STATE OF CONNECTICUT

General Assembly   *Amendment*

January Session, 2021   LCO No. **8074**

SB009010 8074 SRO

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

3   "Sec. 501. Section 9-250 of the general statutes is repealed and the
4   following is substituted in lieu thereof (*Effective from passage*):

5   (a) Ballots shall be printed in plain clear type and on material of such
6   size as will fit the tabulator, and shall be furnished by the registrar of
7   voters. The size and style of the type used to print the name of a political
8   party on a ballot shall be identical with the size and style of the type
9   used to print the names of all other political parties appearing on such
10   ballot.

11   (b) The name of each major party candidate for a municipal office, as
12   defined in section 9-372, except for the municipal offices of state senator
13   and state representative, shall appear on the ballot as authorized by each

14   candidate. The name of each major party candidate for a state or district
15   office, as defined in section 9-372, or for the municipal office of state
16   senator or state representative shall appear on the ballot as it appears on
17   the certificate or statement of consent filed under section 9-388,
18   subsection (b) of section 9-391, or section 9-400 or 9-409. The name of
19   each minor party candidate shall appear on the ballot as authorized by
20   each candidate, except as provided in subdivision (2) of subsection (c)
21   of this section. The name of each nominating petition candidate shall
22   appear on the ballot as it is verified by the town clerk on the application
23   filed under section 9-453b.

24   (c) (1) The size and style of the type used to print the name of a
25   candidate on a ballot shall be identical with the size and style of the type
26   used to print the names of all other candidates appearing on such ballot.
27   Such ballot shall contain the names of the offices and the names of the
28   candidates arranged thereon. **[**The**]** Except as provided in subdivision
29   (2) of this subsection, the names of the political parties and party
30   designations shall be arranged on the ballots and followed by the word
31   "party", either in columns or horizontal rows as set forth in section 9-
32   249a, immediately adjacent to the column or row occupied by the
33   candidate or candidates of such political party or organization.

34   (2) In the case of a candidate for more than one major or minor party,
35   as defined in section 9-372, for the same office, or a candidate for a major
36   or minor party eligible to also appear on the ballot by nominating
37   petition for the same office in accordance with the provisions of section
38   9-453t, such candidate shall only appear on such ballot once.

39   (d) The ballot shall be printed in such manner as to indicate how
40   many candidates the elector may vote for each office, provided in the
41   case of a town adopting the provisions of section 9-204a, such ballot
42   shall indicate the maximum number of candidates who may be elected
43   to such office from any party. If two or more candidates are to be elected
44   to the same office for different terms, the term for which each is
45   nominated shall be printed on the official ballot as a part of the title of
46   the office. If, at any election, one candidate is to be elected for a full term

47 and another to fill a vacancy, the official ballot containing the names of
48 the candidates in the foregoing order shall, as a part of the title of the
49 office, designate the term which such candidates are severally
50 nominated to fill. No column, under the name of any political party or
51 independent organization, shall be printed on any official ballot, which
52 contains more candidates for any office than the number for which an
53 elector may vote for that office.

54 Sec. 502. Section 9-242 of the general statutes is repealed and the
55 following is substituted in lieu thereof (*Effective from passage*):

56 (a) A voting tabulator approved by the Secretary of the State shall be
57 so constructed as to provide facilities for voting for the candidates of at
58 least nine different parties or organizations. It shall permit voting in
59 absolute secrecy. It shall be provided with a lock by means of which any
60 illegal movement of the voting or registering mechanism is absolutely
61 prevented. Such tabulator shall be so constructed that an elector cannot
62 vote for a candidate or on a proposition for whom or on which the
63 elector is not lawfully entitled to vote.

64 (b) It shall be so constructed as to prevent an elector from voting for
65 more than one person for the same office, except when the elector is
66 lawfully entitled to vote for more than one person for that office, and it
67 shall afford the elector an opportunity to vote for only as many persons
68 for that office as the elector is by law entitled to vote for, at the same
69 time preventing the elector from voting for the same person twice. It
70 shall be so constructed that all votes cast will be registered or recorded
71 by the tabulator. **[**In the event that a candidate is cross endorsed and an
72 elector casts more than one vote for such candidate, such vote shall be
73 attributed by the head moderator to the endorsing parties as provided
74 for in this subsection. The head moderator shall (1) determine the
75 percentage of all attributable votes the candidate received that are
76 attributable to each endorsing party, (2) determine the number of ballots
77 upon which an elector voted for the candidate more than once, and (3)
78 apply the percentage determined under subdivision (1) of this
79 subsection for an endorsing party to the total determined under

80 subdivision (2) of this subsection. The resulting number from the
81 calculation under subdivision (3) of this subsection shall be the number
82 of votes the head moderator attributes to the endorsing party associated
83 with the percentage used in the calculation under subdivision (3) of this
84 subsection. The head moderator shall repeat the calculation in
85 subdivision (3) of this subsection for each endorsing party. For any
86 result under subdivision (3) of this subsection that is a fractional
87 number, the head moderator shall round such result to the nearest
88 whole number, provided a half number shall be rounded to the next
89 highest whole number, and provided further that each such endorsing
90 party with a percentage greater than zero under subdivision (1) of this
91 subsection shall receive at least one such vote, with the remaining
92 parties receiving a proportional reduction in votes, if necessary. If any
93 vote remains that can not be evenly attributed to such parties, such vote
94 shall be attributed to the endorsing party with the most votes.**]**

95 (c) Notwithstanding the provisions of subsection (b) of this section,
96 the Secretary of the State may approve a voting tabulator which requires
97 the elector in the polls to place the elector's ballot into the recording
98 device and which meets the voluntary performance and test standards
99 for voting systems adopted by (1) the Federal Election Commission on
100 January 25, 1990, as amended from time to time, or (2) the Election
101 Assistance Commission pursuant to the Help America Vote Act of 2002,
102 P.L. 107-252, 42 USC 15481-85, as amended from time to time, whichever
103 standards are most current at the time of the Secretary of the State's
104 approval, and regulations which the Secretary of the State may adopt in
105 accordance with the provisions of chapter 54. **[**, provided the voting
106 tabulator shall (A) warn the elector of overvotes, (B) not record
107 overvotes, and (C) not record more than one vote of an elector for the
108 same person for an office. In the event that a candidate is cross endorsed
109 and an elector casts more than one vote for such candidate, such vote
110 shall be attributed by the head moderator to the endorsing parties as
111 provided for in this subsection. The head moderator shall (i) determine
112 the percentage of all attributable votes the candidate received that are
113 attributable to each endorsing party, (ii) determine the number of ballots

114   upon which an elector voted for the candidate more than once, and (iii)
115   apply the percentage determined under subparagraph (C)(i) of this
116   subsection for an endorsing party to the total determined under
117   subparagraph (C)(ii) of this subsection. The resulting number from the
118   calculation under subparagraph (C)(iii) of this subsection shall be the
119   number of votes the head moderator attributes to the endorsing party
120   associated with the percentage used in the calculation under
121   subparagraph (C)(iii) of this subsection. The head moderator shall
122   repeat the calculation in subparagraph (C)(iii) of this subsection for each
123   endorsing party. For any result under subparagraph (C)(iii) of this
124   subsection that is a fractional number, the head moderator shall round
125   such result to the nearest whole number, provided a half number shall
126   be rounded to the next highest whole number, and provided further that
127   each such endorsing party with a percentage greater than zero under
128   subparagraph (C)(i) of this subsection shall receive at least one such
129   vote, with the remaining parties receiving a proportional reduction in
130   votes, if necessary. If any vote remains that can not be evenly attributed
131   to such parties, such vote shall be attributed to the endorsing party with
132   the most votes.**]**

133   (d) Any direct recording electronic voting tabulator approved by the
134   Secretary of the State for an election or primary held on or after July 1,
135   2005, shall be so constructed as to:

136   (1) (A) Contemporaneously produce an individual, permanent, paper
137   record containing all of the elector's selections of ballot preferences for
138   candidates and questions or proposals, if any, prior to the elector's
139   casting a ballot, as set forth in this subsection, and (B) produce at any
140   time after the close of the polls a voting tabulator generated, individual,
141   permanent, paper record of each such elector's selections of ballot
142   preferences for candidates and questions or proposals, if any. Both the
143   contemporaneously produced paper record and the voting tabulator
144   generated paper record of each elector's selections of ballot preferences
145   shall include a voting tabulator generated unique identifier that can be
146   matched against each other and which preserves the secrecy of the
147   elector's ballot as set forth in subdivision (4) of this subsection;

148 (2) Provide each elector with an opportunity to verify that the
149 contemporaneously produced, individual, permanent, paper record
150 accurately conforms to such elector's selection of ballot preferences, as
151 reflected on the electronic summary screen, and to hear, if desired, an
152 audio description of such electronic summary screen, for the purpose of
153 having an opportunity to make any corrections or changes prior to
154 casting the ballot. If an elector makes corrections or changes prior to
155 casting the ballot, the voting tabulator shall void such
156 contemporaneously produced paper record, contemporaneously
157 produce another paper record containing such corrections or changes
158 and provide the elector with another opportunity to verify ballot
159 preferences in accordance with the provisions of this subdivision. As
160 used in this section, "electronic summary screen" means a screen
161 generated by a direct recording electronic voting tabulator that displays
162 a summary of an elector's selections of ballot preferences for candidates
163 and questions or proposals, if any, at an election or primary;

164 (3) Provide that a ballot shall be deemed cast on the voting tabulator
165 at the time that an elector's contemporaneously produced, individual,
166 permanent, voter-verified paper record, containing all of the elector's
167 final selections of ballot preferences, is (A) deposited inside a receptacle
168 designed to store all such paper records produced by such voting
169 tabulator on the day of the election or primary, and (B) the elector's
170 selection of ballot preferences is simultaneously electronically recorded
171 inside the voting tabulator for the purpose of (i) being electronically
172 tabulated immediately after the polls are closed on the day of the
173 election or primary, and (ii) producing, on such other day as required
174 under section 9-242b, a voting tabulator generated, individual,
175 permanent, paper record of each such elector's selections of ballot
176 preferences for candidates and questions or proposals, if any;

177 (4) Except as otherwise provided in subdivision (1) of section 9-242b,
178 secure the secrecy of each such elector's ballot by making it impossible
179 for any other individual to identify the elector in relationship to such
180 elector's selection of ballot preferences at the time that the elector (A)
181 selects ballot preferences; (B) verifies the accuracy of the electronic

182   summary screen by comparing it to the contemporaneously produced,
183   individual, permanent, paper record or the audio description of such
184   electronic summary screen, prior to casting a ballot; (C) makes
185   corrections or changes by reselecting ballot preferences and verifies the
186   accuracy of such preferences in accordance with the provisions of
187   subdivision (2) of this subsection prior to casting a ballot; and (D) casts
188   the ballot; and at the time that all electors' ballots are canvassed,
189   recanvassed or otherwise tallied to produce a final count of the vote for
190   candidates and questions or proposals, if any, whether through the
191   electronic vote tabulation process or through the manual count process
192   of each elector's contemporaneously produced, individual, permanent,
193   voter-verified paper record, as set forth in section 9-242b; and

194   (5) (A) Be accessible to blind or visually impaired persons by
195   providing each elector, if desired by the elector, an audio description of
196   the contemporaneously produced individual, permanent, paper record
197   containing all of the elector's selections of ballot preferences, in addition
198   to an audio description of the electronic summary screen and comply
199   with such additional standards of accessibility included in regulations
200   that the Secretary of the State may adopt in accordance with the
201   provisions of chapter 54.

202   (B) Notwithstanding the provisions of subparagraph (A) of this
203   subdivision, on or before June 30, 2007, the Secretary of the State may
204   approve an electronic voting tabulator that does not comply with the
205   provisions of said subparagraph if (i) the Secretary determines that there
206   are no electronic voting tabulators available for purchase or lease at the
207   time of such approval that are capable of complying with said
208   subparagraph (A), (ii) the electronic voting tabulator complies with the
209   provisions of subdivisions (1) to (4), inclusive, of this subsection, and
210   (iii) the person applying to the Secretary for approval of the electronic
211   voting tabulator agrees to include a provision in any contract for the sale
212   or lease of such voting tabulators that requires such person, upon
213   notification by the Secretary that modifications to such tabulators that
214   would bring the tabulators into compliance with said subparagraph (A)
215   are available, to (I) so modify any electronic voting tabulators

216 previously sold or leased under such contract in order to comply with
217 said subparagraph (A), and (II) provide that any electronic voting
218 tabulators sold or leased after receipt of such notice comply with said
219 subparagraph (A). No voting tabulator approved under this
220 subparagraph shall be used on or after July 1, 2007, unless it has been
221 modified to comply with the provisions of subparagraph (A) of this
222 subdivision."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	*from passage*	9-250
Sec. 502	*from passage*	9-242