



Substitute Senate Bill No. 251

Public Act No. 16-14

AN ACT CONCERNING REPORTING OF MUNICIPAL ELECTION RESULTS.

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

Section 1. Section 9-314 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) As used in this subsection, "moderator" means the moderator of each state election in each town not divided into voting districts and the head moderator in each town divided into voting districts. The moderator shall make [out] a preliminary list of the votes given for each of the following officers: Presidential electors, Governor, Lieutenant Governor, Secretary of the State, Treasurer, Comptroller, Attorney General, United States senator, representative in Congress, state senator, judge of probate, state representative and registrars of voters when said officers are to be chosen, as reported solely by the tabulator, as provided in section 9-309, as amended by this act, in the moderator's town and shall immediately transmit such preliminary list to the Secretary of the State not later than midnight on election day. Once the preliminary list has been transmitted to the Secretary of the State, the moderator shall make [out] a duplicate list of the votes given in the moderator's town for each of the following officers: Presidential

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electors, Governor, Lieutenant Governor, Secretary of the State, Treasurer, Comptroller, Attorney General, United States senator, representative in Congress, state senator, judge of probate, state representative and registrars of voters when said officers are to be chosen. Such duplicate list shall [include a statement of] indicate the total number of names on the official check list of such town and the total number of names checked as having voted. The moderator shall transmit such duplicate list to the Secretary of the State by electronic means as prescribed by the Secretary of the State not later than forty-eight hours after the close of the polls on election day. The moderator shall also seal and deliver one of such duplicate lists to the Secretary of the State not later than the third day after the election. Any such moderator who fails to so transmit or deliver such duplicate list to the Secretary of the State by the time required shall pay a late filing fee of fifty dollars. The moderator shall also deliver one of such duplicate lists to the clerk of such town. The Secretary of the State shall enter the returns in tabular form in books kept by the Secretary for that purpose and present a printed report of the same, with the name of, and the total number of votes received by, each of the candidates for said offices, to the General Assembly at its next session.

(b) As used in this subsection, "moderator" means the moderator of each municipal election in each town not divided into voting districts, and the head moderator in each town divided into voting districts. The moderator shall [forthwith] make a preliminary list of the votes given for each municipal office elected at such municipal election, as reported solely by the tabulator, as provided in section 9-309, as amended by this act, in the moderator's town and shall immediately transmit such preliminary list to the Secretary of the State not later than midnight on election day. Once the preliminary list has been transmitted to the Secretary of the State, the moderator shall make a duplicate list of the votes given in the moderator's town for each municipal office elected at such municipal election. Such duplicate list

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shall indicate the total number of names on the official check list of such town and the total number of names checked as having voted and shall be on a form prescribed by the Secretary of the State. The moderator shall transmit such duplicate list to the Secretary of the State [the results of the vote for each office contested at such election] by electronic means as prescribed by the Secretary of the State not later than forty-eight hours after the close of the polls on election day. The moderator shall also seal and deliver one of such duplicate lists to the Secretary of the State not later than the third day after the election. Any such moderator who fails to so transmit or deliver such duplicate list to the Secretary of the State by the time required shall pay a late filing fee of fifty dollars. [Such moderator shall include in such return a statement of the total number of names on the official check list of such town and the total number checked as having voted. Such return shall be on a form prescribed by the Secretary of the State.] The moderator shall also deliver one of such duplicate lists to the clerk of such town.

Sec. 2. Section 9-309 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Upon the close of the polls, the moderator, in the presence of the other election officials, shall immediately lock the voting tabulator against voting and immediately cause the vote totals for all candidates and questions to be produced. The moderator shall, in the order of the offices as their titles are arranged on the ballot, read and announce in distinct tones the result as shown, giving the number indicated and indicating the candidate to whom such total belongs, and shall read the votes recorded for each office on the ballot. The moderator shall also, in the same manner, announce the vote on each constitutional amendment, proposition or other question voted on. The vote so announced by the moderator shall be taken down by each checker and recorded on the tally sheets. Each checker shall record the number of

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votes received for each candidate on the ballot and also the number received by each person for whom write-in ballots were cast. The moderator shall make [out] a preliminary list from the vote totals produced by the tabulators and shall prepare such preliminary list for transmission to the Secretary of the State pursuant to [subsection (a) of] section 9-314, as amended by this act. After such preliminary list has been transmitted to the Secretary of the State, the canvass may be temporarily interrupted, during which time the moderator shall (1) return the keys for all tabulators to the registrars of voters, (2) seal the tabulators against voting or being tampered with, (3) prepare and seal individual envelopes for all (A) write-in ballots, (B) absentee ballots, (C) moderators' returns, and (D) other notes, worksheets or written materials used at the election, and (4) store all such tabulators and envelopes in a secure place or places directed by the registrars of voters. At the end of such temporary interruption, the moderator shall receive such keys from the registrars and shall take possession of and break the seal on all such tabulators and envelopes for the purpose of completing the canvass. The result totals shall remain in full public view until the statement of canvass and all other reports have been fully completed and signed by the moderator, checkers and registrars, or assistant registrars, as the case may be. Any other remaining result of the votes cast shall be publicly announced by the moderator not later than forty-eight hours after the close of the polls. Such public announcement shall consist of reading both the name of each candidate, with the designating number and letter on the ballot and the absentee vote as furnished to the moderator by the absentee ballot counters, and also the vote cast for and against each question submitted. While such announcement is being made, ample opportunity shall be given to any person lawfully present to compare the results so announced with the result totals provided by the tabulator and any necessary corrections shall then and there be made by the moderator, checkers and registrars or assistant registrars, after which the compartments of the voting tabulator shall be closed and

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locked. In canvassing, recording and announcing the result, the election officials shall be guided by any instructions furnished by the Secretary of the State.

Sec. 3. Subsection (a) of section 9-322a of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Not later than forty-eight hours following each regular [state] election, the registrars of voters shall provide the results of the votes cast at such election to the town clerk. Not later than nine o'clock a.m. on the third day following each regular [state] election, the head moderator, registrars of voters and town clerk for each town divided into voting districts shall meet to identify any error in the returns. Not later than one o'clock p.m. on the third day following each regular [state] election, the head moderator shall correct any error identified and file an amended return with the Secretary of the State, the town clerk and the registrars of voters.

Approved May 6, 2016