



General Assembly

Amendment

January Session, 2021

LCO No. 8067



Offered by:
SEN. SAMPSON, 16th Dist.

To: Senate Bill No. 901

File No. 114

Cal. No. 123

"AN ACT EXTENDING TO JUNE 30, 2021, CHANGES IMPLEMENTED FOR THE 2020 STATE ELECTION AS A RESULT OF COVID-19."

1 Strike section 15 in its entirety and substitute the following in lieu
2 thereof:

3 "Sec. 15. Section 9-150b of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) The moderator shall record the result of each count of absentee
6 ballots at any election, primary or referendum, separately by time of
7 count, on (1) a separate moderator's return for each voting district, and
8 (2) a separate record of the number of absentee votes cast for each
9 candidate for each voting district.

10 (b) Except as provided in subsection (c) of this section, when all
11 counting is complete, the moderator shall publicly declare the result of
12 such count. The moderator shall then deliver to the head moderator the
13 central counting moderator's returns, together with all other

14 information required by law or by the Secretary of the State's
15 instructions, including another tabulator tape or a photocopy, digital
16 scan or digital photograph of such tape. The head moderator shall add
17 the results from the voting tabulators, recorded on the moderator's
18 return for each polling place, to the absentee count recorded on the
19 central counting moderator's return for the corresponding voting
20 district, in the manner prescribed by the Secretary of the State. The
21 returns so completed shall show separately the tabulator vote and the
22 absentee vote and the totals thereof, and the head moderator shall attach
23 the additional tabulator tape or the copy made of such tape to such
24 returns.

25 (c) If the absentee ballots were counted in the respective polling
26 places, pursuant to subsection (b) of section 9-147a, when all counting is
27 complete the moderator shall publicly declare the result of such count
28 as provided in section 9-309, as amended by this act, and add such count
29 to the results from the voting tabulators recorded on the moderator's
30 return. Such return shall show separately the tabulator vote and the
31 absentee vote and the totals thereof, and the moderator shall attach an
32 additional tabulator tape or a photocopy, digital scan or digital
33 photograph of such tape to such return.

34 (d) The Secretary of the State may prescribe the forms and
35 instructions for the tabulation, counting and return of the absentee
36 ballot vote.

37 (e) The sealed depository envelopes required by subsections (f) and
38 (m) of section 9-150a shall be returned by the moderator to the
39 municipal clerk as soon as practicable on or before the day following the
40 election, primary or referendum.

41 (f) The municipal clerk shall preserve for sixty days after the election,
42 primary or referendum the depository envelopes containing opened
43 envelopes and rejected ballots required by subsection (f) of section 9-
44 150a, and shall so preserve for one hundred eighty days the depository
45 envelopes containing counted ballots and related materials required by

46 subsection (m) of section 9-150a.

47 (g) (1) No such depository envelope shall be opened except by order
48 of a court of competent jurisdiction, by the State Elections Enforcement
49 Commission pursuant to a subpoena issued under subdivision (1) of
50 subsection (a) of section 9-7b or within five business days after an
51 election, primary or referendum for the purpose of a recanvass
52 conducted pursuant to law. After such a recanvass the depository
53 envelopes and their contents shall be returned to the municipal clerk
54 and preserved for the stated period.

55 (2) Notwithstanding the provisions of subdivision (1) of this
56 subsection, for the state election in 2020, and any election, primary or
57 referendum held on or after the effective date of this section but prior to
58 July 1, 2021, no such depository envelope shall be opened for the
59 purpose of a recanvass conducted pursuant to law except within seven
60 business days after [the] such election, primary or referendum as
61 provided in section 9-311, as amended by this act.

62 (h) For sixty days after the election, primary or referendum the
63 following shall be preserved by the municipal clerk as a public record
64 open to public inspection: (1) All executed absentee ballot application
65 forms and direction by registrar forms, as required by subdivision (i) of
66 section 9-140; (2) the list and index of applicants for presidential or
67 overseas ballots as required by section 9-158h; (3) the numerical list of
68 absentee voting sets issued as required by subsection (e) of section 9-
69 140; (4) the list of the names of persons whose absentee ballots are
70 received by the municipal clerk, as required by subsection (a) of section
71 9-140c; (5) all unused absentee ballots; and (6) all envelopes containing
72 ballots received by the municipal clerk after the close of the polls, which
73 shall remain unopened.

74 (i) For one hundred eighty days after the election, primary or
75 referendum the following shall be preserved by the municipal clerk as a
76 public record open to public inspection: (1) The affidavit regarding the
77 municipal clerk's endorsement of inner envelopes, as required by

78 subsection (a) of section 9-140c; and (2) the affidavit regarding delivery
79 and receipt of ballots, as required by subsection (j) of said section.

80 (j) At the expiration of the applicable retention period, if no contest is
81 pending and no subpoena has been issued by the State Elections
82 Enforcement Commission pursuant to subsection (1) of section 9-7b, the
83 municipal clerk shall destroy the materials preserved under this section.
84 "

85 Strike section 17 in its entirety and substitute the following in lieu
86 thereof:

87 "Sec. 17. Section 9-309 of the general statutes is repealed and the
88 following is substituted in lieu thereof (*Effective from passage*):

89 (a) Upon the close of the polls, the moderator, in the presence of the
90 other election officials, shall immediately lock the voting tabulator
91 against voting and immediately cause the vote totals for all candidates
92 and questions to be produced, including the production of an additional
93 tabulator tape or a photocopy, digital scan or digital photograph of such
94 original tape. The moderator shall, in the order of the offices as their
95 titles are arranged on the ballot, read and announce in distinct tones the
96 result as shown, giving the number indicated and indicating the
97 candidate to whom such total belongs, and shall read the votes recorded
98 for each office on the ballot. The moderator shall also, in the same
99 manner, announce the vote on each constitutional amendment,
100 proposition or other question voted on. The vote so announced by the
101 moderator shall be taken down by each checker and recorded on the
102 tally sheets. Each checker shall record the number of votes received for
103 each candidate on the ballot and also the number received by each
104 person for whom write-in ballots were cast. The moderator shall make
105 a preliminary list from the vote totals produced by the tabulators and
106 shall prepare such preliminary list for transmission to the Secretary of
107 the State pursuant to section 9-314, as amended by this act. After such
108 preliminary list has been transmitted to the Secretary of the State, the
109 canvass may be temporarily interrupted, during which time the

110 moderator shall (1) return the keys for all tabulators to the registrars of
111 voters, (2) seal the tabulators against voting or being tampered with, (3)
112 prepare and seal individual envelopes for all (A) write-in ballots, (B)
113 absentee ballots, (C) moderators' returns, (D) the additional tabulator
114 tape or the photocopy, digital scan or digital photograph of the original
115 tape, and [(D)] (E) other notes, worksheets or written materials used at
116 the election, and (4) store all such tabulators and envelopes in a secure
117 place or places directed by the registrars of voters. At the end of such
118 temporary interruption, the moderator shall receive such keys from the
119 registrars and shall take possession of and break the seal on all such
120 tabulators and envelopes for the purpose of completing the canvass. The
121 result totals shall remain in full public view until the statement of
122 canvass and all other reports have been fully completed and signed by
123 the moderator, checkers and registrars, or assistant registrars, as the case
124 may be. Any other remaining result of the votes cast shall be publicly
125 announced by the moderator not later than forty-eight hours after the
126 close of the polls. Such public announcement shall consist of reading
127 both the name of each candidate, with the designating number and letter
128 on the ballot and the absentee vote as furnished to the moderator by the
129 absentee ballot counters, and also the vote cast for and against each
130 question submitted. While such announcement is being made, ample
131 opportunity shall be given to any person lawfully present to compare
132 the results so announced with the result totals provided by the tabulator
133 and any necessary corrections shall then and there be made by the
134 moderator, checkers and registrars or assistant registrars, after which
135 the compartments of the voting tabulator shall be closed and locked. In
136 canvassing, recording and announcing the result, the election officials
137 shall be guided by any instructions furnished by the Secretary of the
138 State.

139 (b) Notwithstanding the provisions of subsection (a) of this section,
140 for the state election in 2020, and any election held on or after the
141 effective date of this section but prior to July 1, 2021, after the
142 preliminary list has been transmitted to the Secretary of the State, any
143 other remaining result of the votes cast required under said subsection

144 to be publicly announced by the moderator shall be so announced not
145 later than ninety-six hours after the close of the polls at such election. "

This act shall take effect as follows and shall amend the following sections:		
Sec. 15	<i>from passage</i>	9-150b
Sec. 17	<i>from passage</i>	9-309