



General Assembly

January Session, 2019

Raised Bill No. 7322

LCO No. 5147



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

AN ACT CONCERNING BALLOT DESIGN.

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

1 Section 1. Section 9-250 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Ballots shall be printed in plain clear type and on material of
4 such size as will fit the tabulator, and shall be furnished by the
5 registrar of voters. The size and style of the type used to print the
6 name of a political party on a ballot shall be identical with the size and
7 style of the type used to print the names of all other political parties
8 appearing on such ballot. The name of each major party candidate for a
9 municipal office, as defined in section 9-372, except for the municipal
10 offices of state senator and state representative, shall appear on the
11 ballot as authorized by each candidate. The name of each major party
12 candidate for a state or district office, as defined in section 9-372, or for
13 the municipal office of state senator or state representative shall appear
14 on the ballot as it appears on the certificate or statement of consent
15 filed under section 9-388, subsection (b) of section 9-391, or section 9-

16 400 or 9-409. The name of each minor party candidate shall appear on
17 the ballot as authorized by each candidate. The name of each
18 nominating petition candidate shall appear on the ballot as it is
19 verified by the town clerk on the application filed under section 9-
20 453b. The size and style of the type used to print the name of a
21 candidate on a ballot shall be identical with the size and style of the
22 type used to print the names of all other candidates appearing on such
23 ballot. Such ballot shall contain the names of the offices and the names
24 of the candidates arranged thereon. The names of the political parties
25 and party designations shall be arranged on the ballots and followed
26 by the word "party", either in columns or horizontal rows as set forth
27 in section 9-249a, as amended by this act, immediately adjacent to the
28 column or row occupied by the candidate or candidates of such
29 political party or organization. The ballot shall be printed in such
30 manner as to indicate how many candidates the elector may vote for
31 each office, provided in the case of a town adopting the provisions of
32 section 9-204a, such ballot shall indicate the maximum number of
33 candidates who may be elected to such office from any party. If two or
34 more candidates are to be elected to the same office for different terms,
35 the term for which each is nominated shall be printed on the official
36 ballot as a part of the title of the office. If, at any election, one candidate
37 is to be elected for a full term and another to fill a vacancy, the official
38 ballot containing the names of the candidates in the foregoing order
39 shall, as a part of the title of the office, designate the term which such
40 candidates are severally nominated to fill. No column, under the name
41 of any political party or independent organization, shall be printed on
42 any official ballot, which contains more candidates for any office than
43 the number for which an elector may vote for that office.

44 (b) Not later than ten days prior to an election, the registrars of
45 voters of each municipality shall file with the Secretary of the State, for
46 each voting district in such municipality, the official ballot to be used
47 for such voting district. No such official ballot shall be used at any
48 election unless it has been approved by the Secretary of the State.

49 Sec. 2. Subsection (j) of section 9-437 of the general statutes is

50 repealed and the following is substituted in lieu thereof (*Effective from*
51 *passage*):

52 (j) (1) All ballots used at a primary shall be prepared by the clerk of
53 the municipality in which such primary is held and shall be printed at
54 the expense of the municipality. Not later than ten days prior to a
55 primary, such clerk shall file with the Secretary of the State, for each
56 voting district in such municipality at which such primary is held, the
57 ballot to be used for such voting district. No such ballot shall be used
58 at any primary unless it has been approved by the Secretary of the
59 State.

60 (2) Each municipality shall provide for all polling places:

61 [(1)] (A) At least forty-eight hours before the primary, such clerk
62 shall have sample ballots for general distribution, which shall contain
63 the offices or positions and names of candidates to be voted upon.
64 Each such sample ballot shall also include printed instructions
65 approved by the Secretary of the State concerning the use of the voting
66 tabulator and information concerning the date of the primary and the
67 hours during which polling places will be open. Such clerk shall have
68 available for distribution such number of sample ballots as such clerk
69 deems advisable, but in no event less than three which shall be posted
70 inside the polling place so as to be visible to those within the polling
71 place during the whole day of the primary. At least one of such sample
72 ballots shall be posted so as to be visible to an elector being instructed
73 on the demonstrator device, pursuant to section 9-260. If paper ballots
74 are used in any primary, such sample paper ballots shall be
75 overprinted with the word "Sample";

76 [(2)] (B) Instructions on how to cast a provisional ballot, as
77 prescribed by the Secretary of the State;

78 [(3)] (C) Instructions for mail-in registrants and first-time voters
79 who register to vote by mail on or after January 1, 2003, as prescribed
80 by the Secretary of the State;

81 [(4)] (D) General information concerning voting rights under federal
82 and Connecticut laws, including information on the right of an
83 individual to cast a provisional ballot and instructions on how to
84 contact the appropriate officials if such rights are alleged to have been
85 violated, as prescribed by the Secretary of the State; and

86 [(5)] (E) General information on federal and state laws concerning
87 prohibitions on acts of fraud and misrepresentation, as prescribed by
88 the Secretary of the State.

89 Sec. 3. Subsection (a) of section 9-135a of the general statutes is
90 repealed and the following is substituted in lieu thereof (*Effective from*
91 *passage*):

92 (a) Each absentee ballot shall be arranged to resemble the
93 appropriate ballot and sample ballot as prescribed by law, and shall
94 include, as applicable, the offices, party designations, names of
95 candidates and questions to be voted upon and spaces for write-in
96 votes. A replica of the state seal shall be printed on the ballot. The size,
97 type, form, instructions, specifications for paper and printing and
98 other specifications shall be prescribed by the Secretary of the State.
99 Prior to printing such absentee ballots pursuant to section 9-135a, as
100 amended by this act, the clerk of the municipality shall file with the
101 Secretary of the State, for each voting district in such municipality, the
102 absentee ballot to be used for such voting district. No such absentee
103 ballot shall be used at any election or primary unless it has been
104 approved by the Secretary of the State.

105 Sec. 4. Section 9-135b of the general statutes is repealed and the
106 following is substituted in lieu thereof (*Effective from passage*):

107 (a) Immediately after the deadline for certification of all candidates
108 whose names are to appear on the ballot, and in sufficient time to
109 begin issuing absentee ballots on the day prescribed by law, the
110 municipal clerk shall prepare the absentee ballots and have them
111 printed. Prior to printing such ballots, the registrars of voters of the
112 municipality may provide comments concerning the content and form

113 of such ballots to the clerk, provided no such ballot shall be printed
114 unless the Secretary of the State has approved thereof in accordance
115 with section 9-135a, as amended by this act.

116 (b) A layout model of each different absentee ballot shall be
117 available for public inspection at the clerk's office prior to printing. The
118 model shall indicate the type face to be used, the spelling and
119 placement of names and other information to be printed on the ballots.

120 (c) Immediately upon receiving the printed absentee ballots, the
121 municipal clerk shall file one with the Secretary of the State or, if there
122 are different ballots for different political subdivisions, one ballot for
123 each subdivision. The clerk shall also file his affidavit with the
124 Secretary, stating the number of ballots printed. The form of affidavit
125 shall be prescribed by the Secretary. If any correction or alteration is
126 subsequently made on any absentee ballot the clerk shall immediately
127 file a corrected or altered ballot and, using the prescribed form, his
128 affidavit stating the number of such ballots printed, with the Secretary.

129 (d) If a vacancy in candidacy occurs after the ballots have been
130 printed, the clerk may either reprint the ballots or cause blank or
131 printed stickers, as the case may be, to be affixed to them so that the
132 name of any candidate who has vacated his candidacy is deleted and
133 the name of any candidate chosen to fill the vacancy as provided in
134 section 9-428, as amended by this act, or section 9-460, as amended by
135 this act, appears in the same position as that in which the vacated
136 candidacy appeared except as provided in section 9-426 or 9-453s.

137 (e) [The] Nothing in this section shall be construed to prohibit the
138 Secretary of the State [shall examine each absentee ballot required to be
139 filed pursuant to this section and if a ballot contains an omission or
140 error, the Secretary shall order] from ordering the municipal clerk to
141 reprint a corrected absentee ballot or to take such other action as the
142 Secretary may deem appropriate in the case of an absentee ballot that
143 contains an omission or error.

144 Sec. 5. Section 9-256 of the general statutes is repealed and the

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

146 [The registrars of voters of each municipality shall, not less than ten
147 days prior to an election, file with the Secretary of the State a sample
148 ballot identical with those to be provided for each polling place under
149 section 9-255. The Secretary of the State shall examine the sample
150 ballot required to be filed under this section, and if such sample ballot
151 contains an error, the Secretary of the State shall order]
152 Notwithstanding the provisions of subsection (b) of section 9-250, as
153 amended by this act, the Secretary of the State may order the registrars
154 of voters to reprint a corrected [sample] ballot or to take other such
155 action as the Secretary may deem appropriate in the case of any ballot
156 that contains an omission or error.

157 Sec. 6. Section 9-460 of the general statutes is repealed and the
158 following is substituted in lieu thereof (*Effective from passage*):

159 If any party has nominated a candidate for office, or, on and after
160 November 4, 1981, if a candidate has qualified to appear on any ballot
161 by nominating petition under a reserved party designation, in
162 accordance with the provisions of this chapter, and such nominee
163 thereafter, but prior to [twenty-four] forty-six days before the opening
164 of the polls on the day of the election for which such nomination has
165 been made, dies, withdraws such nominee's name or for any reason
166 becomes disqualified to hold the office for which such nominee has
167 been nominated, (1) such party or, on and after November 4, 1981, the
168 party designation committee may make a nomination to fill such
169 vacancy or provide for the making of such nomination as its rules
170 prescribe, and (2) if another party that is qualified to nominate a
171 candidate for such office does not have a nominee for such office, such
172 party may also nominate a candidate for such office as its rules
173 prescribe. No withdrawal, and no nomination to replace a candidate
174 who has withdrawn, under this section shall be valid unless the
175 candidate who has withdrawn has filed a letter of withdrawal signed
176 by such candidate with the Secretary of the State in the case of a state
177 or district office or the office of state senator or state representative

178 from any district, or with the municipal clerk in the case of a municipal
179 office other than state senator or state representative. A copy of such
180 candidate's letter of withdrawal to the municipal clerk shall also be
181 filed with the Secretary of the State. No nomination to fill a vacancy
182 under this section shall be valid unless it is certified to the Secretary of
183 the State in the case of a state or district office or the office of state
184 senator or state representative from any district, or to the municipal
185 clerk in the case of a municipal office other than state senator or state
186 representative, by the organization or committee making such
187 nomination, at least [twenty-one] forty-two days before the opening of
188 the polls on the day of the election, except as otherwise provided by
189 this section. If a nominee dies within [twenty-four] forty-six days, but
190 prior to [twenty-four hours] forty-two days before the opening of the
191 polls on the day of the election for which such nomination has been
192 made, the vacancy may be filled in the manner prescribed in this
193 section [by two o'clock p.m. of the day before the election] with the
194 municipal clerk or the Secretary of the State, as the case may be. If a
195 nominee dies within [twenty-four hours] forty-two days before the
196 opening of the polls and prior to the close of the polls on the day of the
197 election for which such nomination has been made, such nominee shall
198 not be replaced and the votes cast for such nominee shall be canvassed
199 and counted, and if such nominee receives a plurality of the votes cast,
200 a vacancy shall exist in the office for which the nomination was made.
201 The vacancy shall then be filled in a manner prescribed by law. A copy
202 of such certification to the municipal clerk shall also be filed with the
203 Secretary of the State. Such nomination to fill a vacancy due to death or
204 disqualification shall include a statement setting forth the reason for
205 such vacancy. If at the time such nomination is certified to the
206 Secretary of the State or to the municipal clerk, as the case may be, the
207 [ballot labels] ballots have already been printed, the Secretary of the
208 State shall direct the municipal clerk in each municipality affected to
209 (A) have the [ballot labels] ballots reprinted with the nomination thus
210 made included thereon, (B) cause printed stickers to be affixed to the
211 [ballot labels] ballots so that the name of any candidate who has died,
212 withdrawn or been disqualified is deleted and the name of any

213 candidate chosen to fill such vacancy appears in the same position as
214 that in which the vacated candidacy appeared, or (C) cause blank
215 stickers to be so affixed if the vacancy is not filled.

216 Sec. 7. Section 9-428 of the general statutes is repealed and the
217 following is substituted in lieu thereof (*Effective from passage*):

218 If a party-endorsed candidate for nomination to an office or for
219 election to the position of town committee member, prior to [twenty-
220 four hours before the opening of the polls at the primary, dies or, prior
221 to ten] thirty-two days before the day of such primary, dies, withdraws
222 his or her name from nomination or for any reason becomes
223 disqualified to hold the office or position for which he or she is a
224 candidate, the state central committee, the town committee or other
225 authority of the party which endorsed such candidate may make an
226 endorsement to fill such vacancy or provide for the making of such
227 endorsement, in such manner as is prescribed in the rules of such
228 party, and certify to the registrar and municipal clerk or to the
229 Secretary of the State, as the case may be, the name of the person so
230 endorsed. If such certification is made at least [twenty-four hours prior
231 to the opening of the polls at the primary, in the case of such an
232 endorsement to replace a candidate who has died, or at least seven]
233 twenty-eight days before the day of such primary, in the case of such
234 an endorsement to replace a candidate who has died, withdrawn or
235 become disqualified, such person so endorsed shall run in the primary
236 as the party-endorsed candidate, except as provided in sections 9-416
237 and 9-417. If such certification of another party-endorsed candidate has
238 been made within the time specified in this section, and if the ballots
239 have already been printed and the names of the candidates for such
240 office or position appear on the ballots, the Secretary of the State or the
241 registrar, as the case may be, shall direct the clerk of each municipality
242 holding such primary to [have the ballots reprinted with the name of
243 the person so certified included thereon; provided, in the case of such
244 an endorsement to replace a candidate who has died, if such
245 certification has been made less than ninety-six hours but at least
246 twenty-four hours prior to the opening of the polls at the primary,

247 such Secretary or registrar shall direct such clerk to have stickers
248 printed and inserted upon the ballots, having the name of the person
249 so certified appearing thereon, and the moderator in each polling place
250 shall cause such stickers to be pasted on the ballots before the opening
251 of the polls at such primary] (A) have the ballots reprinted with the
252 endorsement thus made included thereon, (B) cause printed stickers to
253 be affixed to the ballots so that the name of any candidate who has
254 died, withdrawn or been disqualified is deleted and the name of any
255 candidate chosen to fill such vacancy appears in the same position as
256 that in which the vacated candidacy appeared, or (C) cause blank
257 stickers to be so affixed if the vacancy is not filled.

258 Sec. 8. Section 9-249a of the general statutes is repealed and the
259 following is substituted in lieu thereof (*Effective from passage*):

260 (a) The names of the parties shall be arranged on the ballots in the
261 following order:

262 (1) The party [whose candidate for Governor polled the highest
263 number of votes in] of the Governor elected at the last-preceding
264 election;

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

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

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

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

274 [(b) Within each of subdivisions (3) and (4) of subsection (a) of this
275 section, the following rules shall apply in the following order:

276 (1) Precedence shall be given to the party any of whose candidates
 277 seeks an office representing more people than are represented by any
 278 office sought by any candidate of any other party;

279 (2) A party having prior sequence of office as set forth in section 9-
 280 251 shall be given precedence; and

281 (3) Parties shall be listed in alphabetical order.]

282 (b) Within each of subdivisions (3) and (4) of subsection (a) of this
 283 section, the parties shall be listed in alphabetical order.

284 (c) Within subdivision (5) of subsection (a) of this section,
 285 candidates shall be listed according to the provisions of section 9-453r.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-250
Sec. 2	<i>from passage</i>	9-437(j)
Sec. 3	<i>from passage</i>	9-135a(a)
Sec. 4	<i>from passage</i>	9-135b
Sec. 5	<i>from passage</i>	9-256
Sec. 6	<i>from passage</i>	9-460
Sec. 7	<i>from passage</i>	9-428
Sec. 8	<i>from passage</i>	9-249a

Statement of Purpose:

To provide for greater consistency in the form of ballots state-wide, limit late-occurring changes in candidacy on ballots and modify the ordering of minor and petitioning parties on ballots.

[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.]