



Senate

General Assembly

File No. 100

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Substitute Senate Bill No. 1232

Senate, March 18, 2025

The Committee on Government Administration and Elections reported through SEN. FLEXER of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

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

14 offices, as defined in section 9-372 of the general statutes, (C) at least one
15 representative in Congress, selected in a random drawing by the
16 Secretary of the State, (D) at least five per cent, in the aggregate, of the
17 offices of state senator and state representative, selected in a random
18 drawing by the Secretary, and (E) any other office required to be audited
19 by federal law. Whenever an office is randomly selected by the Secretary
20 under this subsection, the selection process shall be open to the public.

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

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

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

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

47 written report regarding such analysis that describes any concerns
48 identified. After receipt of such written report, the Secretary shall
49 transmit a copy of such written report to the State Elections Enforcement
50 Commission.

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 to
64 subsection (d) of this section shall be open to public inspection and may
65 be used as prima facie evidence of an irregularity in any contest arising
66 pursuant to chapter 149 of the general statutes or for any other cause of
67 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 the
72 State shall conduct such further investigation of the voting tabulator as
73 may be necessary for the purpose of reviewing whether or not to
74 decertify the voting tabulator or tabulators in question or to order the
75 voting tabulator to be examined and recertified in accordance with
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 as 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 for
91 a period longer than that prescribed by sections 9-266, 9-310 and 9-447
92 of the general statutes, if such an extended period is ordered by a court
93 of competent jurisdiction, the Secretary of the State or the State Elections
94 Enforcement Commission. Such court or the Secretary of the State may
95 order an audit of such voting tabulator to be conducted by such persons
96 as the court or the Secretary may designate, provided the State Elections
97 Enforcement Commission may order such an audit where the particular
98 office in question is that of the Secretary of the State. If the machine
99 utilized in such election is an optical scan voting system, such order to
100 lock such machine shall include the tabulator, memory card and all
101 other components and processes utilized in the programming of such
102 machine.

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

110 (m) Notwithstanding any provision of the general statutes, the
111 Secretary of the State shall have access to the code in any voting machine

112 whenever any problem is discovered as a result of an audit described in
113 subsection (a) of this section.

114 (n) As used in this section:

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

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

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

126 Sec. 2. Section 9-320f of the general statutes is repealed and the
127 following is substituted in lieu thereof (*Effective January 1, 2026*):

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

143 this section shall be compensated by the municipality at the standard
144 rate of pay established by such municipality for elections or primaries,
145 as the case may be.

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

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

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

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

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

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

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

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

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

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

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

239 (k) Nothing in this section shall be construed to preclude any
240 candidate or elector from seeking additional remedies pursuant to
241 chapter 149.

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

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

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

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

268 (1) "Discrepancy" means any difference in vote totals between
269 tabulator counts from an election or primary and manual or electronic
270 counts from an audit described in subsection (a) of this section in a
271 voting district that exceeds one-half of one per cent of the lesser amount
272 of the vote totals between such tabulator counts and such manual or
273 electronic counts where such differences cannot be resolved through an
274 accounting of ballots that were not marked properly in accordance with

275 subsection (e) of this section; [, "state election" means "state election", as
276 defined in section 9-1, "municipal election"]

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

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

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

283 Sec. 3. (NEW) (*Effective January 1, 2026*) (a) Except in the case of a
284 recanvass subject to the provisions of subsection (b) of this section, not
285 later than seventy-two hours after the close of the polls at each state
286 election, as defined in section 9-1 of the general statutes:

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

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

301 (b) Not later than twenty-four hours after the completion of any
302 recanvass conducted at a state election in a voting district, the recanvass
303 officials shall create a ballot manifest for such district by manually
304 verifying the number of ballots cast that comprise the vote announced
305 by the moderator under subdivision (1) of subsection (c) of section 9-311

306 of the general statutes and recording such number on such ballot
307 manifest, in accordance with procedures prescribed by the Secretary of
308 the State.

309 (c) All ballot manifest creation procedures shall be open to public
310 observation.

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

314 (e) The Secretary of the State may adopt regulations, in accordance
315 with the provisions of chapter 54 of the general statutes, to carry out the
316 purposes of this section.

317 Sec. 4. Section 9-323 of the general statutes is repealed and the
318 following is substituted in lieu thereof (*Effective January 1, 2026*):

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

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

373 decision.

374 Sec. 5. Section 9-324 of the general statutes is repealed and the
375 following is substituted in lieu thereof (*Effective January 1, 2026*):

376 Any elector or candidate who claims that such elector or candidate is
377 aggrieved by any ruling of any election official in connection with any
378 election for Governor, Lieutenant Governor, Secretary of the State, State
379 Treasurer, Attorney General, State Comptroller or judge of probate, held
380 in such elector's or candidate's town, or that there has been a mistake in
381 the count of the votes cast at such election for candidates for said offices
382 or any of them, at any voting district in such elector's or candidate's
383 town, or any candidate for such an office who claims that such candidate
384 is aggrieved by a violation of any provision of section 9-355, 9-357 to 9-
385 361, inclusive, 9-364, 9-364a or 9-365 in the casting of absentee ballots at
386 such election or any candidate for the office of Governor, Lieutenant
387 Governor, Secretary of the State, State Treasurer, Attorney General or
388 State Comptroller, who claims that such candidate is aggrieved by a
389 violation of any provision of sections 9-700 to 9-716, inclusive, may bring
390 such elector's or candidate's complaint to any judge of the Superior
391 Court, in which such elector or candidate shall set out the claimed errors
392 of such election official, the claimed errors in the count or the claimed
393 violations of said sections. In any action brought pursuant to the
394 provisions of this section, the complainant shall send a copy of the
395 complaint by first-class mail, or deliver a copy of the complaint by hand,
396 to the State Elections Enforcement Commission. If such complaint is
397 made prior to such election, such judge shall proceed expeditiously to
398 render judgment on the complaint and shall cause notice of the hearing
399 to be given to the Secretary of the State and the State Elections
400 Enforcement Commission. If such complaint is made subsequent to the
401 election, it shall be brought not later than fourteen days after the election
402 or, if such complaint is brought in response to [the manual tabulation of
403 paper ballots authorized] an audit conducted pursuant to section 9-320f,
404 as 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. Such
415 judge shall, on the day fixed for such hearing and without unnecessary
416 delay, proceed to hear the parties. If sufficient reason is shown, such
417 judge may order any voting tabulators to be unlocked or any ballot
418 boxes to be opened and a recount of the votes cast, including absentee
419 ballots, to be made. Such judge shall thereupon, in case such judge finds
420 any error in the rulings of the election official, any mistake in the count
421 of the votes or any violation of said sections, certify the result of such
422 judge's finding or decision to the Secretary of the State before the
423 fifteenth day of the next succeeding December. Such judge may order a
424 new election or a change in the existing election schedule. Such
425 certificate of such judge of such judge's finding or decision shall be final
426 and conclusive upon all questions relating to errors in the rulings of
427 such election officials, to the correctness of such count, and, for the
428 purposes of this section only, such claimed violations, and shall operate
429 to correct the returns of the moderators or presiding officers, so as to
430 conform to such finding or decision, unless the same is appealed from
431 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, 2026*):

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, 9-364a

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

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

490 Sec. 7. Subsection (a) of section 9-329a of the general statutes is
491 repealed and the following is substituted in lieu thereof (*Effective January*
492 *1, 2026*):

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

510 brought, not later than fourteen days after such primary, or if such
511 complaint is brought in response to [the manual tabulation of paper
512 ballots, described in] an audit conducted pursuant to section 9-320f, as
513 amended by this act, or section 1 of this act, such complaint shall be
514 brought, not later than seven days after the close of any such [manual
515 tabulation] audit, to any judge of the Superior Court.

516 Sec. 8. Subsection (b) of section 9-3 of the general statutes is repealed
517 and the following is substituted in lieu thereof (*Effective January 1, 2026*):

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

534 Sec. 9. Subdivision (3) of subsection (b) of section 9-229 of the general
535 statutes is repealed and the following is substituted in lieu thereof
536 (*Effective January 1, 2026*):

537 (3) The duties of each regional election advisor shall include, but not
538 be limited to: (A) Holding the instructional sessions described in
539 subdivision (2) of this subsection; (B) communicating with registrars of
540 voters to assist, to the extent permitted under law, in preparations for
541 and operations of any election, primary or recanvass, or any audit
542 conducted pursuant to section 9-320f, as amended by this act, or section

543 1 of this act; and (C) transmitting any order issued by the Secretary of
544 the State, pursuant to subsection (b) of section 9-3, as amended by this
545 act.

546 Sec. 10. Subsection (a) of section 9-229b of the general statutes is
547 repealed and the following is substituted in lieu thereof (*Effective January*
548 *1, 2026*):

549 (a) Any regional council of governments organized under the
550 provisions of sections 4-124i to 4-124p, inclusive, may appoint a regional
551 election advisor, who shall represent, consult with and act on behalf of
552 such regional council of governments and any combination of regional
553 councils of governments or member towns of regional councils of
554 governments that may seek the assistance of such regional election
555 advisor. A regional election advisor shall consult and coordinate with
556 the Secretary of the State to provide such assistance in preparations for
557 and operations of any election, primary or recanvass, or any audit
558 conducted pursuant to section 9-320f, as amended by this act, or section
559 1 of this act.

560 Sec. 11. Section 9-320g of the general statutes is repealed and the
561 following is substituted in lieu thereof (*Effective January 1, 2026*):

562 Notwithstanding any provision of this title, the Secretary of the State,
563 in consultation and coordination with The University of Connecticut,
564 may authorize the use of electronic equipment for the purpose of
565 conducting any audit required pursuant to section 9-320f, [for any
566 primary or general election held on or after January 1, 2016] as amended
567 by this act, or section 1 of this act, provided (1) the Secretary of the State
568 prescribes specifications for (A) the testing, set-up and operation of such
569 equipment, and (B) the training of election officials in the use of such
570 equipment; and (2) the Secretary of the State and The University of
571 Connecticut agree that such equipment is sufficient in quantity to
572 accommodate the total number of audits to be conducted. Nothing in
573 this section shall preclude any candidate or elector from seeking
574 additional remedies pursuant to chapter 149 as a result of any
575 information revealed by such process.

576 Sec. 12. (*Effective July 1, 2025*) The Secretary of the State shall establish
 577 a pilot program for the conduct of risk-limiting audits at municipal
 578 elections in 2025. The Secretary shall randomly select three
 579 municipalities for participation in such pilot program, provided the
 580 Secretary shall select: (1) One municipality with a population of less
 581 than twenty thousand; (2) one municipality with a population of twenty
 582 thousand or greater, but less than ninety thousand; and (3) one
 583 municipality with a population of ninety thousand or greater. For the
 584 purposes of this section, "risk-limiting audit" has the same meaning as
 585 provided in section 1 of this act and "population" means the estimated
 586 number of people according to the most recent version of the State
 587 Register and Manual prepared pursuant to section 3-90 of the general
 588 statutes.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	New section
Sec. 2	<i>January 1, 2026</i>	9-320f
Sec. 3	<i>January 1, 2026</i>	New section
Sec. 4	<i>January 1, 2026</i>	9-323
Sec. 5	<i>January 1, 2026</i>	9-324
Sec. 6	<i>January 1, 2026</i>	9-328
Sec. 7	<i>January 1, 2026</i>	9-329a(a)
Sec. 8	<i>January 1, 2026</i>	9-3(b)
Sec. 9	<i>January 1, 2026</i>	9-229(b)(3)
Sec. 10	<i>January 1, 2026</i>	9-229b(a)
Sec. 11	<i>January 1, 2026</i>	9-320g
Sec. 12	<i>July 1, 2025</i>	New section

Statement of Legislative Commissioners:

In Section 12, "risk-limiting audit" was defined for clarity.

GAE *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 26 \$	FY 27 \$
Secretary of the State	GF - Cost	1,420,000	205,000

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 26 \$	FY 27 \$
Various Municipalities	STATE MANDATE ¹ - Cost	2,000	88,000

Explanation

This bill implements risk limiting audits (RLA) and results in costs to the Secretary of the State (SOTS) of \$1.4 million in FY 26 and \$205,000 in FY 27 and annually thereafter. There will also be a cost of \$2,000 in FY 26 and \$88,000 in FY 27 to municipalities to support the implementation of risk limiting audits.

This will require a one-time cost to support equipment for municipalities of \$1,000,000 in FY 26. This includes equipment to be paid for by the Secretary of the State and distributed to municipalities. There will be an additional one-time cost of \$15,000 for software to support a pilot program and \$200,000 to support the initial development of the program in FY 26. The development costs, which are paid by SOTS but

¹ State mandate is defined in Sec. 2-32b(2) of the Connecticut General Statutes, "state mandate" means any state initiated constitutional, statutory or executive action that requires a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

ultimately borne by University of Connecticut Voter Center, are associated with developing and testing auditing software and processes and conducting the audits.

The bill creates several ongoing costs, including \$80,000 in FY 26 and FY 27 for risk limiting audit software licensing. There will be an additional cost of \$125,000 in FY 26 and FY 27 associated with ongoing maintenance and upkeep costs.

The bill alters standards of risk limiting audits and results in additional costs to municipalities. This comes primarily from the additional cost of labor to complete risk limiting audits. The bill requires that the officials administering and conducting the risk limiting audit must be compensated at the municipalities standard rate of pay for electors. In FY 26, this is limited to a pilot program encompassing three municipalities with an expected cost of \$2,000. Once implemented, the cost depends on the requirements of the risk limiting audits, the number of them conducted and the level of compensation for the election officials within each municipality is estimated at around \$88,000 if a statewide office were to require a risk limiting audit².

The Out Years

The annualized ongoing fiscal impact identified above would continue subject to inflation and the number of and complexity of risk limiting audits carried out annually. In addition, there is an anticipated to be an average annual replacement cost of \$155,000 for the equipment; the exact cost will vary year-to-year.

² This figure assumes five employees working for four hours in each town, to complete the RLA. This assumes the estimated hourly rate and is anticipated to cost approximately \$88,000.

OLR Bill Analysis**sSB 1232*****AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE RISK-LIMITING AUDITS WORKING GROUP.*****SUMMARY**

This bill implements risk-limiting audits (RLAs) for state elections but generally maintains the existing post-election audit process for federal and state primaries and municipal elections. RLAs are publicly verifiable auditing procedures that manually examine a statistical sample of paper ballots and guarantee a specified risk limit, which the bill caps at 5%.

To accomplish this, the bill establishes the general scope and procedures for RLAs, such as (1) outlining election officials' duties and the affected public offices; (2) requiring the creation of ballot manifests; and (3) applying existing provisions for post-election audits to RLAs (e.g., those on using electronic equipment and voting tabulators and how to address election contests). The bill requires the secretary of the state (SOTS) to prescribe instructions and procedures for doing the audits. It also allows her to adopt related regulations.

The bill establishes a pilot program to do RLAs of municipal elections in 2025. It requires SOTS to randomly select three municipalities for the program, with one municipality for each of the following population ranges, as estimated in the most recent State Register and Manual: (1) less than 20,000; (2) 20,000-89,999; and (3) 90,000 or greater (§ 12).

Lastly, the bill makes minor, technical, and conforming changes to existing election audit statutes, such as requiring a copy, rather than the original, of UConn's analysis to be submitted to the State Elections Enforcement Commission (SEEC).

EFFECTIVE DATE: January 1, 2026, except that provisions implementing RLAs for state elections are effective upon passage and the pilot program is effective July 1, 2025.

RISK-LIMITING AUDIT SCOPE

Definitions

The bill requires registrars of voters to do RLAs for state elections, instead of the current post-election audit process. Federal and state primaries, as well as municipal elections and primaries, remain subject to existing auditing requirements (see BACKGROUND). Under the bill, an RLA is a publicly verifiable auditing procedure that (1) manually examines a statistical sample of paper ballots that reflect the intents of the voters who cast the ballots, (2) produces an outcome of either “ACCEPTABLE” or “INCONCLUSIVE”, and (3) guarantees a specified risk limit.

The “risk limit” is the maximum probability that an audit would produce an outcome of “ACCEPTABLE” when there is a disagreement between the person declared elected and the person who got the most votes as determined by the paper ballots (i.e. the percentage chance an RLA will fail to catch that the reported results are incorrect). Under the bill, the risk limit for RLAs is capped at 5% (presumably, the secretary will set the specific limit in her prescribed procedures or in regulation; see below).

Covered Offices

Under the bill, an RLA must be done on the election outcomes for the following offices:

1. presidential elector;
2. all state offices for which all electors of the state may vote, including governor, lieutenant governor, SOTS, treasurer, comptroller, attorney general, and senator in Congress;
3. at least one representative in Congress, selected by random draw;
4. at least 5% of the General Assembly, selected by random draw;

and

5. any other office federal law requires to be audited.

If an office for a Congressional representative or state legislator is subject to recanvass or an election contest, the secretary must ensure that office is selected for an RLA. The bill requires the random draws to be open to the public.

RISK-LIMITING AUDIT PROCEDURES

Pre-Audit Ballot Manifests

The bill requires election officials to create ballot manifests for use at RLAs following procedures established by SOTS and open to public observation. Although not defined by the bill, a “ballot manifest” is generally a detailed description of how ballots are stored and organized, listing at minimum the physical location of every ballot cast in the election so that individual ballots or batches of ballot cards can be found, retrieved, and examined manually.

Under the bill, a ballot manifest must be created by manually verifying and recording the number of ballots cast that comprise the result publicly announced by the moderator. The manifests must be created by:

1. election officials in each polling place within 72 hours after the polls close;
2. ballot counters in each central counting location for absentee, early voting, or same-day election registration ballots within 72 hours after the polls close; and
3. recanvass officials within 24 hours after completing any recanvass in a voting district for a state election.

Under the bill, the moderator must submit a ballot manifest to the registrars of voters immediately after creating it. The registrars must then submit it to SOTS before the designated day to begin an RLA.

The bill allows SOTS to adopt regulations to implement these provisions.

Designated Day

Like post-election audits for federal and state races, the bill requires the secretary to designate a day for an RLA to begin, which must be at least 15 days after a state election but at least two business days before the canvass of votes. Each audit must have advance notice and be open to the public.

Conducting an Audit

Under the bill, registrars of voters must do the RLAs. SOTS must prescribe instructions and procedures for doing them by March 1, 2026, consistent for all offices subject to these audits. The bill also allows her to adopt regulations for the audits and to set guidelines for expanded audits when audit results cannot be reconciled with the outcome of the person declared elected by having the greatest number of votes, as determined by the paper ballots (i.e. the “reported results”).

If an RLA for a particular office is “INCONCLUSIVE,” the secretary must order a manual recount of all ballots cast for that office. She may also issue an order, as under current law, to correct any irregularity or impropriety from an RLA.

Reporting Results

As under current law, all audit results, including RLAs, must be filed with the secretary on a form she prescribes. The secretary must immediately forward the results to UConn, which must analyze them and submit a written report describing any identified concerns to the secretary. She must then send SEEC a copy of UConn’s written report.

Electronic Equipment and Voting Tabulators

The bill extends several of existing law’s provisions on using electronic equipment and voting tabulators in post-election audits to also cover RLAs (CGS §§ 9-320f & 9-320g). Principally, it:

1. allows the secretary, after consulting with UConn, to authorize

- the use of electronic equipment;
2. requires her to have access to the code in any voting machine if a problem is discovered due to an RLA;
 3. directs her or her designee to examine and recertify a tabulator if UConn's analysis indicates that it failed to record votes accurately and as required by state law;
 4. requires carefully preserving and returning paper ballots used in an RLA in their designated receptacle (e.g., returned to the ballot box, securely sealed, and locked);
 5. requires the secretary, if audit officials cannot reconcile the audit results with the reported results, to investigate voting tabulators as needed to determine if they must be (a) decertified or (b) examined and recertified; and
 6. authorizes the secretary, SEEC, or a court with competent jurisdiction to issue an order after a state election to keep a voting tabulator locked for a longer period than law requires.

The bill allows either the court or the secretary to order an audit of the voting tabulator by people they designate, but SEEC may order an audit if SOTS is the office in question. If the secretary produces a report on the investigation, it must be filed with SEEC, which may investigate further to determine if there was an election law violation.

Under the bill, if the machine in question is an optical scan voting system, an order to lock it must include the tabulator, memory card, and all other parts and processes used in its programming.

ELECTION OFFICIALS

Compensation

Under the bill, municipalities must compensate election officials who participate in implementing an RLA at the municipality's standard rate of pay for elections.

Regional Election Advisors

As with post-election audits, the bill requires regional election advisors to consult and coordinate with the secretary in the preparation for and operation of RLAs.

ELECTION COMPLAINTS AND EVIDENCE

Like post-election audits, the bill requires RLA-reported results to be open to public inspection and allows them to be used as prima facie evidence of an irregularity for a contested election or other cause of action from an election.

The bill also specifies that (1) an action or complaint may be brought in response to any state election audit, not just the manual tabulations of paper ballots, and (2) its RLA provisions do not preclude a candidate or elector from seeking other existing remedies for contested elections.

BACKGROUND***Post-Election Audit Procedure***

Under current law, the secretary must audit at least 5% of the state's voting districts (i.e. polling locations), selected at random after a federal, state, or municipal regular election or primary. Audits must be noticed in advance and open for public observation. Registrars of voters must do the audits by hand unless the secretary, in consultation with UConn, authorizes them to be done electronically (CGS § 9-320f).

During the audit, registrars tally the paper ballots cast by voters and counted by each optical scan voting tabulator subject to the audit. They compare their results to the reported results. Registrars must report the audit results on a secretary-prescribed form with the total number of ballots counted and the total votes for each audited candidate, broken down by whether the ballot was properly or improperly completed.

After a post-election audit, the secretary must order a recount (i.e. recanvass) for an office if there is a discrepancy that could affect its outcome. (If the secretary is a candidate on the ballot that is subject to an audit, SEEC orders the recount.) For this purpose, a "discrepancy" is

a difference between the voting tabulator and audit vote counts that exceeds 0.5% of the lower total, where the difference cannot be resolved through an accounting of ballots that were improperly marked (CGS § 9-320f(f) & (o)).

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 19 Nay 0 (02/28/2025)