



General Assembly

Amendment

January Session, 2025

LCO No. 7864



Offered by:
SEN. SAMPSON, 16th Dist.

To: House Bill No. 7129

File No. 366

Cal. No. 351

***"AN ACT CONCERNING THE TRANSFER TO MUNICIPAL
OFFICIALS OF VOTING TABULATORS AND ACCESSORIES
PURCHASED BY THE SECRETARY OF THE STATE."***

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 Section 9-250 of the general statutes is repealed and the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 who has been nominated by more than
35 one major or minor party, as defined in section 9-372, to the same office,
36 or a candidate who has been nominated by a major or minor party to an
37 office and who is also eligible to appear on the ballot by nominating
38 petition for the same office in accordance with the provisions of section
39 9-453t, the name of such candidate shall appear on the ballot only once.

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

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

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 Section 9-242 of the general statutes is repealed and the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

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

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

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

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

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

134 (d) Any direct recording electronic voting tabulator approved by the
135 Secretary of the State for an election or primary held on or after July 1,
136 2005, shall be so constructed as to:

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

147 matched against each other and which preserves the secrecy of the
148 elector's ballot as set forth in subdivision (4) of this subsection;

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

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

178 (4) Except as otherwise provided in subdivision (1) of section 9-242b,
179 secure the secrecy of each such elector's ballot by making it impossible

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

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

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

213 or lease of such voting tabulators that requires such person, upon
214 notification by the Secretary that modifications to such tabulators that
215 would bring the tabulators into compliance with said subparagraph (A)
216 are available, to (I) so modify any electronic voting tabulators
217 previously sold or leased under such contract in order to comply with
218 said subparagraph (A), and (II) provide that any electronic voting
219 tabulators sold or leased after receipt of such notice comply with said
220 subparagraph (A). No voting tabulator approved under this
221 subparagraph shall be used on or after July 1, 2007, unless it has been
222 modified to comply with the provisions of subparagraph (A) of this
223 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 |