



General Assembly

**Amendment**

January Session, 2021

LCO No. 9204



Offered by:  
SEN. SAMPSON, 16<sup>th</sup> Dist.

To: Subst. Senate Bill No. 5

File No. 570

Cal. No. 338

(As Amended by Senate Amendment Schedule "A")

**"AN ACT CONCERNING INCREASED OPPORTUNITIES FOR ABSENTEE VOTING, SAFE AND SECURE IN-PERSON VOTING, VOTER REGISTRATION AND CERTAIN OTHER CHANGES REGARDING ELECTION ADMINISTRATION."**

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

3 "Sec. 501. Section 9-150b of the general statutes is repealed and the  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, no such depository envelope  
57 shall be opened for the purpose of a recanvass conducted pursuant to  
58 law except within seven business days after the election as provided in  
59 section 9-311.

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

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

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

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

82 Sec. 502. Section 9-309 of the general statutes is repealed and the  
83 following is substituted in lieu thereof (*Effective from passage*):

84 (a) Upon the close of the polls, the moderator, in the presence of the  
85 other election officials, shall immediately lock the voting tabulator  
86 against voting and immediately cause the vote totals for all candidates  
87 and questions to be produced, including the production of an additional  
88 tabulator tape or a photocopy, digital scan or digital photograph of such  
89 original tape. The moderator shall, in the order of the offices as their  
90 titles are arranged on the ballot, read and announce in distinct tones the  
91 result as shown, giving the number indicated and indicating the  
92 candidate to whom such total belongs, and shall read the votes recorded  
93 for each office on the ballot. The moderator shall also, in the same  
94 manner, announce the vote on each constitutional amendment,  
95 proposition or other question voted on. The vote so announced by the  
96 moderator shall be taken down by each checker and recorded on the  
97 tally sheets. Each checker shall record the number of votes received for  
98 each candidate on the ballot and also the number received by each  
99 person for whom write-in ballots were cast. The moderator shall make  
100 a preliminary list from the vote totals produced by the tabulators and  
101 shall prepare such preliminary list for transmission to the Secretary of  
102 the State pursuant to section 9-314. After such preliminary list has been  
103 transmitted to the Secretary of the State, the canvass may be temporarily  
104 interrupted, during which time the moderator shall (1) return the keys  
105 for all tabulators to the registrars of voters, (2) seal the tabulators against  
106 voting or being tampered with, (3) prepare and seal individual  
107 envelopes for all (A) write-in ballots, (B) absentee ballots, (C)  
108 moderators' returns, (D) the additional tabulator tape or the photocopy,

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

134 (b) Notwithstanding the provisions of subsection (a) of this section,  
135 for the state election in 2020, after the preliminary list has been  
136 transmitted to the Secretary of the State, any other remaining result of  
137 the votes cast required under said subsection to be publicly announced  
138 by the moderator shall be so announced not later than ninety-six hours  
139 after the close of the polls. "

This act shall take effect as follows and shall amend the following sections:

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Sec. 501	<i>from passage</i>	9-150b
Sec. 502	<i>from passage</i>	9-309