



House of Representatives

General Assembly

File No. 514

January Session, 2013

Substitute House Bill No. 6635

House of Representatives, April 15, 2013

The Committee on Government Administration and Elections reported through REP. JUTILA of the 37th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING AMENDED ELECTION RETURNS.

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

1 Section 1. Section 9-322a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2014*):

3 (a) Not later than seven days following each regular state election,
4 the head moderator, registrars of voters and town clerk for each town
5 divided into voting districts shall meet to identify any error in the
6 returns. Not later than fourteen days following each regular state
7 election, the head moderator shall correct any error identified and file
8 an amended return with the Secretary of the State and the registrars of
9 voters.

10 (b) Not later than twenty-one days following each regular state
11 election, the town clerk of each town divided into voting districts shall
12 file with the Secretary of the State a consolidated listing, in tabular
13 format, as prescribed by the Secretary of the State, of the official

14 returns of each such voting district for all offices voted on at such
 15 election, including the total number of votes cast for each candidate,
 16 the total number of names on the registry list, and the total number of
 17 names checked as having voted, in each such district. The town clerk
 18 of such town shall certify that he or she has examined the lists
 19 transmitted under this section to determine whether there are any
 20 discrepancies between the total number of votes cast for a candidate at
 21 such election in such town, including for any recanvass conducted
 22 pursuant to section 9-311 or 9-311a, and the sum of the votes cast for
 23 the same candidate in all voting districts in such town. In the case of
 24 any such discrepancy, the town clerk shall notify the head moderator
 25 and certify that such discrepancy has been rectified. Each listing filed
 26 under this section shall be retained by the Secretary of the State not
 27 less than ten years after the date of the election for which it was filed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2014	9-322a

Statement of Legislative Commissioners:

Changed "municipal" and "municipality" with "town" for consistency of existing language.

GAE *Joint Favorable Subst.*

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

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill, which establishes deadlines by which municipalities must identify and correct errors in election results, has no fiscal impact. Municipalities must currently perform this work and the establishment of intermediate deadlines is not anticipated to impact state or municipal costs.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sHB 6635*****AN ACT CONCERNING AMENDED ELECTION RETURNS.*****SUMMARY:**

This bill requires head moderators, registrars of voters, and town clerks in towns with more than one voting district to meet within seven days after a regular state election to identify any errors in the moderator's "election night returns" (i.e., returns showing total town votes for each candidate). It also requires moderators to correct any error and file an amended return with the secretary of the state and registrars no later than 14 days after the election.

EFFECTIVE DATE: January 1, 2014

BACKGROUND***Correcting Discrepancies between Election Night and District-by-District Returns***

By law, head moderators report election night returns between midnight on Election Day and 6:00 p.m. the following day, depending on the manner of filing. Town clerks in towns with multiple voting districts use the moderator's returns to compile district-by-district returns, which they must submit to the secretary of the state no later than 21 days after a regular state election. The clerks must certify that they have examined the district-by-district returns to determine whether they conflict with the election night returns, or in the case of a recount, the recount results. If they conflict, the clerk must also certify that he or she has contacted the head moderator and the discrepancy has been corrected.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 14 Nay 0 (03/27/2013)