



General Assembly

January Session, 2023

Substitute Bill No. 1150



AN ACT CONCERNING THE RECOMMENDATIONS OF THE RISK-LIMITING AUDITS WORKING GROUP.

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

1 Section 1. (NEW) (*Effective January 1, 2025*) (a) Not earlier than the
2 fifteenth day after any state election and not later than two business
3 days before the canvass of votes by the Secretary of the State, Treasurer
4 and Comptroller, commencing on a day designated by the Secretary,
5 the registrars of voters shall conduct a risk-limiting audit of such
6 election. Each such audit shall be noticed in advance and be open to
7 public observation. Any election official who participates in the
8 administration and conduct of an audit pursuant to this section shall
9 be compensated by the municipality at the standard rate of pay
10 established by such municipality for elections.

11 (b) (1) Except as provided in subdivision (2) of this subsection, the
12 offices subject to a risk-limiting audit pursuant to this section shall be
13 (A) the office of presidential elector, if applicable, (B) all applicable
14 state offices, as defined in section 9-372 of the general statutes, (C) at
15 least one representative in Congress, selected in a random drawing by
16 the Secretary of the State, (D) at least five per cent, in the aggregate, of
17 the offices of state senator and state representative, selected in a
18 random drawing by the Secretary, and (E) any other office required to
19 be audited by federal law. Whenever an office is randomly selected by
20 the Secretary under this subsection, the selection process shall be open

21 to the public.

22 (2) (A) If an office of representative in Congress is subject to
23 recanvass or an election contest pursuant to any provision of the
24 general statutes, the Secretary of the State shall ensure such office is
25 included in the office or offices selected under subparagraph (C) of
26 subdivision (1) of this subsection.

27 (B) If an office of state senator or state representative is subject to
28 recanvass or an election contest pursuant to any provision of the
29 general statutes, the Secretary of the State shall ensure such office is
30 included in the offices selected under subparagraph (D) of subdivision
31 (1) of this subsection.

32 (c) Prior to the day designated by the Secretary of the State for the
33 commencement of the risk-limiting audit described in subsection (a) of
34 this section, the registrars of voters shall submit to the Secretary the
35 ballot manifests created under section 3 of this act.

36 (d) The risk-limiting audit described in subsection (a) of this section
37 shall be conducted in accordance with instructions and procedures
38 prescribed by the Secretary of the State not later than January 1, 2026,
39 which instructions and procedures shall be consistent across all offices.
40 The risk limit for each such audit shall be not more than five per cent.
41 The results of each audit conducted pursuant to this section, including
42 any such audit that produces an outcome of "INCONCLUSIVE" as
43 described in subsection (e) of this section, shall be reported on a form
44 and in a manner prescribed by the Secretary. Such reported results
45 shall be filed with the Secretary, who shall immediately forward such
46 reported results to The University of Connecticut for analysis. The
47 University of Connecticut shall submit to the Secretary a written report
48 regarding such analysis that describes any concerns identified. After
49 receipt of such written report, the Secretary shall transmit to the State
50 Elections Enforcement Commission a copy of such written report.

51 (e) In the event a risk-limiting audit conducted pursuant to this

52 section for a particular office produces an outcome of
53 "INCONCLUSIVE", the Secretary of the State shall order a manual
54 recount of all ballots cast for such office.

55 (f) If the written report submitted by The University of Connecticut
56 under subsection (d) of this section indicates that a voting tabulator
57 failed to record votes accurately and in the manner provided by title 9
58 of the general statutes, the Secretary of the State shall require that the
59 voting tabulator be examined and recertified by the Secretary, or the
60 Secretary's designee. Nothing in this subsection shall be construed to
61 prohibit the Secretary from requiring that a voting tabulator be
62 examined and recertified.

63 (g) The audit results reported to the Secretary of the State pursuant
64 to subsection (d) of this section shall be open to public inspection and
65 may be used as prima facie evidence of an irregularity in any contest
66 arising pursuant to chapter 149 of the general statutes or for any other
67 cause of action arising from such election.

68 (h) If the audit officials are unable to reconcile the results from an
69 audit described in subsection (a) of this section with the outcome of the
70 person declared elected by virtue of having received the greatest
71 number of votes, as determined by the paper ballots, the Secretary of
72 the State shall conduct such further investigation of the voting
73 tabulator as may be necessary for the purpose of reviewing whether or
74 not to decertify the voting tabulator or tabulators in question or to
75 order the voting tabulator to be examined and recertified pursuant to
76 subsection (f) of this section. Any report produced by the Secretary as a
77 result of such investigation shall be filed with the State Elections
78 Enforcement Commission, and the commission may initiate such
79 further investigation in accordance with subdivision (1) of subsection
80 (a) of section 9-7b of the general statutes as may be required to
81 determine if any violations of the general statutes concerning election
82 law have been committed.

83 (i) The individual paper ballots used at an election shall be carefully

84 preserved and returned in their designated receptacle in accordance
85 with the requirements of section 9-266 or 9-310 of the general statutes,
86 whichever is applicable.

87 (j) Nothing in this section shall be construed to preclude any
88 candidate or elector from seeking additional remedies pursuant to
89 chapter 149 of the general statutes.

90 (k) After a state election, any voting tabulator may be kept locked
91 for a period longer than that prescribed by sections 9-266, 9-310 and 9-
92 447 of the general statutes, if such an extended period is ordered by
93 either a court of competent jurisdiction, the Secretary of the State or the
94 State Elections Enforcement Commission. Either the court or the
95 Secretary of the State may order an audit of such voting tabulator to be
96 conducted by such persons as the court or the Secretary may designate,
97 provided the State Elections Enforcement Commission may order such
98 an audit where the particular office in question is that of the Secretary
99 of the State. If the machine utilized in such election is an optical scan
100 voting system, such order to lock such machine shall include the
101 tabulator, memory card and all other components and processes
102 utilized in the programming of such machine.

103 (l) The Secretary of the State may adopt regulations, in accordance
104 with the provisions of chapter 54 of the general statutes, as may be
105 necessary for the conduct of risk-limiting audits described in
106 subsection (a) of this section and to establish guidelines for expanded
107 audits when the results from such a risk-limiting audit cannot be
108 reconciled with the outcome of the person declared elected by virtue of
109 having received the greatest number of votes, as determined by the
110 paper ballots.

111 (m) Notwithstanding any provision of the general statutes, the
112 Secretary of the State shall have access to the code in any voting
113 machine whenever any problem is discovered as a result of an audit
114 described in subsection (a) of this section.

115 (n) As used in this section:

116 (1) "Risk-limiting audit" means a publicly verifiable auditing
117 procedure that (A) manually examines a statistical sample of paper
118 ballots which reflect the intents of the voters having cast such ballots,
119 (B) produces an outcome of either "ACCEPTABLE" or
120 "INCONCLUSIVE", and (C) guarantees a specified risk limit;

121 (2) "Risk limit" means the maximum probability that an audit would
122 produce an outcome of "ACCEPTABLE" when there is a disagreement
123 between the person declared elected and the person who received the
124 greatest number of votes as determined by the paper ballots; and

125 (3) "State election" has the same meaning as provided in section 9-1
126 of the general statutes.

127 Sec. 2. Section 9-320f of the general statutes is repealed and the
128 following is substituted in lieu thereof (*Effective January 1, 2025*):

129 (a) (1) Not earlier than the fifteenth day after any [election or]
130 federal or state primary and not later than two business days before
131 the canvass of votes by the Secretary of the State, Treasurer and
132 Comptroller, [for any federal or state election or primary,] or (2) not
133 earlier than the fifteenth day after any municipal election or primary
134 and not later than two business days before the canvass of votes by the
135 town clerk, [for any municipal election or primary,] the registrars of
136 voters shall conduct a manual audit, or [, for an election or primary
137 held on or after January 1, 2016,] an electronic audit authorized under
138 section 9-320g, as amended by this act, of the votes recorded in not less
139 than five per cent of the voting districts in the state, district or
140 municipality, whichever is applicable. For the purposes of this section,
141 any central location used in a municipality for the counting of absentee
142 ballots shall be deemed a voting district. Such manual or electronic
143 audit shall be noticed in advance and be open to public observation.
144 Any election official who participates in the administration and
145 conduct of an audit pursuant to this section shall be compensated by

146 the municipality at the standard rate of pay established by such
147 municipality for elections or primaries, as the case may be.

148 (b) The voting districts subject to an audit described in subsection
149 (a) of this section shall be selected in a random drawing by the
150 Secretary of the State and such selection process shall be open to the
151 public. The offices subject to an audit pursuant to this section shall be,
152 (1) [in the case of an election where the office of presidential elector is
153 on the ballot, all offices required to be audited by federal law, plus one
154 additional office selected in a random drawing by the Secretary of the
155 State, but in no case less than three offices, (2) in the case of an election
156 where the office of Governor is on the ballot, all offices required to be
157 audited by federal law, plus one additional office selected in a random
158 drawing by the Secretary of the State, but in no case less than three
159 offices, (3)] in the case of a municipal election, three offices or twenty
160 per cent of the number of offices on the ballot, whichever is greater,
161 selected at random by the municipal clerk, and [(4)] (2) in the case of a
162 primary, [election,] all offices required to be audited by federal law,
163 plus one additional office, if any, but in no event less than twenty per
164 cent of the offices on the ballot, selected in a random drawing by the
165 municipal clerk.

166 (c) If a selected voting district has an office that is subject to
167 recanvass or an election or primary contest pursuant to any provision
168 of the general statutes, the Secretary of the State shall select an
169 alternative district, pursuant to the process described in subsection (b)
170 of this section.

171 (d) The manual or electronic audit described in subsection (a) of this
172 section shall consist of the manual or electronic tabulation of the paper
173 ballots cast and counted by each voting tabulator subject to such audit.
174 Once complete, the vote totals established pursuant to such manual or
175 electronic tabulation shall be compared to the results reported by the
176 voting tabulator on the day of the election or primary. The results of
177 such manual or electronic tabulation shall be reported on a form
178 prescribed by the Secretary of the State which shall include the total

179 number of ballots counted, the total votes received by each candidate
180 in question, the total votes received by each candidate in question on
181 ballots that were properly completed by each voter and the total votes
182 received by each candidate in question on ballots that were not
183 properly completed by each voter. Such [report] reported results shall
184 be filed with the Secretary, [of the State] who shall immediately
185 forward such [report] reported results to The University of
186 Connecticut for analysis. The University of Connecticut shall [file]
187 submit to the Secretary a written report [with the Secretary of the
188 State] regarding such analysis that describes any discrepancies
189 identified. After receipt of such written report, the Secretary [of the
190 State shall file such report with] shall transmit to the State Elections
191 Enforcement Commission a copy of such written report.

192 (e) For the purposes of this section, a ballot that has not been
193 properly completed will be deemed to be a ballot on which (1) votes
194 have been marked by the voter outside the vote targets, (2) votes have
195 been marked by the voter using a manual marking device that cannot
196 be read by the voting tabulator, or (3) in the judgment of the registrars
197 of voters, the voter marked the ballot in such a manner that the voting
198 tabulator may not have read the marks as votes cast.

199 (f) Notwithstanding the provisions of section 9-311, the Secretary of
200 the State shall order a discrepancy recanvass of the returns of an
201 election or primary for any office if a discrepancy, as defined in
202 subsection (o) of this section, exists where the margin of victory in the
203 race for such office is less than the amount of the discrepancy
204 multiplied by the total number of voting districts where such race
205 appeared on the ballot, provided in a year in which the Secretary of the
206 State is a candidate for an office on the ballot and that office is subject
207 to an audit as provided by this section, the State Elections Enforcement
208 Commission shall order a discrepancy recanvass if a discrepancy, as
209 defined by subsection (o) of this section, has occurred that could affect
210 the outcome of the election or primary for such office.

211 (g) If the written report submitted by The University of Connecticut

212 [report described in] under subsection (d) of this section indicates that
213 a voting tabulator failed to record votes accurately and in the manner
214 provided by [the general statutes] this title, the Secretary of the State
215 shall require that the voting tabulator be examined and recertified by
216 the Secretary [of the State,] or the Secretary's designee. Nothing in this
217 subsection shall be construed to prohibit the Secretary [of the State]
218 from requiring that a voting tabulator be examined and recertified.

219 (h) The audit [report filed] results reported to the Secretary of the
220 State pursuant to subsection (d) of this section shall be open to public
221 inspection and may be used as prima facie evidence of a discrepancy in
222 any contest arising pursuant to chapter 149 or for any other cause of
223 action arising from such election or primary.

224 (i) If the audit officials are unable to reconcile the manual or
225 electronic count from an audit described in subsection (a) of this
226 section with the electronic vote tabulation and discrepancies from the
227 election or primary, the Secretary of the State shall conduct such
228 further investigation of the voting tabulator malfunction as may be
229 necessary for the purpose of reviewing whether or not to decertify the
230 voting tabulator or tabulators in question or to order the voting
231 tabulator to be examined and recertified pursuant to subsection (g) of
232 this section. Any report produced by the Secretary [of the State] as a
233 result of such investigation shall be filed with the State Elections
234 Enforcement Commission, and the commission may initiate such
235 further investigation in accordance with subdivision (1) of subsection
236 (a) of section 9-7b as may be required to determine if any violations of
237 the general statutes concerning election law have been committed.

238 (j) The individual paper ballots used at an election or primary shall
239 be carefully preserved and returned in their designated receptacle in
240 accordance with the requirements of section 9-266 or 9-310, whichever
241 is applicable.

242 (k) Nothing in this section shall be construed to preclude any
243 candidate or elector from seeking additional remedies pursuant to

244 chapter 149.

245 (l) After an election or primary described in subsection (a) of this
246 section, any voting tabulator may be kept locked for a period longer
247 than that prescribed by sections 9-266, 9-310 and 9-447, if such an
248 extended period is ordered by either a court of competent jurisdiction,
249 the Secretary of the State or the State Elections Enforcement
250 Commission. Either the court or the Secretary of the State may order
251 an audit of such voting tabulator to be conducted by such persons as
252 the court or the Secretary [of the State] may designate, provided the
253 State Elections Enforcement Commission may order such an audit
254 under the circumstances prescribed in subsection (f) of this section. If
255 the machine utilized in such election or primary is an optical scan
256 voting system, such order to lock such machine shall include the
257 tabulator, memory card and all other components and processes
258 utilized in the programming of such machine.

259 (m) The Secretary of the State may adopt regulations, in accordance
260 with the provisions of chapter 54, as may be necessary for the conduct
261 of the manual or electronic tabulation of the paper ballots described in
262 subsection (a) of this section and to establish guidelines for expanded
263 audits when there are differences between the manual or electronic
264 counts from the audit described in subsection (a) of this section and
265 tabulator counts from the election or primary.

266 (n) Notwithstanding any provision of the general statutes, the
267 Secretary of the State shall have access to the code in any voting
268 machine whenever any problem is discovered as a result of an audit
269 described in subsection (a) of this section.

270 (o) As used in this section: ["discrepancy"]

271 (1) "Discrepancy" means any difference in vote totals between
272 tabulator counts from an election or primary and manual or electronic
273 counts from an audit described in subsection (a) of this section in a
274 voting district that exceeds one-half of one per cent of the lesser

275 amount of the vote totals between such tabulator counts and such
276 manual or electronic counts where such differences cannot be resolved
277 through an accounting of ballots that were not marked properly in
278 accordance with subsection (e) of this section; [, "state election" means
279 "state election", as defined in section 9-1, "municipal election"]

280 (2) "Municipal election" means a municipal election held pursuant
281 to section 9-164; [, "manual"]

282 (3) "Manual" means by hand and without the assistance of electronic
283 equipment; and ["electronic"]

284 (4) "Electronic" means through the use of equipment described in
285 section 9-320g, as amended by this act.

286 Sec. 3. (NEW) (*Effective January 1, 2025*) (a) Except as provided in
287 subsection (b) of this section, not later than seventy-two hours after the
288 close of the polls at each state election, as defined in section 9-1 of the
289 general statutes:

290 (1) The election officials in each polling place shall create a ballot
291 manifest for such polling place by manually verifying the number of
292 ballots cast that comprise the result publicly announced by the
293 moderator under subsection (a) of section 9-309 of the general statutes
294 and recording such number on such ballot manifest, in accordance
295 with procedures prescribed by the Secretary of the State; and

296 (2) The absentee ballot counters in each central counting location
297 shall create a ballot manifest for such central counting location by
298 manually verifying the number of ballots cast that comprise the result
299 publicly declared by the moderator under subsection (b) of section 9-
300 150b of the general statutes and recording such number on such ballot
301 manifest, in accordance with procedures prescribed by the Secretary of
302 the State.

303 (b) Not later than twenty-four hours after the completion of any
304 recanvass conducted at a state election in a voting district, the

305 recanvass officials shall create a ballot manifest for such district by
306 manually verifying the number of ballots cast that comprise the vote
307 announced by the moderator under subdivision (1) of subsection (c) of
308 section 9-311 of the general statutes and recording such number on
309 such ballot manifest, in accordance with procedures prescribed by the
310 Secretary of the State.

311 (c) All ballot manifest creation procedures shall be open to public
312 observation.

313 (d) Immediately after a ballot manifest has been created pursuant to
314 this section, the moderator shall submit such ballot manifest to the
315 registrars of voters.

316 Sec. 4. Section 9-323 of the general statutes is repealed and the
317 following is substituted in lieu thereof (*Effective January 1, 2025*):

318 Any elector or candidate who claims that he is aggrieved by any
319 ruling of any election official in connection with any election for
320 presidential electors and for a senator in Congress and for
321 representative in Congress or any of them, held in his town, or that
322 there was a mistake in the count of the votes cast at such election for
323 candidates for such electors, senator in Congress and representative in
324 Congress, or any of them, at any voting district in his town, or any
325 candidate for such an office who claims that he is aggrieved by a
326 violation of any provision of section 9-355, 9-357 to 9-361, inclusive, 9-
327 364, 9-364a or 9-365 in the casting of absentee ballots at such election,
328 may bring his complaint to any judge of the Supreme Court, in which
329 he shall set out the claimed errors of such election official, the claimed
330 errors in the count or the claimed violations of said sections. In any
331 action brought pursuant to the provisions of this section, the
332 complainant shall file a certification attached to the complaint
333 indicating that a copy of the complaint has been sent by first-class mail
334 or delivered to the State Elections Enforcement Commission. If such
335 complaint is made prior to such election, such judge shall proceed
336 expeditiously to render judgment on the complaint and shall cause

337 notice of the hearing to be given to the Secretary of the State and the
338 State Elections Enforcement Commission. If such complaint is made
339 subsequent to the election, it shall be brought not later than fourteen
340 days after the election or, if such complaint is brought in response to
341 [the manual tabulation of paper ballots authorized] an audit conducted
342 pursuant to section 9-320f, as amended by this act, or section 1 of this
343 act, such complaint shall be brought not later than seven days after the
344 close of any such [manual tabulation] audit, and in either such
345 circumstance, the judge shall forthwith order a hearing to be had upon
346 such complaint, upon a day not more than five or less than three days
347 from the making of such order, and shall cause notice of not less than
348 three or more than five days to be given to any candidate or candidates
349 whose election may be affected by the decision upon such hearing, to
350 such election official, to the Secretary of the State, to the State Elections
351 Enforcement Commission and to any other party or parties whom
352 such judge deems proper parties thereto, of the time and place for the
353 hearing upon such complaint. Such judge, with two other judges of the
354 Supreme Court to be designated by the Chief Court Administrator,
355 shall, on the day fixed for such hearing and without unnecessary
356 delay, proceed to hear the parties. If sufficient reason is shown, such
357 judges may order any voting tabulators to be unlocked or any ballot
358 boxes to be opened and a recount of the votes cast, including absentee
359 ballots, to be made. Such judges shall thereupon, in the case they, or
360 any two of them, find any error in the rulings of the election official,
361 any mistake in the count of such votes or any violation of said sections,
362 certify the result of their finding or decision, or the finding or decision
363 of a majority of them, to the Secretary of the State before the first
364 Monday after the second Wednesday in December. Such judges may
365 order a new election or a change in the existing election schedule,
366 provided such order complies with Section 302 of the Help America
367 Vote Act, P.L. 107-252, as amended from time to time. Such certificate
368 of such judges, or a majority of them, shall be final upon all questions
369 relating to the rulings of such election officials, to the correctness of
370 such count and, for the purposes of this section only, such claimed
371 violations, and shall operate to correct the returns of the moderators or

372 presiding officers so as to conform to such finding or decision.

373 Sec. 5. Section 9-324 of the general statutes is repealed and the
374 following is substituted in lieu thereof (*Effective January 1, 2025*):

375 Any elector or candidate who claims that such elector or candidate
376 is aggrieved by any ruling of any election official in connection with
377 any election for Governor, Lieutenant Governor, Secretary of the State,
378 State Treasurer, Attorney General, State Comptroller or judge of
379 probate, held in such elector's or candidate's town, or that there has
380 been a mistake in the count of the votes cast at such election for
381 candidates for said offices or any of them, at any voting district in such
382 elector's or candidate's town, or any candidate for such an office who
383 claims that such candidate is aggrieved by a violation of any provision
384 of section 9-355, 9-357 to 9-361, inclusive, 9-364, 9-364a or 9-365 in the
385 casting of absentee ballots at such election or any candidate for the
386 office of Governor, Lieutenant Governor, Secretary of the State, State
387 Treasurer, Attorney General or State Comptroller, who claims that
388 such candidate is aggrieved by a violation of any provision of sections
389 9-700 to 9-716, inclusive, may bring such elector's or candidate's
390 complaint to any judge of the Superior Court, in which such elector or
391 candidate shall set out the claimed errors of such election official, the
392 claimed errors in the count or the claimed violations of said sections. In
393 any action brought pursuant to the provisions of this section, the
394 complainant shall send a copy of the complaint by first-class mail, or
395 deliver a copy of the complaint by hand, to the State Elections
396 Enforcement Commission. If such complaint is made prior to such
397 election, such judge shall proceed expeditiously to render judgment on
398 the complaint and shall cause notice of the hearing to be given to the
399 Secretary of the State and the State Elections Enforcement Commission.
400 If such complaint is made subsequent to the election, it shall be
401 brought not later than fourteen days after the election or, if such
402 complaint is brought in response to [the manual tabulation of paper
403 ballots authorized] an audit conducted pursuant to section 9-320f, as
404 amended by this act, or section 1 of this act, such complaint shall be

405 brought not later than seven days after the close of any such [manual
406 tabulation] audit and, in either such circumstance, such judge shall
407 forthwith order a hearing to be had upon such complaint, upon a day
408 not more than five nor less than three days from the making of such
409 order, and shall cause notice of not less than three nor more than five
410 days to be given to any candidate or candidates whose election may be
411 affected by the decision upon such hearing, to such election official, the
412 Secretary of the State, the State Elections Enforcement Commission and
413 to any other party or parties whom such judge deems proper parties
414 thereto, of the time and place for the hearing upon such complaint.
415 Such judge shall, on the day fixed for such hearing and without
416 unnecessary delay, proceed to hear the parties. If sufficient reason is
417 shown, such judge may order any voting tabulators to be unlocked or
418 any ballot boxes to be opened and a recount of the votes cast, including
419 absentee ballots, to be made. Such judge shall thereupon, in case such
420 judge finds any error in the rulings of the election official, any mistake
421 in the count of the votes or any violation of said sections, certify the
422 result of such judge's finding or decision to the Secretary of the State
423 before the fifteenth day of the next succeeding December. Such judge
424 may order a new election or a change in the existing election schedule.
425 Such certificate of such judge of such judge's finding or decision shall
426 be final and conclusive upon all questions relating to errors in the
427 rulings of such election officials, to the correctness of such count, and,
428 for the purposes of this section only, such claimed violations, and shall
429 operate to correct the returns of the moderators or presiding officers,
430 so as to conform to such finding or decision, unless the same is
431 appealed from as provided in section 9-325.

432 Sec. 6. Section 9-328 of the general statutes is repealed and the
433 following is substituted in lieu thereof (*Effective January 1, 2025*):

434 Any elector or candidate claiming to have been aggrieved by any
435 ruling of any election official in connection with an election for any
436 municipal office or a primary for justice of the peace, or any elector or
437 candidate claiming that there has been a mistake in the count of votes

438 cast for any such office at such election or primary, or any candidate in
439 such an election or primary claiming that he is aggrieved by a violation
440 of any provision of sections 9-355, 9-357 to 9-361, inclusive, 9-364, 9-
441 364a or 9-365 in the casting of absentee ballots at such election or
442 primary, may bring a complaint to any judge of the Superior Court for
443 relief therefrom. In any action brought pursuant to the provisions of
444 this section, the complainant shall send a copy of the complaint by
445 first-class mail, or deliver a copy of the complaint by hand, to the State
446 Elections Enforcement Commission. If such complaint is made prior to
447 such election or primary, such judge shall proceed expeditiously to
448 render judgment on the complaint and shall cause notice of the hearing
449 to be given to the Secretary of the State and the State Elections
450 Enforcement Commission. If such complaint is made subsequent to
451 such election or primary, it shall be brought not later than fourteen
452 days after such election or primary, except that if such complaint is
453 brought in response to [the manual tabulation of paper ballots,
454 authorized] an audit conducted pursuant to section 9-320f, as amended
455 by this act, or section 1 of this act, such complaint shall be brought not
456 later than seven days after the close of any such [manual tabulation]
457 audit, to any judge of the Superior Court, in which he shall set out the
458 claimed errors of the election official, the claimed errors in the count or
459 the claimed violations of said sections. Such judge shall forthwith
460 order a hearing to be had upon such complaint, upon a day not more
461 than five nor less than three days from the making of such order, and
462 shall cause notice of not less than three nor more than five days to be
463 given to any candidate or candidates whose election or nomination
464 may be affected by the decision upon such hearing, to such election
465 official, the Secretary of the State, the State Elections Enforcement
466 Commission and to any other party or parties whom such judge deems
467 proper parties thereto, of the time and place for the hearing upon such
468 complaint. Such judge shall, on the day fixed for such hearing and
469 without unnecessary delay, proceed to hear the parties. If sufficient
470 reason is shown, he may order any voting tabulators to be unlocked or
471 any ballot boxes to be opened and a recount of the votes cast, including
472 absentee ballots, to be made. Such judge shall thereupon, if he finds

473 any error in the rulings of the election official or any mistake in the
474 count of the votes, certify the result of his finding or decision to the
475 Secretary of the State before the tenth day succeeding the conclusion of
476 the hearing. Such judge may order a new election or primary or a
477 change in the existing election schedule. Such certificate of such judge
478 of his finding or decision shall be final and conclusive upon all
479 questions relating to errors in the ruling of such election officials, to the
480 correctness of such count, and, for the purposes of this section only,
481 such claimed violations, and shall operate to correct the returns of the
482 moderators or presiding officers, so as to conform to such finding or
483 decision, except that this section shall not affect the right of appeal to
484 the Supreme Court and it shall not prevent such judge from reserving
485 such questions of law for the advice of the Supreme Court as provided
486 in section 9-325. Such judge may, if necessary, issue his writ of
487 mandamus, requiring the adverse party and those under him to
488 deliver to the complainant the appurtenances of such office, and shall
489 cause his finding and decree to be entered on the records of the
490 Superior Court in the proper judicial district.

491 Sec. 7. Subsection (a) of section 9-329a of the general statutes is
492 repealed and the following is substituted in lieu thereof (*Effective*
493 *January 1, 2025*):

494 (a) Any (1) elector or candidate aggrieved by a ruling of an election
495 official in connection with any primary held pursuant to (A) section 9-
496 423, 9-425 or 9-464, or (B) a special act, (2) elector or candidate who
497 alleges that there has been a mistake in the count of the votes cast at
498 such primary, or (3) candidate in such a primary who alleges that he is
499 aggrieved by a violation of any provision of sections 9-355, 9-357 to 9-
500 361, inclusive, 9-364, 9-364a or 9-365 in the casting of absentee ballots
501 at such primary, may bring his complaint to any judge of the Superior
502 Court for appropriate action. In any action brought pursuant to the
503 provisions of this section, the complainant shall file a certification
504 attached to the complaint indicating that a copy of the complaint has
505 been sent by first-class mail or delivered to the State Elections

506 Enforcement Commission. If such complaint is made prior to such
507 primary such judge shall proceed expeditiously to render judgment on
508 the complaint and shall cause notice of the hearing to be given to the
509 Secretary of the State and the State Elections Enforcement Commission.
510 If such complaint is made subsequent to such primary it shall be
511 brought, not later than fourteen days after such primary, or if such
512 complaint is brought in response to [the manual tabulation of paper
513 ballots, described in] an audit conducted pursuant to section 9-320f, as
514 amended by this act, or section 1 of this act, such complaint shall be
515 brought, not later than seven days after the close of any such [manual
516 tabulation] audit, to any judge of the Superior Court.

517 Sec. 8. Subsection (b) of section 9-3 of the general statutes is repealed
518 and the following is substituted in lieu thereof (*Effective January 1,*
519 *2025*):

520 (b) During any municipal, state or federal election, primary or
521 recanvass, or any audit conducted pursuant to section 9-320f, as
522 amended by this act, or section 1 of this act, the Secretary of the State
523 may issue an order, whether orally or in writing, to any registrar of
524 voters or moderator to correct any irregularity or impropriety in the
525 conduct of such election, primary or recanvass or audit. Any such
526 order shall be effective upon issuance. As soon as practicable after
527 issuance of an oral order pursuant to this subsection, the Secretary
528 shall reduce such order to writing, cite within such order any
529 applicable provision of law authorizing such order and cause a copy of
530 such written order to be delivered to the individual who is the subject
531 of such order or, in the case that such order was originally issued in
532 writing, issue a subsequent written order that conforms to such
533 requirements. The Superior Court, on application of the Secretary or
534 the Attorney General, may enforce by appropriate decree or process
535 any such order issued pursuant to this subsection.

536 Sec. 9. Subdivision (3) of subsection (b) of section 9-229 of the
537 general statutes is repealed and the following is substituted in lieu
538 thereof (*Effective January 1, 2025*):

539 (3) The duties of each regional election monitor shall include, but
540 not be limited to: (A) Holding the regional instructional sessions
541 described in subdivision (2) of this subsection; (B) communicating with
542 registrars of voters to assist, to the extent permitted under law, in
543 preparations for and operations of any election, primary or recanvass,
544 or any audit conducted pursuant to section 9-320f, as amended by this
545 act, or section 1 of this act; and (C) transmitting any order issued by
546 the Secretary of the State, pursuant to subsection (b) of section 9-3, as
547 amended by this act.

548 Sec. 10. Subsection (a) of section 9-229b of the general statutes is
549 repealed and the following is substituted in lieu thereof (*Effective*
550 *January 1, 2025*):

551 (a) There shall be a regional election monitor within each planning
552 region, as defined in section 4-124i, who shall represent, consult with
553 and act on behalf of the Secretary of the State in preparations for and
554 operations of any election, primary or recanvass, or any audit
555 conducted pursuant to section 9-320f, as amended by this act, or
556 section 1 of this act.

557 Sec. 11. Section 9-320g of the general statutes is repealed and the
558 following is substituted in lieu thereof (*Effective January 1, 2025*):

559 Notwithstanding any provision of this title, the Secretary of the
560 State, in consultation and coordination with The University of
561 Connecticut, may authorize the use of electronic equipment for the
562 purpose of conducting any audit required pursuant to section 9-320f,
563 as amended by this act, [for any primary or general election held on or
564 after January 1, 2016] or section 1 of this act, provided (1) the Secretary
565 of the State prescribes specifications for (A) the testing, set-up and
566 operation of such equipment, and (B) the training of election officials
567 in the use of such equipment; and (2) the Secretary of the State and The
568 University of Connecticut agree that such equipment is sufficient in
569 quantity to accommodate the total number of audits to be conducted.
570 Nothing in this section shall preclude any candidate or elector from

571 seeking additional remedies pursuant to chapter 149 as a result of any
 572 information revealed by such process.

573 Sec. 12. (*Effective October 1, 2023*) The Secretary of the State shall
 574 establish a pilot program for the conduct of risk-limiting audits at
 575 municipal elections in 2023. The Secretary shall randomly select three
 576 municipalities for participation in such pilot program, in accordance
 577 with the following: (1) One municipality with a population of less than
 578 twenty thousand; (2) one municipality with a population of twenty
 579 thousand or greater, but less than ninety thousand; and (3) one
 580 municipality with a population of ninety thousand or greater. For the
 581 purposes of this section, "population" means the estimated number of
 582 people according to the most recent version of the State Register and
 583 Manual prepared pursuant to section 3-90 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2025</i>	New section
Sec. 2	<i>January 1, 2025</i>	9-320f
Sec. 3	<i>January 1, 2025</i>	New section
Sec. 4	<i>January 1, 2025</i>	9-323
Sec. 5	<i>January 1, 2025</i>	9-324
Sec. 6	<i>January 1, 2025</i>	9-328
Sec. 7	<i>January 1, 2025</i>	9-329a(a)
Sec. 8	<i>January 1, 2025</i>	9-3(b)
Sec. 9	<i>January 1, 2025</i>	9-229(b)(3)
Sec. 10	<i>January 1, 2025</i>	9-229b(a)
Sec. 11	<i>January 1, 2025</i>	9-320g
Sec. 12	<i>October 1, 2023</i>	New section

Statement of Legislative Commissioners:

In Section 1, "any provision of" was added before "the general statutes" in Subsecs. (b)(2)(A) and (b)(2)(B) for consistency with standard drafting conventions, and "title 9 of" was added before "the general statutes" in Subsec. (f) for accuracy; in Section 2, "any provision of" was added before "the general statutes" in Subsec. (c) for consistency with standard drafting conventions, and "the general statutes" was changed to "[the general statutes] this title" in Subsec. (g) for accuracy.

GAE *Joint Favorable Subst. -LCO*