



**Substitute Senate Bill No. 393**

**Public Act No. 26-86**

***AN ACT CONCERNING SPECIAL ELECTIONS TO FILL VACANCIES  
DUE TO THE DEATH OF CERTAIN ELECTED OFFICIALS.***

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

Section 1. Subsection (a) of section 9-211 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(a) In case of a vacancy in the office of senator in Congress, the Governor, except as otherwise provided by federal or state law, shall, not more than ten days after the occurrence of such vacancy, issue writs of election directed to the town clerks or assistant town clerks ordering an election to be held on the one hundred fiftieth day after the issue of such writs on a day, other than a Saturday or Sunday, to fill such vacancy for the remaining portion of the term vacated, provided (1) except as provided in subdivisions (2), (3) and (4) of this subsection, if such a vacancy occurs due to the death of the senator in Congress, the Governor shall issue such writs not less than seven days after such occurrence and not more than seventeen days after such occurrence, (2) except as provided in subdivisions [(2) and (3)] (3) and (4) of this subsection, if such a vacancy occurs between the one hundred twenty-fifth day and the sixty-third day before the day of a regular state or municipal election in November of any year, the Governor shall so issue

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such writs that order an election to be held on the day of such regular election, [(2)] (3) except as provided in subdivision [(3)] (4) of this subsection, if such vacancy occurs after the municipal election in the year preceding the last year of the term of a senator or in the last year of the term of a senator, the Governor shall nominate a person to fill such vacancy and such nomination shall be filed with both the clerk of the Senate and the clerk of the House of Representatives. Approval of such nomination shall require an affirmative vote of two-thirds of the membership of each chamber of the General Assembly, or [(3)] (4) if such a vacancy occurs in the year of a state election and not more than sixty-two days prior to such election, and the office of senator in Congress for which the vacancy exists will be on the ballot during such election, the Governor shall not issue such writs and no election shall be held under this section. If the position vacated is that of member-elect, the Governor shall so issue writs and an election shall be held as provided in this section.

Sec. 2. Subsection (a) of section 9-212 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(a) In case of a vacancy in the office of representative in Congress from any district, the Governor, except as otherwise provided by law, shall not more than ten days after the occurrence of such vacancy issue writs of election directed to the town clerks or assistant town clerks, in such district, ordering an election to be held on the sixtieth day after the issue of such writs on a day, other than a Saturday or Sunday, to fill such vacancy, provided (1) except as provided in subdivisions (2), (3) and (4) of this subsection, if such a vacancy occurs due to the death of the representative in Congress, the Governor shall issue such writs not less than seven days after such occurrence and not more than seventeen days after such occurrence, (2) if such a vacancy occurs between the one hundred twenty-fifth day and the sixty-third day before the day of a

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regular state or municipal election in November of any year, the Governor shall so issue such writs on the sixtieth day before the day of such regular election, ordering an election to be held on the day of such regular election, [(2)] (3) if such a vacancy occurs after the sixty-third day before the day of a regular state election but before the regular state election, the Governor shall not issue such writs and no election shall be held under this section, unless the position vacated is that of member-elect, in which case the Governor shall issue such writs and an election shall be held as provided in this section, and [(3)] (4) if a primary for such office occurs pursuant to subdivision (3) of subsection (b) of section 9-450, the Governor shall, within ten days following the filing of a candidacy for nomination by a person other than the party-endorsed candidate, issue new writs of election, in place of those first issued pursuant to this section.

Sec. 3. Subsection (b) of section 9-215 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(b) [When any such vacancy occurs, except as provided in this section] Except as otherwise provided in this section, not later than ten days after the occurrence of any such vacancy, or not earlier than seven days and not later than seventeen days after such occurrence if due to the death of the member or member-elect, the Governor shall [, within ten days after its occurrence,] issue writs of election, directed to the town clerks or assistant town clerks in the several towns in the district in which the vacancy exists, ordering an election to be held therein on the forty-sixth day after the issue of such writs to fill such vacancy, and cause them to be conveyed to such town clerks or assistant town clerks. No such election shall be held on a Saturday or Sunday. If such a vacancy occurs between the one hundred twenty-fifth day and the forty-ninth day before the day of a regular state or municipal election in November of any year, the Governor shall so issue such writs on the

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forty-sixth day before the day of such regular election, ordering an election to be held on the day of such regular election. If such a vacancy occurs after the forty-ninth day before the day of a regular state election but before the Wednesday following the first Monday of January of the next-succeeding year, the Governor shall not issue such writs and no election shall be held under this section, unless the position vacated is that of member-elect, in which case the Governor shall issue such writs and an election shall be held as provided in this section.

Sec. 4. Section 9-218 of the 2026 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

[When] Except as otherwise provided in this section, when there is no election of probate judge in any district by reason of two or more having an equal and the highest number of votes, or when a new probate district is created and no provision made for the election of a judge thereof, or whenever it is shown to the Governor that a vacancy is about to exist in said office by reason of the resignation of the incumbent to take effect at a future time or by reason of constitutional limitation, or when there is a vacancy in said office, the Governor may issue writs of election directed to the town clerk or clerks or assistant town clerk or clerks within such district, ordering an election to be held on a day named therein, other than a Saturday or Sunday, to fill such vacancy or impending vacancy, and cause such writs to be conveyed to such clerk or clerks. If such a vacancy occurs due to the death of the probate judge, the Governor shall issue such writs not less than seven days after such occurrence. On receiving such writs, such clerk or clerks shall warn elections to be held on the day appointed in such writs, in the same manner as state elections are warned. Such elections shall be organized and conducted, and the vote shall be declared and returns made, certified, directed, deposited and transmitted, in the same manner as at a state election. The Secretary of the State, Treasurer and Comptroller

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shall, within thirty days after any such election, count and declare the votes so returned, and notice shall be given to the person declared elected, in the same manner as is provided in the election of probate judges at state elections. The Secretary of the State shall enter the returns in tabular form in books kept by him for that purpose and present a copy of the same, with the name of, and the total number of votes received by, each of the candidates for said office, to the Governor within ten days thereafter. The Probate Court Administrator shall cite a probate judge to act as a judge in the district during any vacancy in said office in accordance with section 45a-120.