



General Assembly

**Amendment**

January Session, 2021

LCO No. 10146



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

To: Subst. Senate Bill No. 1074

File No. 525

Cal. No. 302

**"AN ACT CONCERNING VARIOUS PROVISIONS RELATED TO  
GOVERNMENT ADMINISTRATION AND 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 Section 9-250 of the general statutes is repealed and the  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	<i>from passage</i>	9-250
Sec. 502	<i>from passage</i>	9-242