



General Assembly

**Amendment**

January Session, 2019

LCO No. 9765



Offered by:

REP. CANDELORA, 86<sup>th</sup> Dist.

REP. PERILLO, 113<sup>th</sup> 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. (NEW) (*Effective from passage*) (a) (1) Except as provided in  
4 subdivision (2) of this subsection, any elector or candidate who claims  
5 that such elector or candidate is aggrieved by any ruling of any  
6 election official in connection with any election for state senator or  
7 state representative, held in such elector's or candidate's town, or that  
8 there has been a mistake in the count of the votes cast at such election  
9 for candidates for said offices or any of them, at any voting district in  
10 such elector's or candidate's town, or any candidate for such an office  
11 who claims that such candidate is aggrieved by a violation of any  
12 provision of section 9-355, 9-357 to 9-361, inclusive, 9-364, 9-364a or 9-  
13 365 of the general statutes in the casting of absentee ballots at such  
14 election or any candidate for the office of state senator or state  
15 representative who claims that such candidate is aggrieved by a

16 violation of any provision of sections 9-700 to 9-716, inclusive, of the  
17 general statutes, may bring such elector's or candidate's complaint to  
18 any judge of the Superior Court, in which such elector or candidate  
19 shall set out the claimed errors of such election official, the claimed  
20 errors in the count or the claimed violations of said sections, provided  
21 there is no committee on contested elections as described in  
22 subdivision (2) of this subsection or the recommendations of such  
23 committee have been rejected pursuant to said subdivision. In any  
24 action brought pursuant to the provisions of this section, the  
25 complainant shall send a copy of the complaint by first-class mail, or  
26 deliver a copy of the complaint by hand, to the State Elections  
27 Enforcement Commission.

28 (2) If the house of the General Assembly for which the election is the  
29 subject of a complaint as described in subdivision (1) of this subsection  
30 has a provision in such house's rules or any resolution adopted by  
31 such house requiring the appointment of a committee on contested  
32 elections, the complaint shall be filed with such committee in lieu of  
33 the Superior Court. Such committee shall perform its duties in  
34 accordance with such rules or resolution and shall file a report on its  
35 recommendations concerning such election not later than forty-five  
36 days after the appointment of such committee with the house of the  
37 General Assembly which appointed such committee. Such house of the  
38 General Assembly shall vote to approve or reject such  
39 recommendations not later than fourteen calendar days after receiving  
40 such report. If such house fails to vote on or to approve such  
41 recommendations, the recommendations shall be deemed rejected and  
42 the Superior Court shall have jurisdiction over the complaint and the  
43 complainant may file a complaint with the Superior Court as set forth  
44 in this section.

45 (b) If such complaint is made prior to such election, the judge of the  
46 Superior Court shall proceed expeditiously to render judgment on the  
47 complaint and shall cause notice of the hearing to be given to the  
48 Secretary of the State and the State Elections Enforcement Commission.  
49 If such complaint is made subsequent to the election, it shall be

50 brought not later than fourteen days after the election or the rejection  
51 of the recommendations made under subdivision (2) of subsection (a)  
52 of this section, if such complaint is brought in response to the manual  
53 tabulation of paper ballots authorized pursuant to section 9-320f of the  
54 general statutes, such complaint shall be brought not later than seven  
55 days after the close of any such manual tabulation or the rejection of  
56 the recommendations made under subdivision (2) of subsection (a) of  
57 this section and, in either such circumstance, such judge shall  
58 forthwith order a hearing to be had upon such complaint, upon a day  
59 not more than five nor less than three days from the making of such  
60 order, and shall cause notice of not less than three nor more than five  
61 days to be given to any candidate or candidates whose election may be  
62 affected by the decision upon such hearing, to such election official, the  
63 Secretary of the State, the State Elections Enforcement Commission and  
64 to any other party or parties whom such judge deems proper parties  
65 thereto, of the time and place for the hearing upon such complaint.

66 (c) Such judge shall, on the day fixed for such hearing and without  
67 unnecessary delay, proceed to hear the parties. If sufficient reason is  
68 shown, such judge may order any voting tabulators to be unlocked or  
69 any ballot boxes to be opened and a recount of the votes cast, including  
70 absentee ballots, to be made. Such judge shall thereupon, in case such  
71 judge finds any error in the rulings of the election official, any mistake  
72 in the count of the votes or any violation of said sections, certify the  
73 result of such judge's finding or decision to the Secretary of the State  
74 before the fifteenth day of the next succeeding December. Such judge  
75 may order a new election or a change in the existing election schedule.  
76 Such certificate of such judge of such judge's finding or decision shall  
77 be final and conclusive upon all questions relating to errors in the  
78 rulings of such election officials, to the correctness of such count, and,  
79 for the purposes of this section only, such claimed violations, and shall  
80 operate to correct the returns of the moderators or presiding officers,  
81 so as to conform to such finding or decision, unless the same is  
82 appealed from as provided in section 9-325 of the general statutes."

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