



General Assembly

January Session, 2019

Committee Bill No. 5041

LCO No. 6184



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

AN ACT CONCERNING MAJOR PARTY CONVENTIONS.

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

1 Section 1. Subdivision (2) of section 9-372 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (2) "Convention" means [a] any meeting of delegates of a political
5 party that may be held for the purpose of designating the candidate or
6 candidates to be endorsed by such party in a primary of such party for
7 state or district office or for the purpose of transacting other business
8 of such party;

9 Sec. 2. Subdivision (9) of section 9-372 of the general statutes is
10 repealed and the following is substituted in lieu thereof (*Effective from*
11 *passage*):

12 (9) "Party-endorsed candidate" means (A) in the case of a candidate
13 for state or district office, a person endorsed by [the] a convention of a
14 political party as a candidate in a primary to be held by such party,

15 and (B) in the case of a candidate for municipal office or for member of
16 a town committee, a person endorsed by the town committee, a caucus
17 or a convention, as the case may be, of a political party as a candidate
18 in a primary to be held by such party;

19 Sec. 3. Section 9-382 of the general statutes is repealed and the
20 following is substituted in lieu thereof (*Effective from passage*):

21 [The state or district convention, as the case may be, shall, in a
22 manner conforming with applicable law and with the rules of the party
23 calling such convention, choose a candidate for nomination to each of
24 the state or district offices, as the case may be. No such convention
25 shall choose more than one candidate for nomination to any such
26 office. Candidates] A party shall not be required to hold a state or
27 district convention, as applicable, for the purpose of choosing a
28 candidate for nomination to any state or district office, as applicable,
29 but a party may provide in such party's rules for the holding of any
30 such convention for such purpose. If any convention is held for such
31 purpose, (1) such choice shall be made in a manner conforming with
32 applicable law and with such rules, (2) such convention shall not
33 choose more than one candidate for nomination to any such office, and
34 (3) each candidate so chosen shall run in the primary of such party as
35 the party-endorsed [candidates] candidate, except as provided in
36 section 9-416.

37 Sec. 4. Section 9-383 of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective from passage*):

39 The time and place of meeting of [a] any state or district convention
40 that may be held shall be fixed by the state central committee or other
41 authority of the party holding such convention, in accordance with the
42 rules of such party; provided [each] any such convention held to
43 endorse candidates for state or district office to be voted upon at a state
44 election shall be convened not earlier than the ninety-eighth day and
45 closed not later than the seventy-seventh day preceding the day of the
46 primary for such office.

47 Sec. 5. Section 9-384 of the general statutes is repealed and the
48 following is substituted in lieu thereof (*Effective from passage*):

49 [Each] Any convention that may be held shall originate by call of the
50 chairman of the state central committee or other authority of the party
51 holding such convention, in accordance with the rules of such party.

52 Sec. 6. Subsection (b) of section 9-390 of the general statutes is
53 repealed and the following is substituted in lieu thereof (*Effective from*
54 *passage*):

55 (b) Delegates to [conventions] any convention that may be held shall
56 be selected, in accordance with the rules of such party, by the method
57 prescribed in either subdivision (1) or (3) of subsection (a) of this
58 section.

59 Sec. 7. Subsection (b) of section 9-391 of the general statutes is
60 repealed and the following is substituted in lieu thereof (*Effective from*
61 *passage*):

62 (b) Each selection of delegates to [a] any state or district convention
63 that may be held shall be made in accordance with the provisions of
64 section 9-390, as amended by this act, not earlier than the one-
65 hundred-fortieth day and not later than the one-hundred-thirty-third
66 day preceding the day of the primary for such state or district office.
67 Such selection shall be certified to the clerk of the municipality by
68 either the chairperson or presiding officer or the secretary of the town
69 committee or caucus, as the case may be, not later than four o'clock
70 p.m. on the one-hundred-thirty-second day preceding the day of such
71 primary. Each such certification shall contain the name and street
72 address of each person so selected, the position as delegate, and the
73 name or number of the political subdivision or district, if any, for
74 which each such person is selected. If such a certificate of a party's
75 selection is not received by the clerk of the municipality by such time,
76 such certificate shall be invalid and such party, for the purposes of
77 sections 9-417 and 9-420, as amended by this act, shall be deemed to

78 have neither made nor certified any selection of any person for the
79 position of delegate.

80 Sec. 8. Section 9-393 of the general statutes is repealed and the
81 following is substituted in lieu thereof (*Effective from passage*):

82 All town committee members and delegates to [conventions] any
83 convention that may be held shall be chosen as provided in sections 9-
84 382 to 9-450, inclusive, as amended by this act. Vacancies in town
85 committees, arising from any cause including failure to elect, shall be
86 filled in such manner as the rules of the party prescribe. The chairman
87 of a town committee may be chosen by the town committee from
88 within or without the membership of the town committee as the rules
89 of the party prescribe. Any town committee may, by party rules
90 adopted in accordance with section 9-375 and filed under section 9-374,
91 increase its membership and fill new positions created by such
92 increase in the manner prescribed in the applicable party rules. The
93 rules of a party may provide methods for the filling of vacancies in
94 delegations to conventions, which methods may include prescribing
95 that each delegate selected in conformity with the provisions of
96 sections 9-382 to 9-450, inclusive, as amended by this act, may
97 designate an alternate delegate or a proxy to act for him in his absence.

98 Sec. 9. Section 9-394 of the general statutes is repealed and the
99 following is substituted in lieu thereof (*Effective from passage*):

100 If the state rules of a party provide that certain delegates to [state
101 conventions] any state convention that may be held shall be chosen
102 from senatorial districts, the party-endorsed candidates for election as
103 such district delegates shall be selected in such manner as is prescribed
104 in such rules; provided such selection shall be made within the time
105 specified in section 9-391, as amended by this act; and provided, upon
106 such selection, the information required in section 9-390, as amended
107 by this act, shall forthwith be certified, in such manner as is prescribed
108 in such rules, to the clerk of each municipality in such district, and
109 such certification shall be deemed the certification of the party in such

110 municipality. Delegates allocated to and selected from towns shall not
111 be deemed to be district delegates.

112 Sec. 10. Section 9-394a of the general statutes is repealed and the
113 following is substituted in lieu thereof (*Effective from passage*):

114 Any major party in any part of a town which is a component part of
115 a senatorial or assembly district composed of parts of two towns or of
116 a town or towns and a part or parts of another town or other towns
117 may select delegates to [a] any senatorial or assembly district
118 convention that may be held in such district as provided in this title
119 and its party rules and may participate in the selection of a candidate
120 for state senator or state representative in such district in the manner
121 provided for a town which is a component part of a senatorial district
122 in a district composed of two or more towns under this title. In
123 addition to other requirements prescribed by law, the name of a person
124 on whose behalf a primary petition is filed for nomination to the office
125 of state senator or state representative for such district and the names
126 of the signers of any such petition shall appear on the last-completed
127 enrollment list of such party for such part of a town or for any other
128 town which is a component part of such district.

129 Sec. 11. Subsections (a) and (b) of section 9-400 of the general
130 statutes are repealed and the following is substituted in lieu thereof
131 (*Effective from passage*):

132 (a) A candidacy for nomination by a political party to a state office
133 may be filed by or on behalf of any person whose name appears upon
134 the last-completed enrollment list of such party in any municipality
135 within the state and who has either (1) received at least fifteen per cent
136 of the votes of the [convention] delegates present and voting on any
137 roll-call vote taken on the endorsement or proposed endorsement of a
138 candidate for such state office at any convention that may have been
139 held, whether or not the party-endorsed candidate for such office
140 received a unanimous vote on the last ballot, or (2) circulated a petition
141 and obtained the signatures of at least two per cent of the enrolled

142 members of such party in the state, in accordance with the provisions
143 of sections 9-404a to 9-404c, inclusive. Candidacies described in
144 subdivision (1) of this subsection shall be filed by submitting to the
145 Secretary of the State not later than four o'clock p.m. on the fourteenth
146 day following the close of [the] such state convention, a certificate,
147 signed by such candidate and attested by either (A) the chairman or
148 presiding officer, or (B) the secretary of the convention, that such
149 candidate received at least fifteen per cent of such votes, and that such
150 candidate consents to be a candidate in a primary of such party for
151 such state office. Such certificate shall specify the candidate's name as
152 the candidate authorizes it to appear on the ballot, the candidate's full
153 residence address and the title of the office for which the candidacy is
154 being filed. If such certificate for a state office is not received by the
155 Secretary of the State by such time, such certificate shall be invalid and
156 such party, for the purposes of sections 9-416, as amended by this act,
157 and 9-416a, shall be deemed to have made no valid certification of
158 candidacy for nomination [by a political party for] to such state office.
159 A single such certificate or petition for state office may be filed on
160 behalf of two or more candidates for different state offices who consent
161 to have their names appear on a single row of the primary ballot under
162 subsection (b) of section 9-437. Candidacies described in subdivision
163 (2) of this subsection shall be filed by submitting said petition not later
164 than four o'clock p.m. on the sixty-third day preceding the day of the
165 primary for such office to the registrar of voters of the towns in which
166 the respective petition pages were circulated. Each registrar shall file
167 each page of such petition with the Secretary of the State in accordance
168 with the provisions of section 9-404c. A petition filed by or on behalf of
169 a candidate for state office shall be invalid for such candidate if such
170 candidate is certified as the party-endorsed candidate pursuant to
171 section 9-388 or as receiving at least fifteen per cent of the convention
172 vote for such office pursuant to this subsection. Except as provided in
173 section 9-416a, upon the expiration of the time period for party
174 endorsement and circulation and tabulation of petitions and
175 signatures, if any, if one or more candidacies for such state office have

176 been filed pursuant to the provisions of this section, the Secretary of
177 the State shall notify all town clerks and registrars of voters in
178 accordance with the provisions of section 9-433, as amended by this
179 act, that a primary for such state office shall be held in each
180 municipality in accordance with the provisions of section 9-415.

181 (b) A candidacy for nomination by a political party to a district
182 office may be filed by or on behalf of any person whose name appears
183 upon the last-completed enrollment list of such party within the
184 district the person seeks to represent that is in the office of the
185 Secretary of the State at the end of the last day prior to the convention
186 for the party from which the person seeks nomination and who has
187 either (1) received at least fifteen per cent of the votes of the
188 [convention] delegates present and voting on any roll-call vote taken
189 on the endorsement or proposed endorsement of a candidate for such
190 district office at any convention that may have been held, whether or
191 not the party-endorsed candidate for such office received a unanimous
192 vote on the last ballot, or (2) circulated a petition and obtained the
193 signatures of at least two per cent of the enrolled members of such
194 party in the district for the district office of representative in Congress,
195 and at least five per cent of the enrolled members of such party in the
196 district for the district offices of state senator, state representative and
197 judge of probate, in accordance with the provisions of sections 9-404a
198 to 9-404c, inclusive. Candidacies described in subdivision (1) of this
199 subsection shall be filed by submitting to the Secretary of the State not
200 later than four o'clock p.m. on the fourteenth day following the close of
201 [the] such district convention, a certificate, signed by such candidate
202 and attested by either (A) the chairman or presiding officer, or (B) the
203 secretary of the convention, that such candidate received at least fifteen
204 per cent of such votes, and that the candidate consents to be a
205 candidate in a primary of such party for such district office. Such
206 certificate shall specify the candidate's name as the candidate
207 authorizes it to appear on the ballot, the candidate's full residence
208 address and the title and district of the office for which the candidacy
209 is being filed. If such certificate for a district office is not received by

210 the Secretary of the State by such time, such certificate shall be invalid
211 and such party, for the purposes of sections 9-416, as amended by this
212 act, and 9-416a, shall be deemed to have made no valid certification of
213 candidacy for nomination [by a political party for] to such district
214 office. Candidacies described in subdivision (2) of this subsection shall
215 be filed by submitting said petition not later than four o'clock p.m. on
216 the sixty-third day preceding the day of the primary for such office to
217 the registrar of voters of the towns in which the respective petition
218 pages were circulated. Each registrar shall file each page of such
219 petition with the Secretary in accordance with the provisions of section
220 9-404c. A petition may only be filed by or on behalf of a candidate for
221 the district office of state senator, state representative or judge of
222 probate who is not certified as the party-endorsed candidate pursuant
223 to section 9-388 or as receiving at least fifteen per cent of the
224 convention vote for such office pursuant to this subsection. A petition
225 filed by or on behalf of a candidate for the district office of
226 representative in Congress shall be invalid if said candidate is certified
227 as the party-endorsed candidate pursuant to section 9-388 or as
228 receiving at least fifteen per cent of the convention vote for such office
229 pursuant to this subsection. Except as provided in section 9-416a, upon
230 the expiration of the time period for party endorsement and circulation
231 and tabulation of petitions and signatures, if any, if one or more
232 candidacies for such district office have been filed pursuant to the
233 provisions of this section, the Secretary of the State shall notify all
234 town clerks within the district, in accordance with the provisions of
235 section 9-433, as amended by this act, that a primary for such district
236 office shall be held in each municipality and each part of a
237 municipality within the district in accordance with the provisions of
238 section 9-415.

239 Sec. 12. Section 9-416 of the general statutes is repealed and the
240 following is substituted in lieu thereof (*Effective from passage*):

241 If, (1) at [a] any state or district convention that may be held, no
242 person other than a party-endorsed candidate has received at least

243 fifteen per cent of the votes of the delegates present and voting on any
244 roll-call vote taken on the endorsement or proposed endorsement of a
245 candidate for a state or district office, and (2) within the time specified
246 in section 9-400, as amended by this act, no candidacy for nomination
247 by a political party to a state or district office has been filed by or on
248 behalf of a person other than a party-endorsed candidate in conformity
249 with the provisions of section 9-400, as amended by this act, then no
250 primary shall be held by such party for such office and the party-
251 endorsed candidate for such office shall be deemed to have been
252 lawfully chosen as the nominee of such party for such office.

253 Sec. 13. Section 9-420 of the general statutes is repealed and the
254 following is substituted in lieu thereof (*Effective from passage*):

255 The persons selected by a political party to serve as delegates to [a]
256 any convention that may be held shall be deemed to have been
257 lawfully selected as such delegates or district delegates.

258 Sec. 14. Subsection (a) of section 9-433 of the general statutes is
259 repealed and the following is substituted in lieu thereof (*Effective from*
260 *passage*):

261 (a) After the deadline set forth in section 9-400, as amended by this
262 act, for filing candidacies, and upon the completion of the tabulation of
263 petition signatures, if any, if one or more candidacies for nomination
264 by a political party to a state or district office have been filed in
265 accordance with the provisions of section 9-400, as amended by this
266 act, the Secretary of the State shall notify the clerk of each town within
267 the state or within the district, as the case may be, that a primary is to
268 be held by such party for the nomination of such party to such office.
269 Such notice shall include a list of all the proposed candidates, those
270 endorsed by [the] any convention that may have been held as well as
271 those filing candidacies, together with their addresses and the titles of
272 the office for which they are candidates and, if applicable, a statement
273 that unaffiliated electors may vote in the primary. The clerk of each
274 such town shall thereupon cause such notice to be published forthwith

275 in a newspaper having a general circulation in such town, or towns in
276 the case of a joint publication under subsection (b) of this section,
277 together with a statement of the date upon which the primary is to be
278 held, the hours during which the polls shall be open and the location
279 of the polls.

280 Sec. 15. Subsections (d) and (e) of section 9-215 of the general
281 statutes are repealed and the following is substituted in lieu thereof
282 (*Effective from passage*):

283 (d) (1) If such vacancy resulting from the resignation or death of a
284 member or member-elect of the General Assembly exists in a senatorial
285 or assembly district composed of a single town or part of a single
286 town, [such] nominations by political parties to fill any such vacancy
287 shall be made as the rules of such parties provide, in accordance with
288 section 9-390, as amended by this act, and filed with the Secretary of
289 the State; except that (A) if such rules provide for selection by
290 delegates and the vacancy exists in a senatorial or assembly district
291 composed of a single town, the delegates to the convention held for the
292 nomination of a candidate for the office of state senator or state
293 representative in such town at the last state election shall be the
294 delegates for the purpose of selecting a [candidate] nominee to fill such
295 vacancy; (B) if such rules provide for the selection by delegates and the
296 vacancy exists in a senatorial or assembly district composed of part of
297 a single town, the delegates to the convention held for the nomination
298 of a candidate for the office of state senator or state representative in
299 such district at the last state election shall be the delegates for the
300 purpose of selecting a [candidate] nominee to fill such vacancy; and
301 (C) if such rules provide for direct primaries under section 9-390, as
302 amended by this act, the nomination shall be made by the town
303 committee of such party in the case of a vacancy in a senatorial or
304 assembly district composed of a single town and, in a senatorial or
305 assembly district composed of part of a single town, by the members of
306 the town committee from such political subdivision or senatorial or
307 assembly district.

308 (2) [If such] (A) Except as provided in subparagraph (B) of this
309 subdivision, if a vacancy resulting from the resignation or death of a
310 member or member-elect of the General Assembly exists in a district
311 office, as defined in section 9-372, as amended by this act, nominations
312 by political parties to fill any such vacancy may be made by the
313 delegates to [the] any senatorial or assembly convention that may have
314 been held for the last state election. [shall be the delegates for the
315 purpose of selecting a candidate to fill such vacancy.]

316 (B) If a vacancy resulting from the resignation or death of a member
317 or member-elect of the General Assembly exists in a district office and
318 no senatorial or assembly convention was held for the last state
319 election, nominations by political parties to fill any such vacancy shall
320 be made by direct primary in accordance with the provisions of
321 sections 9-400, as amended by this act, and 9-404a to 9-404c, inclusive,
322 except as provided in section 9-416a.

323 (3) If a vacancy occurs in the delegation from any town, political
324 subdivision or district, such vacancy may be filled by the town
325 committee of the town in which the delegate resided.

326 (4) Nominations by political parties pursuant to this section may be
327 made and certified at any time after the resignation or death of the
328 member or member-elect of the General Assembly and not later than
329 the thirty-sixth day before the day of the election. No such nomination
330 shall be effective until the presiding officer or secretary of any district
331 convention, or the head moderator or moderator, as applicable, of any
332 direct primary held, has certified the nomination to the Secretary of the
333 State or, in the case of a vacancy in a senatorial or assembly district
334 composed of a single town or part thereof, until the presiding officer or
335 secretary of the town committee or single town convention, or the
336 head moderator or moderator, as applicable, of any direct primary
337 held, has certified the nomination to the Secretary of the State. If a
338 certificate of a party's nomination to fill a vacancy resulting from the
339 resignation or death of a member or member-elect of the General

340 Assembly is not received by the Secretary of the State on or before the
341 thirty-sixth day prior to the day of the election, such certificate shall be
342 invalid and such party, for the purposes of section 9-224a, shall be
343 deemed to have made no valid certification of nomination [by a
344 political party] for such senatorial or assembly office.

345 (e) [No] Except as provided in subparagraph (B) of subdivision (1)
346 of subsection (d) of this section and subparagraph (B) of subdivision
347 (2) of said subsection, no primary shall be held for the nomination of
348 any political party to fill any vacancy in the office of state senator or
349 state representative and the [party-endorsed candidate so selected]
350 candidate selected pursuant to subparagraph (A) of subdivision (1) of
351 subsection (d) of this section or subparagraph (A) of subdivision (2) of
352 said subsection shall be deemed, for the purposes of chapter 153, the
353 person certified by the Secretary of the State under section 9-444 as the
354 nominee of such party.

355 Sec. 16. Section 9-450 of the general statutes is repealed and the
356 following is substituted in lieu thereof (*Effective from passage*):

357 (a) Nominations by major parties for any state, district or municipal
358 office to be filled under the provisions of any law relating to elections
359 to fill vacancies, unless otherwise provided therein, shall be made in
360 accordance with the provisions of sections 9-382 to 9-450, inclusive.

361 (b) (1) (A) [In] Except as provided in subparagraph (B) of this
362 subdivision, in the case of nominations for representatives in Congress
363 and judges of probate in probate districts composed of two or more
364 towns, provided for in sections 9-212 and 9-218, the delegates to [the]
365 convention that may have been held for the last state election shall be
366 the delegates for the purpose of selecting a candidate to fill such
367 vacancy. If a vacancy occurs in the delegation from any town, political
368 subdivision or district, such vacancy may be filled by the town
369 committee of the town in which the delegate resided. Endorsements by
370 political party conventions pursuant to this [subsection] subparagraph
371 may be made and certified at any time after the resignation or death

372 creating such vacancy and not later than the fiftieth day before the day
373 of the election. No such endorsement shall be effective until the
374 presiding officer or secretary of any district convention has certified
375 the endorsement to the Secretary of the State.

376 (B) In the case of nominations for representatives in Congress and
377 judges of probate in probate districts composed of two or more towns,
378 provided for in sections 9-212 and 9-218, and when no convention was
379 held for such office at the last state election, nominations by political
380 parties to fill any such vacancy shall be made by direct primary in
381 accordance with the provisions of sections 9-400, as amended by this
382 act, 9-404a to 9-404c, inclusive, except as provided in section 9-416a.

383 [(B) If] (2) (A) Except as provided in subparagraph (B) of this
384 subdivision, if such a vacancy occurs between the one hundred
385 twenty-fifth day and the sixty-third day before the day of a regular
386 state or municipal election in November of any year, and if a
387 convention was held as provided in subparagraph (A) of subdivision
388 (1) of this subsection, no primary shall be held for the nomination of
389 any political party and the party-endorsed candidate so selected shall
390 be deemed, for the purposes of this chapter, the person certified by the
391 Secretary of the State pursuant to section 9-444 as the nominee of such
392 party.

393 (B) If such a vacancy occurs between the one hundred twenty-fifth
394 day and the sixty-third day before the day of a regular state or
395 municipal election in November of any year, and when no convention
396 was held as provided in subparagraph (A) of subdivision (1) of this
397 subsection, nominations by political parties to fill any such vacancy
398 shall be made by direct primary in accordance with the provisions of
399 sections 9-400, as amended by this act, 9-404a to 9-404c, inclusive,
400 except as provided in section 9-416a.

401 [(C)] (3) Except as provided in [subparagraph (B) of this
402 subdivision] subdivision (2) of this subsection, if a candidacy for
403 nomination is filed by or on behalf of any person other than a [party-

404 endorsed] candidate endorsed at any convention that may have been
405 held not later than fourteen days after [the] such party endorsement
406 and in conformity with the provisions of section 9-400, as amended by
407 this act, a primary shall be held in each municipality of the district and
408 each part of a municipality which is a component part of the district, to
409 determine the nominee of such party for such office, except as
410 provided in section 9-416a. Such primary shall be held on the day that
411 the writs of election issued by the Governor, pursuant to section 9-212,
412 ordered the election to be held, and new writs of election shall be
413 issued by the Governor in accordance with section 9-212.

414 [(D)] (4) Unless the provisions of [subparagraph (B) of this
415 subdivision] subdivision (2) of this subsection apply, petition forms for
416 candidacies for nomination by a political party pursuant to this
417 subdivision shall be available from the Secretary of the State beginning
418 on the day following the issuance of writs of election by the Governor
419 pursuant to section 9-212, except when a primary has already been
420 held, and the provisions of section 9-404a shall otherwise apply to such
421 petitions.

422 [(E)] (5) The registry lists used pursuant to this subsection shall be
423 the last-completed lists, as provided in sections 9-172a and 9-172b.

424 [(2)] (c) In the case of judges of probate in probate districts
425 composed of a single town, the day named for the election shall be not
426 earlier than the one hundred fifteenth day following the day on which
427 the writ of election is issued, and the times specified in sections 9-391,
428 9-405 and 9-423 shall be applicable.

429 [(3) (A) In] (d) (1) (A) Except as provided in subparagraph (B) of this
430 subdivision, in the case of nominations for senators in Congress,
431 provided for in section 9-211, the delegates to [the] any convention that
432 may have been held for the last state election shall be the delegates for
433 the purpose of selecting a candidate to fill such vacancy. If a vacancy
434 occurs in the delegation from any town or political subdivision, such
435 vacancy may be filled by the town committee of the town in which the

436 delegate resided. Endorsements by political party conventions
437 pursuant to this [subsection] subparagraph may be made and certified
438 at any time after the resignation or death creating such vacancy and
439 not later than the fifty-sixth day before the day of the primary. No such
440 endorsement shall be effective until the presiding officer or secretary of
441 any state convention has certified the endorsement to the Secretary of
442 the State.

443 (B) In the case of nominations for senators in Congress, provided for
444 in section 9-211, and when no convention was held for such office at
445 the last state election, nominations by political parties to fill any such
446 vacancy shall be made by direct primary in accordance with the
447 provisions of sections 9-400, as amended by this act, 9-404a to 9-404c,
448 inclusive, except as provided in section 9-416a.

449 [(B) If] (2) (A) Except as provided in subparagraph (B) of this
450 subdivision, if such a vacancy occurs between the one hundred
451 twenty-fifth day and the sixty-third day before the day of a regular
452 state or municipal election in November of any year, and if a
453 convention was held as provided in subparagraph (A) of subdivision
454 (1) of this subsection, no primary shall be held for the nomination of
455 any political party and the party-endorsed candidate so selected shall
456 be deemed, for the purposes of this chapter, the person certified by the
457 Secretary of the State, pursuant to section 9-444, as the nominee of such
458 party. In such an event, endorsements by political party conventions
459 shall be made not later than sixty days prior to the election.

460 (B) If such a vacancy occurs between the one hundred twenty-fifth
461 day and the sixty-third day before the day of a regular state or
462 municipal election in November of any year, and when no convention
463 was held as provided in subparagraph (A) of subdivision (1) of this
464 subsection, nominations by political parties to fill any such vacancy
465 shall be made by direct primary in accordance with the provisions of
466 sections 9-400, as amended by this act, 9-404a to 9-404c, inclusive,
467 except as provided in section 9-416a.

468 [(C)] (3) Except as provided in [subparagraph (B) of this
469 subdivision] subdivision (2) of this subsection, if a candidacy for
470 nomination is filed by or on behalf of any person other than a [party-
471 endorsed] candidate endorsed at any convention that may have been
472 held not later than fourteen days after [the] such party endorsement
473 and in conformity with the provisions of section 9-400, as amended by
474 this act, a primary shall be held on the fifty-sixth day prior to the day
475 of the election in each municipality to determine the nominee of such
476 party for such office, except as provided in section 9-416a.

477 [(D)] (4) Unless the provisions of [subparagraph (B) of this
478 subdivision] subdivision (2) of this subsection apply, petition forms for
479 candidacies for nomination by a political party pursuant to this
480 subdivision shall be available from the Secretary of the State beginning
481 on the day following the issuance of writs of election by the Governor,
482 pursuant to section 9-211, except when a primary has already been
483 held and the provisions of section 9-404a shall otherwise apply to such
484 petitions.

485 [(E)] (5) The registry lists used pursuant to this subsection shall be
486 the last-completed lists, as provided in sections 9-172a and 9-172b.

487 [(4)] (e) The times specified in sections 9-391, 9-405 and 9-423 shall
488 be applicable to any special town election held to fill a vacancy in any
489 town office under subsection (b) of section 9-164. Except as provided
490 under subsection (c) of section 9-164, any election held to fill a vacancy
491 in any municipal office under the provisions of any special act shall be
492 held not earlier than the one hundred twenty-seventh day following
493 the day upon which warning of such election is issued, and the times
494 specified in sections 9-391, 9-405 and 9-423 shall be applicable.

495 Sec. 17. Subdivision (11) of section 9-700 of the general statutes is
496 repealed and the following is substituted in lieu thereof (*Effective from*
497 *passage*):

498 (11) "Primary campaign" means the period beginning on (A) the day

499 following the close of [(A) a] any convention that may have been held
500 pursuant to section 9-382, as amended by this act, for the purpose of
501 endorsing a candidate for nomination to the office of Governor,
502 Lieutenant Governor, Attorney General, State Comptroller, State
503 Treasurer or Secretary of the State or the district office of state senator
504 or state representative, (B) the last day for on which any such
505 convention may be closed pursuant to section 9-383, as amended by
506 this act, or [(B)] (C) a caucus, convention or town committee meeting
507 held pursuant to section 9-390, as amended by this act, for the purpose
508 of endorsing a candidate for the municipal office of state senator or
509 state representative, whichever is applicable, and ending on the day of
510 a primary held for the purpose of nominating a candidate for such
511 office.

512 Sec. 18. Subsection (a) of section 9-706 of the general statutes is
513 repealed and the following is substituted in lieu thereof (*Effective from*
514 *passage*):

515 (a) (1) A participating candidate for nomination to the office of state
516 senator or state representative in 2008, or thereafter, or the office of
517 Governor, Lieutenant Governor, Attorney General, State Comptroller,
518 Secretary of the State or State Treasurer in 2010, or thereafter, may
519 apply to the State Elections Enforcement Commission for a grant from
520 the fund under the Citizens' Election Program for a primary campaign,
521 after the close of [the] any state convention of the candidate's party
522 that [is] may have been called for the purpose of choosing candidates
523 for nomination for the office that the candidate is seeking, if a primary
524 is required under chapter 153, and (A) said party endorses the
525 candidate for the office that the candidate is seeking, (B) the candidate
526 is seeking nomination to the office of Governor, Lieutenant Governor,
527 Attorney General, State Comptroller, State Treasurer or Secretary of
528 the State or the district office of state senator or state representative
529 and receives at least fifteen per cent of the votes of the [convention]
530 delegates present and voting on any roll-call vote taken on the
531 endorsement or proposed endorsement of a candidate for the office the

532 candidate is seeking at such convention, or (C) the candidate circulates
533 a petition and obtains the required number of signatures for filing a
534 candidacy for nomination for (i) the office of Governor, Lieutenant
535 Governor, Attorney General, State Comptroller, State Treasurer or
536 Secretary of the State or the district office of state senator or state
537 representative, pursuant to section 9-400, as amended by this act, or (ii)
538 the municipal office of state senator or state representative, pursuant to
539 section 9-406, whichever is applicable. The State Elections Enforcement
540 Commission shall make any such grants to participating candidates in
541 accordance with the provisions of subsections (d) to (g), inclusive, of
542 this section.

543 (2) A participating candidate for nomination to the office of state
544 senator or state representative in 2008, or thereafter, or the office of
545 Governor, Attorney General, State Comptroller, Secretary of the State
546 or State Treasurer in 2010, or thereafter, may apply to the State
547 Elections Enforcement Commission for a grant from the fund under
548 the Citizens' Election Program for a general election campaign:

549 (A) After the close of [the] any state or district convention or
550 municipal caucus, convention or town committee meeting that may
551 have been held, whichever is applicable, of the candidate's party that is
552 called for the purpose of choosing candidates for nomination for the
553 office that the candidate is seeking, if (i) said party endorses said
554 candidate for the office that the candidate is seeking and no other
555 candidate of said party files a candidacy with the Secretary of the State
556 in accordance with the provisions of section 9-400, as amended by this
557 act, or 9-406, whichever is applicable, (ii) the candidate is seeking
558 election to the office of Governor, Lieutenant Governor, Attorney
559 General, State Comptroller, State Treasurer or Secretary of the State or
560 the district office of state senator or state representative and receives at
561 least fifteen per cent of the votes of the [convention] delegates present
562 and voting on any roll-call vote taken on the endorsement or proposed
563 endorsement of a candidate for the office the candidate is seeking at
564 such convention, no other candidate for said office at such convention

565 either receives the party endorsement or said percentage of said votes
566 for said endorsement or files a certificate of endorsement with the
567 Secretary of the State in accordance with the provisions of section 9-388
568 or a candidacy with the Secretary of the State in accordance with the
569 provisions of section 9-400, as amended by this act, and no other
570 candidate for said office circulates a petition and obtains the required
571 number of signatures for filing a candidacy for nomination for said
572 office pursuant to section 9-400, as amended by this act, (iii) the
573 candidate is seeking election to the office of Governor, Lieutenant
574 Governor, Attorney General, State Comptroller, State Treasurer or
575 Secretary of the State or the district office of state senator or state
576 representative, circulates a petition and obtains the required number of
577 signatures for filing a candidacy for nomination for said office
578 pursuant to section 9-400, as amended by this act, and no other
579 candidate for said office at [the] any such state or district convention
580 either receives the party endorsement or said percentage of said votes
581 for said endorsement or files a certificate of endorsement with the
582 Secretary of the State in accordance with the provisions of section 9-388
583 or a candidacy with the Secretary of the State in accordance with the
584 provisions of section 9-400, as amended by this act, or (iv) the
585 candidate is seeking election to the municipal office of state senator or
586 state representative, circulates a petition and obtains the required
587 number of signatures for filing a candidacy for nomination for the
588 office the candidate is seeking pursuant to section 9-406 and no other
589 candidate for said office at [the] any caucus, convention or town
590 committee meeting that may have been held either receives the party
591 endorsement or files a certification of endorsement with the town clerk
592 in accordance with the provisions of section 9-391, as amended by this
593 act;

594 (B) After any primary held by such party for nomination for said
595 office, if the Secretary of the State declares that the candidate is the
596 party nominee in accordance with the provisions of section 9-440;

597 (C) In the case of a minor party candidate, after the nomination of

598 such candidate is certified and filed with the Secretary of the State
599 pursuant to section 9-452; or

600 (D) In the case of a petitioning party candidate, after approval by
601 the Secretary of the State of such candidate's nominating petition
602 pursuant to section 9-453o.

603 (3) A participating candidate for nomination to the office of state
604 senator or state representative at a special election in 2008, or
605 thereafter, may apply to the State Elections Enforcement Commission
606 for a grant from the fund under the Citizens' Election Program for a
607 general election campaign after the close of [the] any district
608 convention or municipal caucus, convention or town committee
609 meeting of the candidate's party that [is] may have been called for the
610 purpose of choosing candidates for nomination for the office that the
611 candidate is seeking.

612 (4) Notwithstanding the provisions of subdivisions (1) and (2) of
613 this subsection, no participating candidate for nomination or election
614 who changes the candidate's status as a major party, minor party or
615 petitioning party candidate or becomes a candidate of a different
616 party, after filing the affidavit required under section 9-703, shall be
617 eligible to apply for a grant under the Citizens' Election Program for
618 such candidate's primary campaign for such nomination or general
619 election campaign for such election. The provisions of this subdivision
620 shall not apply in the case of a candidate who is nominated by more
621 than one party and does not otherwise change the candidate's status as
622 a major party, minor party or petitioning party candidate.

623 (5) Notwithstanding the provisions of this subsection, no candidate
624 may apply to the State Elections Enforcement Commission for a grant
625 from the fund under the Citizens' Election Program if such candidate
626 has been convicted of or pled guilty or nolo contendere to, in a court of
627 competent jurisdiction, any (A) criminal offense under this title unless
628 at least eight years have elapsed from the date of the conviction or plea
629 or the completion of any sentence, whichever date is later, without a

630 subsequent conviction of or plea to another such offense, or (B) a
631 felony related to the individual's public office, other than an offense
632 under this title in accordance with subparagraph (A) of this
633 subdivision.

634 Sec. 19. Subsection (a) of section 9-709 of the general statutes is
635 repealed and the following is substituted in lieu thereof (*Effective from*
636 *passage*):

637 (a) For purposes of this section, expenditures made to aid or
638 promote the success of both a candidate for nomination or election to
639 the office of Governor and a candidate for nomination or election to
640 the office of Lieutenant Governor jointly, shall be considered
641 expenditures made to aid or promote the success of a candidate for
642 nomination or election to the office of Governor. The party-endorsed
643 candidate for nomination or election to the office of Lieutenant
644 Governor, if any, and the party-endorsed candidate for nomination or
645 election to the office of Governor, if any, shall be deemed to be aiding
646 or promoting the success of both candidates jointly upon the earliest of
647 the following: (1) The primary, whether held for the office of Governor,
648 the office of Lieutenant Governor, or both; (2) if no primary is held for
649 the office of Governor or Lieutenant Governor, the fourteenth day
650 following the close of [the] any convention that may have been held; or
651 (3) a declaration by [the] such party-endorsed candidates that they will
652 campaign jointly. Any other candidate for nomination or election to
653 the office of Lieutenant Governor shall be deemed to be aiding or
654 promoting the success of such candidacy for the office of Lieutenant
655 Governor and the success of a candidate for nomination or election to
656 the office of Governor jointly upon a declaration by the candidates that
657 they shall campaign jointly.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-372(2)
Sec. 2	<i>from passage</i>	9-372(9)

Sec. 3	<i>from passage</i>	9-382
Sec. 4	<i>from passage</i>	9-383
Sec. 5	<i>from passage</i>	9-384
Sec. 6	<i>from passage</i>	9-390(b)
Sec. 7	<i>from passage</i>	9-391(b)
Sec. 8	<i>from passage</i>	9-393
Sec. 9	<i>from passage</i>	9-394
Sec. 10	<i>from passage</i>	9-394a
Sec. 11	<i>from passage</i>	9-400(a) and (b)
Sec. 12	<i>from passage</i>	9-416
Sec. 13	<i>from passage</i>	9-420
Sec. 14	<i>from passage</i>	9-433(a)
Sec. 15	<i>from passage</i>	9-215(d) and (e)
Sec. 16	<i>from passage</i>	9-450
Sec. 17	<i>from passage</i>	9-700(11)
Sec. 18	<i>from passage</i>	9-706(a)
Sec. 19	<i>from passage</i>	9-709(a)

Statement of Purpose:

To provide that major parties are not required to hold endorsing conventions and instead may only conduct primaries to nominate candidates for certain elective offices.

[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.]

Co-Sponsors: REP. O'NEILL, 69th Dist.

H.B. 5041