



General Assembly

Amendment

January Session, 2019

LCO No. 8602



Offered by:
SEN. SAMPSON, 16th Dist.

To: Subst. Senate Bill No. 1097 File No. 765 Cal. No. 367

"AN ACT REQUIRING DISCLOSURE OF PRESIDENTIAL AND GUBERNATORIAL CANDIDATES' FEDERAL TAX RETURNS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 9-388 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2019*):

5 (a) Whenever a convention of a political party is held for the
6 endorsement of candidates for nomination to state or district office,
7 each candidate endorsed at such convention shall file with the
8 Secretary of the State a certificate, signed by him or her, stating that he
9 or she was endorsed by such convention, his or her name as he or she
10 authorizes it to appear on the ballot, his or her full residence address
11 and the title and district, if applicable, of the office for which he or she
12 was endorsed. Such certificate shall be attested by either (1) the
13 chairman or presiding officer, or (2) the secretary of such convention
14 and shall be received by the Secretary of the State not later than four
15 o'clock p.m. on the fourteenth day after the close of such convention.

16 Such certificate shall either be mailed to the Secretary of the State by
17 certified mail, return receipt requested, or delivered in person, in
18 which case a receipt indicating the date and time of delivery shall be
19 provided by the Secretary of the State to the person making delivery. If
20 a certificate of a party's endorsement for a particular state or district
21 office is not received by the Secretary of the State by such time and,
22 with the exception of such endorsement of a candidate for the office of
23 judge of probate, if the party-endorsed candidate fails to publicly
24 disclose his or her federal income tax returns, in accordance with
25 subsection (b) of this section, for the three years immediately
26 preceding the election for which such candidate was endorsed, such
27 certificate shall be invalid and such party, for the purposes of section 9-
28 416 and section 9-416a, shall be deemed to have made no endorsement
29 of any candidate for such office. If applicable, the chairman of a party's
30 state convention shall, forthwith upon the close of such convention, file
31 with the Secretary of the State the names and full residence addresses
32 of persons selected by such convention as the nominees of such party
33 for electors of President and Vice-President of the United States in
34 accordance with the provisions of section 9-175, as amended by this
35 act.

36 (b) A candidate, other than for judge of probate, shall publicly
37 disclose his or her federal income tax returns, not later than four
38 o'clock p.m. on the fourteenth day after the close of the state
39 convention, by filing with the Secretary of the State a copy of the
40 returns and providing written authorization to the Secretary for the
41 publication of the returns on the Internet web site of the office of the
42 Secretary of the State. The Secretary shall publish the returns on the
43 Internet web site of the office not later than seven days after such
44 filing.

45 Sec. 2. Subsections (a) and (b) of section 9-400 of the general statutes
46 are repealed and the following is substituted in lieu thereof (*Effective*
47 *October 1, 2019*):

48 (a) (1) A candidacy for nomination by a political party to a state

49 office may be filed by or on behalf of any person whose name appears
50 upon the last-completed enrollment list of such party in any
51 municipality within the state and who has either [(1)] (A) received at
52 least fifteen per cent of the votes of the convention delegates present
53 and voting on any roll-call vote taken on the endorsement or proposed
54 endorsement of a candidate for such state office, whether or not the
55 party-endorsed candidate for such office received a unanimous vote on
56 the last ballot, or [(2)] (B) circulated a petition and obtained the
57 signatures of at least two per cent of the enrolled members of such
58 party in the state, in accordance with the provisions of sections 9-404a
59 to 9-404c, inclusive. Candidacies described in [subdivision (1) of this
60 subsection] subparagraph (A) of this subdivision shall be filed by
61 submitting to the Secretary of the State not later than four o'clock p.m.
62 on the fourteenth day following the close of the state convention, a
63 certificate, signed by such candidate and attested by either [(A)] (i) the
64 chairman or presiding officer, or [(B)] (ii) the secretary of the
65 convention, that such candidate received at least fifteen per cent of
66 such votes, and that such candidate consents to be a candidate in a
67 primary of such party for such state office. Such certificate shall specify
68 the candidate's name as the candidate authorizes it to appear on the
69 ballot, the candidate's full residence address and the title of the office
70 for which the candidacy is being filed. If such certificate for a state
71 office is not received by the Secretary of the State by such time and if
72 the candidate fails to publicly disclose his or her federal income tax
73 returns, in accordance with subdivision (2) of this subsection, for the
74 three years immediately preceding the primary for which such
75 certificate is being filed, such certificate shall be invalid and such party,
76 for the purposes of sections 9-416 and 9-416a, shall be deemed to have
77 made no valid certification of candidacy for nomination [by a political
78 party for] to such state office. A single such certificate or petition for
79 state office may be filed on behalf of two or more candidates for
80 different state offices who consent to have their names appear on a
81 single row of the primary ballot under subsection (b) of section 9-437.
82 Candidacies described in [subdivision (2) of this subsection]
83 subparagraph (B) of this subdivision shall be filed by submitting said

84 petition not later than four o'clock p.m. on the sixty-third day
85 preceding the day of the primary for such office to the registrar of
86 voters of the towns in which the respective petition pages were
87 circulated. Each registrar shall file each page of such petition with the
88 Secretary of the State in accordance with the provisions of section 9-
89 404c. A petition filed by or on behalf of a candidate for state office shall
90 be invalid for such candidate if such candidate is certified as the party-
91 endorsed candidate pursuant to section 9-388, [or] as amended by this
92 act, is certified as receiving at least fifteen per cent of the convention
93 vote for such office pursuant to this subsection or fails to publicly
94 disclose his or her federal income tax returns, in accordance with
95 subdivision (3) of this subsection, for the three years immediately
96 preceding the primary for which such petition is being filed. Except as
97 provided in section 9-416a, upon the expiration of the time period for
98 party endorsement and circulation and tabulation of petitions and
99 signatures, if any, if one or more candidacies for such state office have
100 been filed pursuant to the provisions of this section, the Secretary of
101 the State shall notify all town clerks and registrars of voters in
102 accordance with the provisions of section 9-433, that a primary for
103 such state office shall be held in each municipality in accordance with
104 the provisions of section 9-415.

105 (2) A candidate described in subparagraph (A) of subdivision (1) of
106 this subsection shall publicly disclose his or her federal income tax
107 returns, not later than four o'clock p.m. on the fourteenth day after the
108 close of the state convention, by filing with the Secretary of the State a
109 copy of the returns and providing written authorization to the
110 Secretary for the publication of the returns on the Internet web site of
111 the office of the Secretary of the State. The Secretary shall publish the
112 returns on the Internet web site of the office not later than seven days
113 after such filing.

114 (3) A candidate described in subparagraph (B) of subdivision (1) of
115 this subsection shall publicly disclose his or her federal income tax
116 returns, not later than four o'clock p.m. on the sixty-third day
117 preceding the day of the primary for such office, by filing with the

118 Secretary of the State a copy of the returns and providing written
119 authorization to the Secretary for the publication of the returns on the
120 Internet web site of the office of the Secretary of the State. The
121 Secretary shall publish the returns on the Internet web site of the office
122 not later than seven days after such filing.

123 (b) (1) A candidacy for nomination by a political party to a district
124 office may be filed by or on behalf of any person whose name appears
125 upon the last-completed enrollment list of such party within the
126 district the person seeks to represent that is in the office of the
127 Secretary of the State at the end of the last day prior to the convention
128 for the party from which the person seeks nomination and who has
129 either [(1)] (A) received at least fifteen per cent of the votes of the
130 convention delegates present and voting on any roll-call vote taken on
131 the endorsement or proposed endorsement of a candidate for such
132 district office, whether or not the party-endorsed candidate for such
133 office received a unanimous vote on the last ballot, or [(2)] (B)
134 circulated a petition and obtained the signatures of at least two per
135 cent of the enrolled members of such party in the district for the
136 district office of representative in Congress, and at least five per cent of
137 the enrolled members of such party in the district for the district offices
138 of state senator, state representative and judge of probate, in
139 accordance with the provisions of sections 9-404a to 9-404c, inclusive.
140 Candidacies described in [subdivision (1) of this subsection]
141 subparagraph (A) of this subdivision shall be filed by submitting to the
142 Secretary of the State not later than four o'clock p.m. on the fourteenth
143 day following the close of the district convention, a certificate, signed
144 by such candidate and attested by either [(A)] (i) the chairman or
145 presiding officer, or [(B)] (ii) the secretary of the convention, that such
146 candidate received at least fifteen per cent of such votes, and that the
147 candidate consents to be a candidate in a primary of such party for
148 such district office. Such certificate shall specify the candidate's name
149 as the candidate authorizes it to appear on the ballot, the candidate's
150 full residence address and the title and district of the office for which
151 the candidacy is being filed. If such certificate for a district office is not

152 received by the Secretary of the State by such time and if the candidate
153 fails to publicly disclose his or her federal income tax returns, in
154 accordance with subdivision (2) of this subsection, for the three years
155 immediately preceding the primary for which such certificate is being
156 filed, such certificate shall be invalid and such party, for the purposes
157 of sections 9-416 and 9-416a, shall be deemed to have made no valid
158 certification of candidacy for nomination [by a political party for] to
159 such district office. Candidacies described in [subdivision (2) of this
160 subsection] subparagraph (B) of this subdivision shall be filed by
161 submitting said petition not later than four o'clock p.m. on the sixty-
162 third day preceding the day of the primary for such office to the
163 registrar of voters of the towns in which the respective petition pages
164 were circulated. Each registrar shall file each page of such petition with
165 the Secretary in accordance with the provisions of section 9-404c. A
166 petition may only be filed by or on behalf of a candidate for the district
167 office of state senator, state representative or judge of probate who is
168 not certified as the party-endorsed candidate pursuant to section 9-388,
169 as amended by this act, or as receiving at least fifteen per cent of the
170 convention vote for such office pursuant to this subsection. A petition
171 filed by or on behalf of a candidate for the district office of
172 representative in Congress shall be invalid if said candidate is certified
173 as the party-endorsed candidate pursuant to section 9-388, as amended
174 by this act, [or] is certified as receiving at least fifteen per cent of the
175 convention vote for such office pursuant to this subsection or fails to
176 publicly disclose his or her federal income tax returns, in accordance
177 with subdivision (3) of this subsection, for the three years immediately
178 preceding the primary for which such petition is being filed. Except as
179 provided in section 9-416a, upon the expiration of the time period for
180 party endorsement and circulation and tabulation of petitions and
181 signatures, if any, if one or more candidacies for such district office
182 have been filed pursuant to the provisions of this section, the Secretary
183 of the State shall notify all town clerks within the district, in
184 accordance with the provisions of section 9-433, that a primary for
185 such district office shall be held in each municipality and each part of a
186 municipality within the district in accordance with the provisions of

187 section 9-415.

188 (2) A candidate described in subparagraph (A) of subdivision (1) of
189 this subsection, other than for judge of probate, shall publicly disclose
190 his or her federal income tax returns, not later than four o'clock p.m.
191 on the fourteenth day after the close of the district convention, by filing
192 with the Secretary of the State a copy of the returns and providing
193 written authorization to the Secretary for the publication of the returns
194 on the Internet web site of the office of the Secretary of the State. The
195 Secretary shall publish the returns on the Internet web site of the office
196 not later than seven days after such filing.

197 (3) A candidate described in subparagraph (B) of subdivision (1) of
198 this subsection, other than for judge of probate, shall publicly disclose
199 his or her federal income tax returns, not later than four o'clock p.m.
200 on the sixty-third day preceding the day of the primary for such office,
201 by filing with the Secretary of the State a copy of the returns and
202 providing written authorization to the Secretary for the publication of
203 the returns on the Internet web site of the office of the Secretary of the
204 State. The Secretary shall publish the returns on the Internet web site of
205 the office not later than seven days after such filing.

206 Sec. 3. Section 9-379 of the general statutes is repealed and the
207 following is substituted in lieu thereof (*Effective October 1, 2019*):

208 (a) [No name of any candidate shall be printed on any official ballot
209 at any election except the name of a candidate nominated by a major or
210 minor party unless a nominating petition for such candidate is
211 approved by the Secretary of the State as provided in sections 9-453a to
212 9-453p, inclusive.] If a candidate is nominated by a major or minor
213 party for an office to be voted upon at an election, or if a nominating
214 petition of a candidate for any such office is approved by the Secretary
215 of the State as provided in sections 9-453a to 9-453p, inclusive, the
216 name of such candidate shall be printed on the official ballot at the
217 election for such office.

218 (b) (1) Notwithstanding the provisions of subsection (a) of this

219 section, in the case of a candidate for Governor, Lieutenant Governor,
220 Secretary of the State, Treasurer, Comptroller, Attorney General, state
221 senator or state representative described in said subsection, the name
222 of such candidate shall not be printed on the official ballot at the
223 election for such office unless such candidate has publicly disclosed his
224 or her federal income tax returns, in accordance with subdivision (2) of
225 this subsection, for the three years immediately preceding such
226 election.

227 (2) (A) Except as provided in subparagraph (B) of this subdivision, a
228 candidate described in subdivision (1) of this subsection shall publicly
229 disclose his or her federal income tax returns, not later than four
230 o'clock p.m. on the sixty-third day preceding such election, by filing
231 with the Secretary of the State a copy of the returns and providing
232 written authorization to the Secretary for the publication of the returns
233 on the Internet web site of the office of the Secretary of the State. The
234 Secretary shall publish the returns on the Internet web site of the office
235 not later than seven days after such filing.

236 (B) A candidate who has already publicly disclosed his or her
237 federal income tax returns in accordance with subsection (b) of section
238 9-388, as amended by this act, subdivision (2) or (3), as applicable, of
239 subsection (a) of section 9-400, as amended by this act, or subdivision
240 (2) or (3), as applicable, of subsection (b) of section 9-400, as amended
241 by this act, shall not be required to make such disclosure pursuant to
242 this subsection.

243 Sec. 4. Section 9-181 of the general statutes is repealed and the
244 following is substituted in lieu thereof (*Effective October 1, 2019*):

245 At the state election to be held in 1966, and quadrennially thereafter,
246 there shall be elected a Governor, Lieutenant Governor, Secretary,
247 Treasurer, Comptroller and Attorney General to hold their respective
248 offices from the Wednesday following the first Monday of the January
249 next succeeding their election until the Wednesday following the first
250 Monday of the fifth January succeeding their election and until their

251 successors are qualified. When any political party has nominated
252 candidates for the offices of Governor and Lieutenant Governor, their
253 names shall be so placed upon the ballot in any such election that any
254 elector will cast a single vote for both candidates, except that the
255 names of such candidates shall not be placed upon such ballot unless
256 both such candidates publicly disclose their respective federal income
257 tax returns in accordance with subsection (b) of section 9-379, as
258 amended by this act.

259 Sec. 5. Section 9-373a of the general statutes is repealed and the
260 following is substituted in lieu thereof (*Effective October 1, 2019*):

261 (a) Any person desiring to be a write-in candidate for any state,
262 district or municipal office to be filled at any regular election shall
263 register his or her candidacy with the Secretary of the State on a form
264 prescribed by the Secretary. The registration shall include the
265 candidate's name and address, the designation and term of the office
266 sought, a statement of consent to the candidacy, and any other
267 information which the Secretary deems necessary. In the case of a
268 write-in candidacy for the office of Governor or Lieutenant Governor,
269 the registration shall include a candidate for each of those offices, or
270 shall be void. The registration shall not include a designation of any
271 political party. The registration shall be filed with the Secretary not
272 more than ninety days prior to the election at which the office is to be
273 filled and not later than four o'clock p.m. on the fourteenth day
274 preceding the election, or the registration shall be void. No person
275 nominated for an office by a major or minor party or by nominating
276 petition shall register as a write-in candidate for that office under the
277 provisions of this section, and any registration of a write-in candidacy
278 filed by such a person shall be void. Notwithstanding any provision of
279 this section to the contrary, any person desiring to be a write-in
280 candidate for the municipal office of town meeting member in any
281 town having a representative town meeting which has seventy-five or
282 more members shall register his or her candidacy with the town clerk
283 of such town not later than the last business day preceding such
284 election. A person may register as a write-in candidate for a district or

285 municipal office if such person's name appears on the last-completed
 286 registry list of the district or municipality represented by such office, as
 287 the case may be. A person may register as a write-in candidate for a
 288 state office if such person's name appears on the last-completed
 289 registry list of the state.

290 (b) (1) Notwithstanding the provisions of subsection (a) of this
 291 section, the registration of a write-in candidacy for the office of
 292 Governor, Lieutenant Governor, Secretary of the State, Treasurer,
 293 Comptroller, Attorney General, state senator or state representative
 294 shall be void unless such candidate has publicly disclosed his or her
 295 federal income tax returns, in accordance with subdivision (2) of this
 296 subsection, for the three years immediately preceding such election.

297 (2) (A) Except as provided in subparagraph (B) of this subdivision, a
 298 write-in candidate described in subdivision (1) of this subsection shall
 299 publicly disclose his or her federal income tax returns, not later than
 300 four o'clock p.m. on the fourteenth day preceding such election, by
 301 filing with the Secretary of the State a copy of the returns and
 302 providing written authorization to the Secretary for the publication of
 303 the returns on the Internet web site of the office of the Secretary of the
 304 State. The Secretary shall publish the returns on the Internet web site of
 305 the office not later than seven days after such filing.

306 (B) A candidate who has already publicly disclosed his or her
 307 federal income tax returns in accordance with subsection (b) of section
 308 9-388, as amended by this act, subdivision (2) or (3), as applicable, of
 309 subsection (a) of section 9-400, as amended by this act, or subdivision
 310 (2) or (3) of subsection (b) of section 9-400, as amended by this act,
 311 shall not be required to make such disclosure pursuant to this
 312 subsection."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	9-388
Sec. 2	October 1, 2019	9-400(a) and (b)

Sec. 3	<i>October 1, 2019</i>	9-379
Sec. 4	<i>October 1, 2019</i>	9-181
Sec. 5	<i>October 1, 2019</i>	9-373a