the State;

2041 (3) Instructions for mail-in registrants and first-time voters who  
2042 register to vote by mail on or after January 1, 2003, as prescribed by the  
2043 Secretary of the State;

2044 (4) General information concerning voting rights under federal and  
2045 Connecticut laws, including information on the right of an individual  
2046 to cast a provisional ballot and instructions on how to contact the  
2047 appropriate officials if such rights are alleged to have been violated, as  
2048 prescribed by the Secretary of the State; and

2049 (5) General information on federal and state laws concerning

2050 prohibitions on acts of fraud and misrepresentation, as prescribed by  
2051 the Secretary of the State.

2052 (k) When unaffiliated electors are authorized under section 9-431 to  
2053 vote for some but not all offices to be contested at a primary, (1)  
2054 separate voting [machines] tabulators shall be used for the unaffiliated  
2055 electors in a voting district, (2) the ballot [label] shall indicate that it is a  
2056 partial ballot for unaffiliated electors, (3) the ballot [label] shall contain  
2057 only the offices and names of candidates for which such electors may  
2058 vote, with blank columns left wherever necessary to assure that each  
2059 candidate's position is the same as on the full ballot for such primary  
2060 in the voting district, and (4) three sample [ballot labels] ballots  
2061 showing such partial ballot shall also be posted inside the polling place  
2062 so as to be visible to such unaffiliated electors.

2063 Sec. 64. Section 9-440 of the general statutes is repealed and the  
2064 following is substituted in lieu thereof (*Effective from passage*):

2065 Upon the closing of the polls at any primary held under sections 9-  
2066 382 to 9-450, inclusive, the moderator, in the presence of the other  
2067 officials, shall immediately lock the voting [machines] tabulators  
2068 against voting and shall then proceed to ascertain, record and  
2069 announce the result in the manner provided by law for ascertaining,  
2070 recording and announcing the result in regular elections. The election  
2071 officials shall execute certificates and returns similar to those required  
2072 in regular elections. The moderator in each town not divided into  
2073 voting districts, and the head moderator in each town divided into  
2074 voting districts, shall transmit the results of the vote for each office  
2075 contested at any such primary in the same manner and within the  
2076 same time as provided under section 9-314 in an election for such  
2077 office. The late filing fee provided under section 9-314 shall apply to  
2078 late filing of results of primaries for state or district office. In the case of  
2079 primaries for state or district offices, the Secretary of the State shall  
2080 forthwith cause to be tabulated the result of the votes cast in the  
2081 several municipalities in which such primaries have been held and

2082 shall publicly declare the result thereof, and a certificate attesting  
2083 thereto shall be entered in [his] the secretary's records.

2084 Sec. 65. Section 9-445 of the general statutes is repealed and the  
2085 following is substituted in lieu thereof (*Effective from passage*):

2086 Forthwith after a primary for nomination to a municipal office or for  
2087 election of members of a town committee, or forthwith upon tabulation  
2088 of the vote for a state or district office by the Secretary of the State  
2089 when the plurality of an elected or nominated candidate over the vote  
2090 for a defeated candidate receiving the next highest number of votes  
2091 was either (1) less than a vote equivalent to one-half of one per cent of  
2092 the total number of votes cast at the primary for the office or position  
2093 but not more than one thousand votes, or (2) less than twenty votes,  
2094 there shall be a recanvass of the returns of the voting [machine or  
2095 voting machines] tabulator or voting tabulators used in such primary  
2096 for [said] such office or position unless within one day after the  
2097 primary, in the case of nomination to a municipal office or for election  
2098 of members of a town committee, or prior to the time the Secretary of  
2099 the State notifies the town clerk of state and district offices which  
2100 qualify for an automatic recanvass, the defeated candidate or defeated  
2101 candidates, as the case may be, for such office or position file a written  
2102 statement waiving the right to such recanvass with the municipal clerk  
2103 in the case of a municipal office or town committee, or with the  
2104 Secretary of the State in the case of a state or district office. In the case  
2105 of a state or district office, the Secretary of the State, upon tabulation of  
2106 the votes for such an office, shall notify the town clerks in the state or  
2107 district, as the case may be, of the state and district offices which  
2108 qualify for an automatic recanvass and shall also notify each candidate  
2109 for any such office. When a recanvass is to be held, the municipal clerk  
2110 shall promptly notify the moderator, as defined in section 9-311, who  
2111 shall proceed forthwith to recanvass such returns of the office in  
2112 question in the same manner as is provided for a recanvass in regular  
2113 elections, except that the recanvass officials shall be divided equally, as  
2114 nearly as may be, among the candidates for such office. In addition to

2115 the notice required under section 9-311, the moderator shall, before  
2116 such recanvass is made, give notice in writing of the time and place of  
2117 such recanvass to each candidate for a municipal office which qualifies  
2118 for an automatic recanvass under this section. For purposes of this  
2119 section, "the total number of votes cast at the primary for the office or  
2120 position" means, in the case of multiple openings for the same office or  
2121 position, the total number of electors checked as having voted in the  
2122 primary in the state, district, municipality or political subdivision, as  
2123 the case may be. When a recanvass of the returns for an office for  
2124 which there are multiple openings is required by the provisions of this  
2125 section, the returns for all candidates for all openings for the office  
2126 shall be recanvassed. Nothing in this section shall preclude the right to  
2127 judicial proceedings on behalf of such defeated candidate under any  
2128 provision of this chapter.

2129 Sec. 66. Section 9-446 of the general statutes is repealed and the  
2130 following is substituted in lieu thereof (*Effective from passage*):

2131 (a) If two or more candidates obtain the same number of votes at a  
2132 primary held to nominate candidates for a state or district office, and a  
2133 tie vote thereby occurs, any of such candidates, or the state chairman  
2134 of the political party, may apply for a recanvass of the returns in the  
2135 manner provided in section 9-445, as amended by this act. If no such  
2136 application is made, or if any such recanvass results in a tie vote, such  
2137 primary shall stand adjourned for three weeks at the same hour at  
2138 which the first primary was held. [Ballot labels] Ballots of the same  
2139 form and description as described in section 9-437, as amended by this  
2140 act, shall be used in the primary on such adjourned day, and the  
2141 primary shall be conducted in the same manner as on the first day,  
2142 except that the votes shall be cast for such office only. [Ballot labels]  
2143 Ballots for such primary shall be provided forthwith by the clerk of  
2144 each municipality wherein such primary stands adjourned, and each  
2145 such clerk shall furnish the Secretary of the State with an accurate list  
2146 of all candidates to be voted for at such adjourned primary. The clerk  
2147 of each municipality in the state or the district, whichever is applicable,

2148 wherein such primary so stands adjourned shall, at least three days  
2149 prior to the day of such adjourned primary, give notice of the day,  
2150 hours, place and purpose thereof by publishing such notice in a  
2151 newspaper published in such municipality or having a circulation  
2152 therein. No such primary shall be held if prior to such primary all but  
2153 one of the candidates for such office die, withdraw their names or for  
2154 any reason become disqualified to hold such office, and, in such event,  
2155 the remaining candidate shall be deemed to be lawfully voted upon as  
2156 the candidate for such office. No withdrawal shall be valid until the  
2157 candidate who has withdrawn has filed a letter of withdrawal signed  
2158 by such candidate with the Secretary of the State. When such a  
2159 primary is required to be held under the provisions of this section and  
2160 prior to such primary all but one of the candidates for such office die,  
2161 withdraw their names or for any reason become disqualified to hold  
2162 such office, the Secretary of the State shall forthwith notify the  
2163 municipal clerk of such fact, and shall forthwith direct the clerk that  
2164 such primary shall not be held. In the case of a multiple-opening office  
2165 only the names of those candidates whose votes are equal shall be  
2166 placed on the ballot [label] of the adjourned primary. If such second  
2167 primary results in a tie vote, the Secretary of the State, in the presence  
2168 of not fewer than three disinterested persons, and after notification to  
2169 the candidates obtaining the same number of votes and the  
2170 chairperson of the state central committee of the party holding the  
2171 primary of the time when and the place where such tie vote is to be  
2172 dissolved, shall dissolve such tie vote by lot. The Secretary of the State  
2173 shall execute a certificate attesting to the result of the dissolution of  
2174 such tie vote, and the person so certified or the slate so certified as  
2175 having been chosen by lot shall be deemed to have received a plurality  
2176 of the votes cast and shall be deemed to have been chosen as the  
2177 nominee of such party to such office.

2178 (b) If two or more candidates obtain the same number of votes at a  
2179 primary held to nominate candidates for a municipal office or to elect  
2180 members of a town committee, or if two or more slates of candidates  
2181 obtain the same number of votes at a primary held for justices of the

2182 peace, and a tie vote thereby occurs, any of such candidates, or the  
2183 town chairman of the political party, may apply for a recanvass of the  
2184 returns in the manner provided in section 9-445, as amended by this  
2185 act. If no such application is made, or if any such recanvass results in a  
2186 tie vote, such primary shall stand adjourned for three weeks at the  
2187 same hour at which the first primary was held. [Ballot labels] Ballots of  
2188 the same form and description as described in section 9-437, as  
2189 amended by this act, shall be used in the primary on such adjourned  
2190 day, and the primary shall be conducted in the same manner as on the  
2191 first day, except that the votes shall be cast for such office only. [Ballot  
2192 labels] Ballots for such primary shall be provided forthwith by the  
2193 clerk of the municipality wherein such primary stands adjourned, and  
2194 such clerk shall furnish the Secretary of the State with an accurate list  
2195 of all candidates to be voted for at such adjourned primary. The clerk  
2196 of the municipality wherein such primary so stands adjourned shall, at  
2197 least three days prior to the day of such adjourned primary, give notice  
2198 of the day, hours, place and purpose thereof by publishing such notice  
2199 in a newspaper published in such municipality or having a circulation  
2200 therein. No such primary shall be held if prior to such primary all but  
2201 one of the candidates for such office die, withdraw their names or for  
2202 any reason become disqualified to hold such office, and, in such event,  
2203 the remaining candidate shall be deemed to be lawfully voted upon as  
2204 the candidate for such office. No withdrawal shall be valid until the  
2205 candidate who has withdrawn has filed a letter of withdrawal signed  
2206 by such candidate with the municipal clerk. When such a primary is  
2207 required to be held under the provisions of this section and prior to  
2208 such primary all but one of the candidates for such office die,  
2209 withdraw their names or for any reason become disqualified to hold  
2210 such office, the Secretary of the State shall forthwith notify the  
2211 municipal clerk of such fact, and shall forthwith direct the clerk that  
2212 such primary shall not be held. In the case of a multiple-opening office  
2213 only the names of those candidates whose votes are equal shall be  
2214 placed on the ballot [label] of the adjourned primary. If such second  
2215 primary results in a tie vote, the registrar, in the presence of not fewer

2216 than three disinterested persons, and after notification to the  
2217 candidates obtaining the same number of votes and the chairperson of  
2218 the town committee of the party holding the primary of the time when  
2219 and the place where such tie vote is to be dissolved, shall dissolve such  
2220 tie vote by lot. The registrar shall execute a certificate attesting to the  
2221 result of the dissolution of such tie vote, and the person so certified or  
2222 the slate so certified as having been chosen by lot shall be deemed to  
2223 have received a plurality of the votes cast and shall be deemed to have  
2224 been chosen as the nominee of such party to such office.

2225 Sec. 67. Section 9-447 of the general statutes is repealed and the  
2226 following is substituted in lieu thereof (*Effective from passage*):

2227 The voting [machines] tabulators used in any primary shall not be  
2228 unlocked for a period of fourteen days from the date of the primary,  
2229 unless otherwise ordered by any judge of the Superior Court [,] or by  
2230 the State Elections Enforcement Commission. If a contest or  
2231 investigation is pending, such [machines] tabulators shall not be  
2232 unlocked for such longer period of time as may be ordered by any  
2233 judge of the Superior Court, unless a recanvass has been applied for  
2234 under the provisions of section 9-445, as amended by this act, or unless  
2235 an order has been issued by the State Elections Enforcement  
2236 Commission.

2237 Sec. 68. Section 9-453d of the general statutes is repealed and the  
2238 following is substituted in lieu thereof (*Effective from passage*):

2239 Each petition shall be signed by a number of qualified electors equal  
2240 to the lesser of (1) one per cent of the votes cast for the same office or  
2241 offices at the last-preceding election, or the number of qualified  
2242 electors prescribed by section 9-380 with regard to newly-created  
2243 offices, or (2) seven thousand five hundred. "Qualified electors" means  
2244 electors eligible to vote for all the candidates proposed by the petition.  
2245 "Votes cast for the same office at the last-preceding election" means, in  
2246 the case of multiple openings for the same office, the total number of  
2247 electors checked as having voted at the last-preceding election at

2248 which such office appeared on the ballot, [label.]

2249 Sec. 69. Subsection (b) of section 9-453r of the general statutes is  
2250 repealed and the following is substituted in lieu thereof (*Effective from*  
2251 *passage*):

2252 (b) On the horizontal rows below the rows so used for candidates, if  
2253 any, who are so entitled to a party designation on the [voting  
2254 machines] ballot, shall be placed, in the appropriate office columns, the  
2255 names of candidates contained in petitions approved pursuant to  
2256 section 9-453o bearing no party designation. Such candidates shall not  
2257 be entitled to separate rows. Precedence as to horizontal row between  
2258 or among such candidates shall be determined, if necessary, by the  
2259 order in which their applications for petitions were filed with the  
2260 Secretary of the State from the earliest to the latest; provided that  
2261 within any such horizontal row the names of as many of such  
2262 candidates for the same multiple-opening office as such row will  
2263 accommodate shall be placed before placing the names of other such  
2264 candidates for such office on the next such row. The order of the names  
2265 of such candidates for the same multiple-opening office, within and  
2266 between any such horizontal rows, shall be determined by the  
2267 registrars of voters by lot in a ceremony which shall be open to the  
2268 public. The registrars of voters shall provide at least five days public  
2269 notice for each such ceremony. Each row in which a candidate's name  
2270 appears who is not entitled to a party designation shall be labeled  
2271 "Petitioning Candidates", the print of which shall correspond to that  
2272 used for party designations.

2273 Sec. 70. Section 9-453s of the general statutes is repealed and the  
2274 following is substituted in lieu thereof (*Effective from passage*):

2275 Vacancies in candidacies occurring after all nominating petitions  
2276 have been approved under section 9-453o, shall not cause the position  
2277 of any candidate's name on the ballot [label] to be changed to another  
2278 position unless a blank row on the [machine] ballot results from such  
2279 vacancy or vacancies in which case the position of candidates

2280 appearing on lines under the blank row may change if the consent of  
2281 all candidates involved in such a change is filed in the Secretary of the  
2282 State's office prior to the time for printing and filing sample [ballot  
2283 labels] ballots with said secretary. The name of any candidate whose  
2284 candidacy has been vacated shall not appear on the ballot, [label. The  
2285 voting machine pointer over each position where no candidate's name  
2286 appears shall be locked so that no vote can be cast in that position.]

2287 Sec. 71. Section 9-470 of the general statutes is repealed and the  
2288 following is substituted in lieu thereof (*Effective from passage*):

2289 The secretary shall determine by lot, in a public ceremony held on  
2290 the thirty-fifth day preceding the day of the primary, the order in  
2291 which the names of the candidates will appear on the ballot of each  
2292 party at such primary; provided that the category "uncommitted" shall  
2293 appear last on such ballots. Notwithstanding any provision of the  
2294 general statutes to the contrary, no candidate shall be designated on  
2295 the ballot as the party-endorsed candidate. The names of such  
2296 candidates shall appear, in the order so determined by the secretary, in  
2297 the first vertical column of the [voting machine] ballot. Such column  
2298 shall be designated "Nomination for President of the United States";  
2299 provided if the number of candidates is such that there is an  
2300 insufficient number of places in such column, the secretary shall  
2301 determine whether the names of the candidates shall also extend, in  
2302 the order so determined, to the second and succeeding columns as  
2303 may be necessary, or shall appear on the first and succeeding  
2304 horizontal rows as may be necessary. Such columns or rows shall be  
2305 designated as hereinabove provided. Except as otherwise provided in  
2306 this chapter, the form of the ballot shall be prescribed by the secretary  
2307 and shall conform, as nearly as may be, to the provisions of section 9-  
2308 437, as amended by this act.

2309 Sec. 72. Section 9-476 of the general statutes is repealed and the  
2310 following is substituted in lieu thereof (*Effective from passage*):

2311 Except as otherwise provided in this chapter, the provisions of

2312 chapter 145 and chapter 153 concerning absentee voting at primaries,  
2313 conduct of primaries and return and tabulation of the vote at such  
2314 primaries shall apply as nearly as practicable and in the manner  
2315 prescribed by the secretary, to a presidential preference primary. The  
2316 primary officials of each party for each polling place shall be as  
2317 specified in section 9-436, except that (1) the appointment of assistant  
2318 registrars of voters and absentee ballot counters shall be permitted but  
2319 not required, (2) the minimum number of official checkers shall be one,  
2320 (3) the minimum number of voting [machine] tabulator tenders shall  
2321 be one for each two voting [machines] tabulators in use, (4) if two  
2322 parties are holding primaries and the registrars of voters of such  
2323 parties so agree, such registrars may jointly appoint (A) one enrolled  
2324 member of either party to serve as moderator of both primaries, and  
2325 (B) one enrolled member of either party to serve as head moderator of  
2326 both primaries, (5) notwithstanding any reduction in the number of  
2327 primary officials as permitted by this section, any duty required of  
2328 primary officials by the general statutes may be performed by one or  
2329 more primary officials, at the direction of the registrar of voters of the  
2330 party of such officials, and (6) the registrar of voters shall have the sole  
2331 power to appoint such officials. In making such appointments the  
2332 registrar shall attempt, to the extent practicable, to provide  
2333 representation for each candidate at each polling place. The provisions  
2334 of section 9-436a shall apply to each candidate whose name appears on  
2335 the ballot, except that each such candidate, through [his] such  
2336 candidate's authorized or known representative, may submit to the  
2337 registrar the name of one designee as candidate checker for each  
2338 polling place, and the registrar shall appoint such designee as  
2339 candidate checker for such candidate. Notwithstanding the provisions  
2340 of section 9-438, the polls shall be open for voting at the primary  
2341 between the hours of six o'clock a.m. and eight o'clock p.m. The  
2342 moderator or head moderator of the primary in each town shall  
2343 prepare duplicate lists of returns in the manner provided by section 9-  
2344 440, as amended by this act, but notwithstanding the provisions of said  
2345 section, [he] the moderator or head moderator shall hand deliver one

2346 of such lists to either the secretary or the state police by two o'clock  
2347 p.m. of the day following the primary. Any moderator or head  
2348 moderator, as the case may be, who fails to deliver such list to either  
2349 the secretary or the state police by such time shall pay a late filing fee  
2350 of fifty dollars.

2351 Sec. 73. Section 9-247 of the general statutes is repealed and the  
2352 following is substituted in lieu thereof (*Effective from passage*):

2353 The registrars of voters shall, before the day of the election, [cause  
2354 the mechanic or mechanics to insert on each machine the ballot labels  
2355 corresponding with the sample diagrams provided and to] put each  
2356 [such machine] voting tabulator in order in every way and set and  
2357 adjust the same so that it shall be ready for use in voting when  
2358 delivered at the polling place. Such registrars shall cause [the machine  
2359 so labeled,] each such tabulator to be in order and set and adjusted, to  
2360 be delivered at the polling place, together with all necessary furniture  
2361 and appliances that go with the same, at the room where the election is  
2362 to be held, not later than six o'clock in the afternoon of the day  
2363 preceding the election. Each [voting machine] polling place shall be  
2364 furnished with light sufficient to enable electors while voting to read  
2365 the ballot [labels] and suitable for use by the election officials in  
2366 examining the counters. [A pencil shall also be provided, within each  
2367 voting machine, for use in casting a write-in ballot.]

2368 Sec. 74. Subsection (a) of section 9-236 of the general statutes is  
2369 repealed and the following is substituted in lieu thereof (*Effective from*  
2370 *passage*):

2371 (a) On the day of any primary, referendum or election, no person  
2372 shall solicit on behalf of or in opposition to the candidacy of another or  
2373 himself or on behalf of or in opposition to any question being  
2374 submitted at the election or referendum, or loiter or peddle or offer  
2375 any advertising matter, ballot or circular to another person within a  
2376 radius of seventy-five feet of any outside entrance in use as an entry to  
2377 any polling place or in any corridor, passageway or other approach

2378 leading from any such outside entrance to such polling place or in any  
 2379 room opening upon any such corridor, passageway or approach. [,  
 2380 except as provided in section 9-294.] Nothing contained in this section  
 2381 shall be construed to prohibit (1) parent-teacher associations or parent-  
 2382 teacher organizations from holding bake sales or other fund-raising  
 2383 activities on the day of any primary, referendum or election in any  
 2384 school used as a polling place, provided such sales or activities shall  
 2385 not be held in the room in which the election booths are located, (2) the  
 2386 registrars of voters from directing the officials at a primary,  
 2387 referendum or election to distribute, within the restricted area,  
 2388 adhesive labels on which are imprinted the words "I Voted Today", or  
 2389 (3) the registrars of voters in a primary, election or referendum from  
 2390 jointly permitting nonpartisan activities to be conducted in a room  
 2391 other than the room in which the election booths are located. The  
 2392 registrars may jointly impose such conditions and limitations on such  
 2393 nonpartisan activity as deemed necessary to ensure the orderly process  
 2394 of voting. The moderator shall evict any person who in any way  
 2395 interferes with the orderly process of voting.

2396       Sec. 75. Subsection (b) of section 51-164n of the general statutes is  
 2397 repealed and the following is substituted in lieu thereof (*Effective from*  
 2398 *passage*):

2399       (b) Notwithstanding any provision of the general statutes, any  
 2400 person who is alleged to have committed (1) a violation under the  
 2401 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-  
 2402 283, 7-325, 7-393, 8-25, 8-27, 9-63, [9-296, 9-305,] 9-322, 9-350, 10-193, 10-  
 2403 197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292 or 12-326g,  
 2404 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section  
 2405 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-  
 2406 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-  
 2407 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-  
 2408 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or  
 2409 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,  
 2410 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)

2411 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,  
2412 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b  
2413 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-  
2414 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,  
2415 14-153 or 14-163b, a first violation as specified in subsection (f) of  
2416 section 14-164i, section 14-219 as specified in subsection (e) of said  
2417 section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-  
2418 250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264,  
2419 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) of  
2420 section 14-283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-321,  
2421 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of section  
2422 14-386a, section 15-33, subsection (a) of section 15-115, section 16-256,  
2423 16-256e, 16a-15 or 16a-22, subsection (a) or (b) of section 16a-22h,  
2424 section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17a-642, 17b-124,  
2425 17b-131, 17b-137 or 17b-734, subsection (b) of section 17b-736, section  
2426 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section 19a-87a,  
2427 section 19a-91, 19a-105, 19a-107, 19a-215, 19a-219, 19a-222, 19a-224,  
2428 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338,  
2429 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-257,  
2430 20-265 or 20-324e, section 20-341l, 20-597, 20-608, 20-610, 21-30, 21-38,  
2431 21-39, 21-43, 21-47, 21-48, 21-63, 21-76a, 21a-21, 21a-25, 21a-26 or 21a-  
2432 30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63 or  
2433 21a-77, subsection (b) of section 21a-79, section 21a-85, 21a-154, 21a-  
2434 159, 22-13, 22-14, 22-15, 22-16, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39,  
2435 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90,  
2436 22-98, 22-99, 22-100, 22-111o, 22-279, 22-280a, 22-318a, 22-320h, 22-324a,  
2437 22-326 or 22-342, subsection (b) or (e) of section 22-344, section 22-359,  
2438 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246, subsection (a)  
2439 of section 22a-250, subsection (e) of section 22a-256h, section 22a-381d,  
2440 22a-449, 22a-461, 23-37, 23-38, 23-46 or 23-61b, subsection (a) or (b) of  
2441 section 23-65, section 25-37, 25-40, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-  
2442 49, 26-54, 26-59, 26-61, 26-64, 26-79, 26-89, 26-97, 26-107, 26-117, 26-128,  
2443 26-131, 26-132, 26-138, 26-141, 26-207, 26-215, 26-224a, 26-227, 26-230,  
2444 26-294, 28-13, 29-6a, 29-109, 29-143o, 29-143z or 29-156a, subsection (b),

2445 (d), (e) or (g) of section 29-161q, section 29-161y, 29-161z, 29-198, 29-  
2446 210, 29-243, 29-277, subsection (c) of section 29-291c, section 29-316, 29-  
2447 318, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15,  
2448 31-16, 31-18, 31-23, 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40,  
2449 31-44, 31-47, 31-48, 31-51, 31-51k, 31-52, 31-52a or 31-54, subsection (a)  
2450 or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b  
2451 or 31-134, subsection (i) of section 31-273, section 31-288, 36a-787, 42-  
2452 230, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-  
2453 54, section 46a-59, 46b-22, 46b-24, 46b-34, 46b-38dd, 46b-38gg, 46b-  
2454 38kk, 47-34a, 47-47, 49-8a, 49-16 or 53-133, or section 53-212a, 53-249a,  
2455 53-252, 53-264, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331,  
2456 53-344 or 53-450, or (2) a violation under the provisions of chapter 268,  
2457 or (3) a violation of any regulation adopted in accordance with the  
2458 provisions of section 12-484, 12-487 or 13b-410, or (4) a violation of any  
2459 ordinance, regulation or bylaw of any town, city or borough, except  
2460 violations of building codes and the health code, for which the penalty  
2461 exceeds ninety dollars but does not exceed two hundred fifty dollars,  
2462 unless such town, city or borough has established a payment and  
2463 hearing procedure for such violation pursuant to section 7-152c, shall  
2464 follow the procedures set forth in this section.

2465 Sec. 76. Section 9-320f of the general statutes is repealed and the  
2466 following is substituted in lieu thereof (*Effective from passage*):

2467 (a) Not earlier than the fifteenth day after any election or primary  
2468 and not later than two business days before the canvass of votes by the  
2469 Secretary of the State, Treasurer and Comptroller, for any federal or  
2470 state election or primary, or by the town clerk for any municipal  
2471 election or primary, the registrars of voters shall conduct a manual  
2472 audit of the votes recorded in not less than ten per cent of the voting  
2473 districts in the state, district or municipality, whichever is applicable.  
2474 Such manual audit shall be noticed in advance and be open to public  
2475 observation. Any election official who participates in the  
2476 administration and conduct of an audit pursuant to this section shall  
2477 be compensated by the municipality at the standard rate of pay

2478 established by such municipality for elections or primaries, as the case  
2479 may be.

2480 (b) The voting districts subject to the audit described in subsection  
2481 (a) of this section shall be selected in a random drawing by the  
2482 Secretary of the State and such selection process shall be open to the  
2483 public. The offices subject to the audit pursuant to this section shall be,  
2484 (1) in the case of an election where the office of presidential elector is  
2485 on the ballot, all offices required to be audited by federal law, plus one  
2486 additional office selected in a random drawing by the Secretary of the  
2487 State, but in no case less than three offices, (2) in the case of an election  
2488 where the office of Governor is on the ballot, all offices required to be  
2489 audited by federal law, plus one additional office selected in a random  
2490 drawing by the Secretary of the State, but in no case less than three  
2491 offices, (3) in the case of a municipal election, three offices or twenty  
2492 per cent of the number of offices on the ballot, whichever is greater,  
2493 selected at random by the municipal clerk, and (4) in the case of a  
2494 primary election, all offices required to be audited by federal law, plus  
2495 one additional office, if any, but in no event less than twenty per cent  
2496 of the offices on the ballot, selected in a random drawing by the  
2497 municipal clerk.

2498 (c) If a selected voting district has an office that is subject to  
2499 recanvass or an election or primary contest pursuant to the general  
2500 statutes, the Secretary shall select an alternative district, pursuant to  
2501 the process described in subsection (b) of this section.

2502 (d) The manual audit described in subsection (a) of this section shall  
2503 consist of the manual tabulation of the paper ballots cast and counted  
2504 by each voting [machine] tabulator subject to such audit. Once  
2505 complete, the vote totals established pursuant to the manual tabulation  
2506 shall be compared to the results reported by the voting [machine]  
2507 tabulator on the day of the election or primary. The results of the  
2508 manual tabulation shall be reported on a form prescribed by the  
2509 Secretary of the State which shall include the total number of ballots

2510 counted, the total votes received by each candidate in question, the  
2511 total votes received by each candidate in question on ballots that were  
2512 properly completed by each voter and the total votes received by each  
2513 candidate in question on ballots that were not properly completed by  
2514 each voter. Such report shall be filed with the Secretary of the State  
2515 who shall immediately forward such report to The University of  
2516 Connecticut for analysis. The University of Connecticut shall file a  
2517 written report with the Secretary of the State regarding such analysis  
2518 that describes any discrepancies identified. After receipt of such report,  
2519 the Secretary of the State shall file such report with the State Elections  
2520 Enforcement Commission.

2521 (e) For the purposes of this section, a ballot that has not been  
2522 properly completed will be deemed to be a ballot on which (1) votes  
2523 have been marked by the voter outside the vote targets, (2) votes have  
2524 been marked by the voter using a manual marking device that cannot  
2525 be read by the voting [machine] tabulator, or (3) in the judgment of the  
2526 registrars of voters, the voter marked the ballot in such a manner that  
2527 the voting [machine] tabulator may not have read the marks as votes  
2528 cast.

2529 (f) Notwithstanding the provisions of section 9-311, the Secretary of  
2530 the State shall order a discrepancy recanvass of the returns of an  
2531 election or primary for any office if a discrepancy, as defined in  
2532 subsection (o) of this section, exists where the margin of victory in the  
2533 race for such office is less than the amount of the discrepancy  
2534 multiplied by the total number of voting districts where such race  
2535 appeared on the ballot, provided in a year in which the Secretary of the  
2536 State is a candidate for an office on the ballot and that office is subject  
2537 to an audit as provided by this section, the State Elections Enforcement  
2538 Commission shall order a discrepancy recanvass if a discrepancy, as  
2539 defined by subsection (o) of this section, has occurred that could affect  
2540 the outcome of the election or primary for such office.

2541 (g) If The University of Connecticut report described in subsection

2542 (d) of this section indicates that a voting [machine] tabulator failed to  
2543 record votes accurately and in the manner provided by the general  
2544 statutes, the Secretary of the State shall require that the voting  
2545 [machine] tabulator be examined and recertified by the Secretary of the  
2546 State, or the Secretary's designee. Nothing in this subsection shall be  
2547 construed to prohibit the Secretary of the State from requiring that a  
2548 voting [machine] tabulator be examined and recertified.

2549 (h) The audit report filed pursuant to subsection (d) of this section  
2550 shall be open to public inspection and may be used as prima facie  
2551 evidence of a discrepancy in any contest arising pursuant to chapter  
2552 149 or for any other cause of action arising from such election or  
2553 primary.

2554 (i) If the audit officials are unable to reconcile the manual count with  
2555 the electronic vote tabulation and discrepancies, the Secretary of the  
2556 State shall conduct such further investigation of the voting [machine  
2557 or] tabulator malfunction as may be necessary for the purpose of  
2558 reviewing whether or not to decertify the voting [machine or  
2559 machines] tabulator or tabulators in question or to order the voting  
2560 [machine] tabulator to be examined and recertified pursuant to  
2561 subsection (g) of this section. Any report produced by the Secretary of  
2562 the State as a result of such investigation shall be filed with the State  
2563 Elections Enforcement Commission and the commission may initiate  
2564 such further investigation in accordance with subdivision (1) of  
2565 subsection (a) of section 9-7b as may be required to determine if any  
2566 violations of the general statutes concerning election law have been  
2567 committed.

2568 (j) The individual paper ballots used at an election or primary shall  
2569 be carefully preserved and returned in their designated receptacle in  
2570 accordance with the requirements of section 9-266 [, 9-302] or 9-310,  
2571 whichever is applicable.

2572 (k) Nothing in this section shall be construed to preclude any  
2573 candidate or elector from seeking additional remedies pursuant to

2574 chapter 149.

2575 (l) After an election or primary, any voting [machine] tabulator may  
2576 be kept locked for a period longer than that prescribed by sections 9-  
2577 266, 9-310 and 9-447, as amended by this act, if such an extended  
2578 period is ordered by either a court of competent jurisdiction, the  
2579 Secretary of the State or the State Elections Enforcement Commission.  
2580 Either the court or the Secretary of the State may order an audit of such  
2581 voting [machine] tabulator to be conducted by such persons as the  
2582 court or the Secretary of the State may designate, provided the State  
2583 Elections Enforcement Commission may order such an audit under the  
2584 circumstances prescribed in subsection (f) of this section. If the  
2585 machine utilized in such election or primary is an optical scan voting  
2586 system, such order to lock such machine shall include the tabulator,  
2587 memory card and all other components and processes utilized in the  
2588 programming of such machine.

2589 (m) The Secretary of the State may adopt regulations, in accordance  
2590 with the provisions of chapter 54, as may be necessary for the conduct  
2591 of the manual tabulation of the paper ballots described in subsection  
2592 (a) of this section and to establish guidelines for expanded audits when  
2593 there are differences between the manual and machine counts.

2594 (n) Notwithstanding any provision of the general statutes, the  
2595 Secretary of the State shall have access to the code in any voting  
2596 machine whenever any problem is discovered as a result of the audit  
2597 described in subsection (a) of this section.

2598 (o) As used in this section, "discrepancy" means any difference in  
2599 vote totals between [machine] tabulator and manual counts in a voting  
2600 district that exceeds one-half of one per cent of the lesser amount of the  
2601 vote totals between [machine] tabulator and manual counts where  
2602 such differences cannot be resolved through an accounting of ballots  
2603 that were not marked properly in accordance with subsection (e) of  
2604 this section, "state election" means "state election", as defined in section  
2605 9-1, as amended by this act, and "municipal election" means a

2606 municipal election held pursuant to section 9-164.

2607 Sec. 77. Sections 9-6a, 9-242c, 9-243, 9-270, 9-271, 9-273 to 9-276,  
 2608 inclusive, and 9-279 to 9-306, inclusive, of the general statutes are  
 2609 repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-1
Sec. 2	<i>from passage</i>	9-4
Sec. 3	<i>from passage</i>	9-7b(a)(1)
Sec. 4	<i>from passage</i>	9-135a(a)
Sec. 5	<i>from passage</i>	9-135b(a)
Sec. 6	<i>from passage</i>	9-150b(b) and (c)
Sec. 7	<i>from passage</i>	9-150d
Sec. 8	<i>from passage</i>	9-168a(a) and (b)
Sec. 9	<i>from passage</i>	9-188
Sec. 10	<i>from passage</i>	9-224
Sec. 11	<i>from passage</i>	9-229(b)
Sec. 12	<i>from passage</i>	9-234
Sec. 13	<i>from passage</i>	9-235(b)
Sec. 14	<i>from passage</i>	9-235d
Sec. 15	<i>from passage</i>	9-236a
Sec. 16	<i>from passage</i>	9-238
Sec. 17	<i>from passage</i>	9-238a
Sec. 18	<i>from passage</i>	9-239
Sec. 19	<i>from passage</i>	9-240
Sec. 20	<i>from passage</i>	9-240a
Sec. 21	<i>from passage</i>	9-241(a)
Sec. 22	<i>from passage</i>	9-242
Sec. 23	<i>from passage</i>	9-242b
Sec. 24	<i>from passage</i>	9-245
Sec. 25	<i>from passage</i>	9-248
Sec. 26	<i>from passage</i>	9-249(a)
Sec. 27	<i>from passage</i>	9-249a(a)
Sec. 28	<i>from passage</i>	9-249b(a)
Sec. 29	<i>from passage</i>	9-250a
Sec. 30	<i>from passage</i>	9-251
Sec. 31	<i>from passage</i>	9-255

Sec. 32	<i>from passage</i>	9-256
Sec. 33	<i>from passage</i>	9-264
Sec. 34	<i>from passage</i>	9-267
Sec. 35	<i>from passage</i>	9-307
Sec. 36	<i>from passage</i>	9-308
Sec. 37	<i>from passage</i>	9-309
Sec. 38	<i>from passage</i>	9-311a
Sec. 39	<i>from passage</i>	9-323
Sec. 40	<i>from passage</i>	9-324
Sec. 41	<i>from passage</i>	9-328
Sec. 42	<i>from passage</i>	9-329a(b)
Sec. 43	<i>from passage</i>	9-329b
Sec. 44	<i>from passage</i>	9-330
Sec. 45	<i>from passage</i>	9-332
Sec. 46	<i>from passage</i>	9-352
Sec. 47	<i>from passage</i>	9-353
Sec. 48	<i>from passage</i>	9-354
Sec. 49	<i>from passage</i>	9-363
Sec. 50	<i>from passage</i>	9-366
Sec. 51	<i>from passage</i>	9-367
Sec. 52	<i>from passage</i>	9-369
Sec. 53	<i>from passage</i>	9-369c(c)
Sec. 54	<i>from passage</i>	9-369d(b)
Sec. 55	<i>from passage</i>	9-371b
Sec. 56	<i>from passage</i>	9-372(15)
Sec. 57	<i>from passage</i>	9-377
Sec. 58	<i>from passage</i>	9-400(a)
Sec. 59	<i>from passage</i>	9-426
Sec. 60	<i>from passage</i>	9-434
Sec. 61	<i>from passage</i>	9-435
Sec. 62	<i>from passage</i>	9-436
Sec. 63	<i>from passage</i>	9-437
Sec. 64	<i>from passage</i>	9-440
Sec. 65	<i>from passage</i>	9-445
Sec. 66	<i>from passage</i>	9-446
Sec. 67	<i>from passage</i>	9-447
Sec. 68	<i>from passage</i>	9-453d
Sec. 69	<i>from passage</i>	9-453r(b)
Sec. 70	<i>from passage</i>	9-453s
Sec. 71	<i>from passage</i>	9-470

Sec. 72	<i>from passage</i>	9-476
Sec. 73	<i>from passage</i>	9-247
Sec. 74	<i>from passage</i>	9-236(a)
Sec. 75	<i>from passage</i>	51-164n(b)
Sec. 76	<i>from passage</i>	9-320f
Sec. 77	<i>from passage</i>	Repealer section

***Statement of Purpose:***

To make technical and minor corrections to the elections statutes, including updating the statutes to reflect the current use of voting tabulators.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*