



General Assembly

**Amendment**

January Session, 2019

LCO No. 10977



Offered by:

SEN. FASANO, 34<sup>th</sup> Dist.

SEN. WITKOS, 8<sup>th</sup> Dist.

To: Subst. House Bill No. 7160

File No. 1015

Cal. No. 633

**"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 Section 9-324 of the general statutes is repealed and the  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