



General Assembly

Amendment

January Session, 2019

LCO No. 9746



Offered by:

REP. CANDELORA, 86th Dist.

REP. PERILLO, 113th Dist.

To: Subst. House Bill No. 7160

File No. 754

Cal. No. 452

"AN ACT INCREASING VOTER ACCESS."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 9-324 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 Any elector or candidate who claims that such elector or candidate
6 is aggrieved by any ruling of any election official in connection with
7 any election for Governor, Lieutenant Governor, Secretary of the State,
8 State Treasurer, Attorney General, State Comptroller, state senator,
9 state representative or judge of probate, held in such elector's or
10 candidate's town, or that there has been a mistake in the count of the
11 votes cast at such election for candidates for said offices or any of
12 them, at any voting district in such elector's or candidate's town, or
13 any candidate for such an office who claims that such candidate is
14 aggrieved by a violation of any provision of section 9-355, 9-357 to 9-
15 361, inclusive, 9-364, 9-364a or 9-365 in the casting of absentee ballots

16 at such election or any candidate for the office of Governor, Lieutenant
17 Governor, Secretary of the State, State Treasurer, Attorney General,
18 [or] State Comptroller, state senator or state representative, who claims
19 that such candidate is aggrieved by a violation of any provision of
20 sections 9-700 to 9-716, inclusive, may bring such elector's or
21 candidate's complaint to any judge of the Superior Court, in which
22 such elector or candidate shall set out the claimed errors of such
23 election official, the claimed errors in the count or the claimed
24 violations of said sections. In any action brought pursuant to the
25 provisions of this section, the complainant shall send a copy of the
26 complaint by first-class mail, or deliver a copy of the complaint by
27 hand, to the State Elections Enforcement Commission. If such
28 complaint is made prior to such election, such judge shall proceed
29 expeditiously to render judgment on the complaint and shall cause
30 notice of the hearing to be given to the Secretary of the State and the
31 State Elections Enforcement Commission. If such complaint is made
32 subsequent to the election, it shall be brought not later than fourteen
33 days after the election or, if such complaint is brought in response to
34 the manual tabulation of paper ballots authorized pursuant to section
35 9-320f, such complaint shall be brought not later than seven days after
36 the close of any such manual tabulation and, in either such
37 circumstance, such judge shall forthwith order a hearing to be had
38 upon such complaint, upon a day not more than five nor less than
39 three days from the making of such order, and shall cause notice of not
40 less than three nor more than five days to be given to any candidate or
41 candidates whose election may be affected by the decision upon such
42 hearing, to such election official, the Secretary of the State, the State
43 Elections Enforcement Commission and to any other party or parties
44 whom such judge deems proper parties thereto, of the time and place
45 for the hearing upon such complaint. Such judge shall, on the day
46 fixed for such hearing and without unnecessary delay, proceed to hear
47 the parties. If sufficient reason is shown, such judge may order any
48 voting tabulators to be unlocked or any ballot boxes to be opened and
49 a recount of the votes cast, including absentee ballots, to be made. Such
50 judge shall thereupon, in case such judge finds any error in the rulings

51 of the election official, any mistake in the count of the votes or any
 52 violation of said sections, certify the result of such judge's finding or
 53 decision to the Secretary of the State before the fifteenth day of the next
 54 succeeding December. Such judge may order a new election or a
 55 change in the existing election schedule. Such certificate of such judge
 56 of such judge's finding or decision shall be final and conclusive upon
 57 all questions relating to errors in the rulings of such election officials,
 58 to the correctness of such count, and, for the purposes of this section
 59 only, such claimed violations, and shall operate to correct the returns
 60 of the moderators or presiding officers, so as to conform to such
 61 finding or decision, unless the same is appealed from as provided in
 62 section 9-325."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	9-324