



General Assembly

January Session, 2023

**Raised Bill No. 6871**

LCO No. 4902



Referred to Committee on GOVERNMENT ADMINISTRATION  
AND ELECTIONS

Introduced by:  
(GAE)

**AN ACT CONCERNING ELECTION RECANVASS PROCEDURES.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Subsection (a) of section 9-238 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (a) Except as provided in section 9-272, voting tabulators shall be  
5 used at all elections held in any municipality, or in any part thereof, for  
6 voting and registering and counting votes cast at such elections for  
7 officers, and upon all questions or amendments submitted at such  
8 elections. The board of selectmen of each town, the common council of  
9 each city and the warden and burgesses of each borough shall purchase  
10 or lease, or otherwise provide, for use at elections in each such  
11 municipality a number of voting tabulators approved by the Secretary  
12 of the State. Different voting tabulators may be provided for different  
13 voting districts in the same municipality. Notwithstanding any  
14 provision of this subsection, [to the contrary,] the registrars of voters of  
15 a municipality [may determine the number of voting tabulators that  
16 shall be provided for use at any special election in such municipality,

17 provided the registrars shall provide at least one voting tabulator in the  
18 municipality or, in a municipality divided into voting districts,] shall  
19 use at least one voting tabulator in each [such] voting district.

20 Sec. 2. (NEW) (*Effective from passage*) The Secretary of the State shall  
21 develop an instructional training video on recanvass procedures, based  
22 on the Recanvass Procedure Manual, revised August 2012, which is  
23 published on the Internet web site of the office of the Secretary of the  
24 State, provided the Secretary shall revise such instructional training  
25 video whenever said manual is revised. Prior to the conduct of each  
26 recanvass, the Secretary shall distribute such instructional training  
27 video to the recanvass officials, who shall view such instructional  
28 training video before commencing such recanvass.

29 Sec. 3. Subsections (a) and (b) of section 9-311 of the general statutes  
30 are repealed and the following is substituted in lieu thereof (*Effective*  
31 *from passage*):

32 (a) (1) If, within three days after an election, it appears to the  
33 moderator that there is a discrepancy in the returns of any voting  
34 district, such moderator shall forthwith within said period summon, by  
35 written notice delivered personally, the recanvass officials, consisting of  
36 at least two checkers of different political parties and at least two  
37 absentee ballot counters of different political parties who served at such  
38 election, and the registrars of voters of the municipality in which the  
39 election was held and such other officials as may be required to conduct  
40 such recanvass. Such written notice shall require the clerk or registrars  
41 of voters, as the case may be, to bring with them the depository  
42 envelopes required by section 9-150a, the package of write-in ballots  
43 provided for in section 9-310, the absentee ballot applications, the list of  
44 absentee ballot applications, the registry list and the moderators' returns  
45 and shall require such recanvass officials to meet at a specified time, not  
46 later than [the fifth business day after] five business days after the  
47 moderator transmits to the Secretary of the State the duplicate list  
48 required under section 9-314 for such election and not later than twelve  
49 o'clock on any such business day, to recanvass the returns of a voting

50 tabulator or voting tabulators or absentee ballots or write-in ballots used  
51 in such district in such election. If any of such recanvass officials are  
52 unavailable at the time of the recanvass, the registrar of voters of the  
53 same political party as that of the recanvass official unable to attend  
54 shall designate another elector having previous training and experience  
55 in the conduct of elections to take his place. Before such recanvass is  
56 made, such moderator shall give notice, in writing, to the [chairman]  
57 chairperson of the town committee of each political party which  
58 nominated candidates for the election, and, in the case of a state election,  
59 not later than twenty-four hours after a determination is made  
60 regarding the need for a recanvass to the Secretary of the State, of the  
61 time and place where such recanvass is to be made; and each such  
62 [chairman] chairperson may send party representatives to be present at  
63 such recanvass. Such party representatives may observe, but no one  
64 other than a recanvass official may take part in the recanvass. If any  
65 irregularity in the recanvass procedure is noted by such a  
66 representative, he shall be permitted to present evidence of such  
67 irregularity in any contest relating to the election.

68 (2) Notwithstanding the provisions of subdivision (1) of this  
69 subsection, for the state election in 2020, and any election held on or after  
70 June 23, 2021, but prior to November 3, 2021, (A) if, within five days  
71 after such election, it appears to the moderator that there is a  
72 discrepancy in the returns of any voting district, such moderator shall  
73 forthwith within said period summon, by written notice delivered  
74 personally, the recanvass officials to conduct such recanvass in  
75 accordance with the provisions of said subdivision, and (B) such written  
76 notice shall require such recanvass officials to meet not later than the  
77 seventh business day after such election for such purpose.

78 (b) The moderator shall determine the place or places where the  
79 recanvass shall be conducted and, if such recanvass is held before the  
80 tabulators are boxed and collected in the manner required by section 9-  
81 266, the moderator may either require that such recanvass of such  
82 tabulators be conducted in each place where the tabulators are located,  
83 or he may require that they be removed to one central place, where such

84 recanvass shall be conducted. All recanvassing procedures shall be open  
 85 to public observation. Such recanvass officials shall, in the presence of  
 86 such moderator and registrars of voters, make a record of the number  
 87 on the seal and the number on the protective counter, if one is provided,  
 88 on each voting tabulator specified by such moderator. Such registrars of  
 89 voters in the presence of such moderator shall turn over the keys of each  
 90 such tabulator to such recanvass officials, and such recanvass officials,  
 91 in the presence of such registrars of voters and moderator, shall  
 92 immediately proceed to recanvass the vote cast thereon, and shall then  
 93 open the package of absentee ballots and recanvass the vote cast  
 94 thereon. In the course of the recanvass of the absentee ballot vote the  
 95 recanvass officials shall check all outer envelopes for absentee ballots  
 96 against the inner envelopes for such ballots and against the registry list  
 97 to verify postmarks, addresses and registry list markings and also to  
 98 determine whether the number of envelopes from which absentee  
 99 ballots have been removed is the same as the number of persons checked  
 100 as having voted by absentee ballot. The write-in ballots shall also be  
 101 recanvassed at this time. Any party representative present shall have a  
 102 right to view each ballot as it is being recanvassed by the recanvass  
 103 officials, so as to be able to discern the markings on such ballot. All of  
 104 the recanvass officials shall use the same forms for tallies and returns as  
 105 were used at the original canvass and the absentee ballot counters shall  
 106 also sign the tallies.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-238(a)
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	9-311(a) and (b)

**Statement of Purpose:**

To (1) require that at least one voting tabulator be used in each voting district, (2) require the Secretary of the State to develop and distribute an instructional training video on recanvass procedures, (3) allow recanvasses to be conducted five business days after moderators submit duplicate lists to the Secretary, (4) prohibit recanvasses from

commencing later than twelve o'clock noon on any such day, and (5) provide that party representatives present at recanvasses have a right to view each recanvassed ballot so as to be able to discern the markings on such ballot.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*