



General Assembly

**Amendment**

January Session, 2023

LCO No. 7652



Offered by:

REP. BLUMENTHAL, 147<sup>th</sup> Dist.

To: Subst. House Bill No. 6823

File No. 636

Cal. No. 403

**"AN ACT CONCERNING CERTIFICATION OF AND CASTING OF  
BALLOTS BY PRESIDENTIAL ELECTORS."**

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

3 "Sec. 501. Section 9-460 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective from passage*):

5 If any party has nominated a candidate for office, or, on and after  
6 November 4, 1981, if a candidate has qualified to appear on any ballot  
7 by nominating petition under a reserved party designation, in  
8 accordance with the provisions of this chapter, and such nominee  
9 thereafter, but prior to forty-six days before the opening of the polls on  
10 the day of the election for which such nomination has been made, dies,  
11 withdraws such nominee's name or for any reason becomes disqualified  
12 to hold the office for which such nominee has been nominated, (1) such  
13 party or, on and after November 4, 1981, the party designation  
14 committee may make a nomination to fill such vacancy or provide for  
15 the making of such nomination as its rules prescribe, and (2) if another

16 party that is qualified to nominate a candidate for such office does not  
17 have a nominee for such office, such party may also nominate a  
18 candidate for such office as its rules prescribe. No withdrawal, and no  
19 nomination to replace a candidate who has withdrawn, under this  
20 section shall be valid unless the candidate who has withdrawn has filed  
21 a letter of withdrawal signed by such candidate with the Secretary of the  
22 State in the case of a state or district office or the office of state senator  
23 or state representative from any district, or with the municipal clerk in  
24 the case of a municipal office other than state senator or state  
25 representative. A copy of such candidate's letter of withdrawal to the  
26 municipal clerk shall also be filed with the Secretary of the State. No  
27 nomination to fill a vacancy under this section shall be valid unless it is  
28 certified to the Secretary of the State in the case of a state or district office  
29 or the office of state senator or state representative from any district, or  
30 to the municipal clerk in the case of a municipal office other than state  
31 senator or state representative, by the organization or committee  
32 making such nomination, at least forty-two days before the opening of  
33 the polls on the day of the election, except as otherwise provided by this  
34 section. If a nominee dies within forty-six days, but prior to twenty-four  
35 hours, before the opening of the polls on the day of the election for  
36 which such nomination has been made, the vacancy may be filled in the  
37 manner prescribed in this section by two o'clock p.m. of the day before  
38 the election with the municipal clerk or the Secretary of the State, as the  
39 case may be. If a nominee dies within twenty-four hours before the  
40 opening of the polls and prior to the close of the polls on the day of the  
41 election for which such nomination has been made, such nominee shall  
42 not be replaced and the votes cast for such nominee shall be canvassed  
43 and counted, and if such nominee receives a plurality of the votes cast,  
44 a vacancy shall exist in the office for which the nomination was made.  
45 The vacancy shall then be filled in a manner prescribed by law. A copy  
46 of such certification to the municipal clerk shall also be filed with the  
47 Secretary of the State. Such nomination to fill a vacancy due to death or  
48 disqualification shall include a statement setting forth the reason for  
49 such vacancy. If at the time such nomination is certified to the Secretary  
50 of the State or to the municipal clerk, as the case may be, the ballots have

51 already been printed, the Secretary of the State shall direct the municipal  
52 clerk in each municipality affected to (A) have the ballots reprinted with  
53 the nomination thus made included thereon, (B) cause printed stickers  
54 to be affixed to the ballots so that the name of any candidate who has  
55 died [, withdrawn or been disqualified] is deleted and the name of any  
56 candidate chosen to fill such vacancy appears in the same position as  
57 that in which the vacated candidacy appeared, or (C) cause [blank  
58 stickers to be so affixed] to be obscured the name of the candidate whose  
59 candidacy has been vacated if the vacancy is not filled.

60 Sec. 502. Subsection (a) of section 9-437 of the general statutes is  
61 repealed and the following is substituted in lieu thereof (*Effective from*  
62 *passage*):

63 (a) At the top of each ballot shall be printed the name of the party  
64 holding the primary, and each ballot shall contain the names of all  
65 candidates to be voted upon at such primary, except the names of  
66 justices of the peace. The vertical columns shall be headed by the  
67 designation of the office or position and instructions as to the number  
68 for which an elector may vote for such office or position, in the same  
69 manner as a ballot used in a regular election. The name of each  
70 candidate for town committee or municipal office, except for the  
71 municipal offices of state senator and state representative, shall appear  
72 on the ballot as authorized by each candidate. The name of each  
73 candidate for state or district office or for the municipal offices of state  
74 senator or state representative shall appear on the ballot as it appears on  
75 the certificate or statement of consent filed under section 9-388, 9-391, 9-  
76 400 or 9-409. On the first horizontal line, below the designation of the  
77 office or position in each column, shall be placed the name of the party-  
78 endorsed candidate for such office or position, such name to be marked  
79 with an asterisk; provided, where more than one person may be voted  
80 for any office or position, the names of the party-endorsed candidates  
81 shall be arranged in alphabetical order from left to right under the  
82 appropriate office or position designation and shall continue, if  
83 necessary, from left to right on the next lower line or lines. In the case of  
84 no party endorsement there shall be inserted the designation "no party

85 endorsement" at the head of the vertical column, immediately beneath  
86 the designation of the office or position. On the horizontal lines below  
87 the line for party-endorsed candidates shall be placed, in the  
88 appropriate columns, the names of all other candidates as [hereinafter]  
89 provided in this section.

90 Sec. 503. Subsection (g) of section 9-437 of the general statutes is  
91 repealed and the following is substituted in lieu thereof (*Effective from*  
92 *passage*):

93 (g) The name of each candidate shall appear on the ballot in such  
94 position as is [hereinbefore] required in this section, and such position  
95 shall be determined as of the final time for filing candidacies specified  
96 in section 9-400 or 9-405. Vacancies in candidacies thereafter occurring  
97 shall not cause the position of any candidate's name on the ballot to be  
98 changed to another position. The name of any candidate whose  
99 candidacy has been vacated shall not appear on the ballot. If such a  
100 vacancy results in the cancellation of a primary for any office, the office  
101 column or columns where the names of the candidates and the title of  
102 the office would have appeared if the primary for that office had not  
103 been cancelled shall be left blank. If a vacancy occurs in a party-  
104 endorsed candidacy and a person is chosen in accordance with section  
105 9-426 or 9-428, as amended by this act, to fill the resulting vacancy in  
106 candidacy, the name of the person so chosen shall appear in the same  
107 position as that in which the name of the vacating candidate appeared.  
108 The municipal clerk shall have the ballot prepared so that the name of  
109 any candidate who has vacated such candidate's candidacy is deleted  
110 and so that the name of any candidate chosen to fill a vacancy in  
111 candidacy appears in the same position as that in which the vacated  
112 candidacy appeared. The municipal clerk may use [blank or] printed  
113 stickers [, as the case may be,] in preparing the ballots if the ballots were  
114 printed before [the occurrence of the vacancy in candidacy or] the  
115 selection of a candidate to fill a vacancy in candidacy. The municipal  
116 clerk shall cause to be obscured the name of the candidate whose  
117 candidacy has been vacated if the vacancy is not filled. The order of the  
118 offices and positions shall be as prescribed by the Secretary of the State.

119 Sec. 504. Section 9-428 of the general statutes, as amended by section  
120 14 of substitute house bill 5004 of the current session, as amended by  
121 House Amendment Schedule "A", is repealed and the following is  
122 substituted in lieu thereof (*Effective January 1, 2024*):

123 (a) If a party-endorsed candidate for election to the position of town  
124 committee member, prior to twenty-four hours before the opening of  
125 the polls at the primary, dies or, prior to ten days before the day of such  
126 primary, withdraws his name from nomination or for any reason  
127 becomes disqualified to hold the position for which he is a candidate,  
128 the state central committee, the town committee or other authority of  
129 the party which endorsed such candidate may make an endorsement to  
130 fill such vacancy or provide for the making of such endorsement, in such  
131 manner as is prescribed in the rules of such party, and certify to the  
132 registrar and municipal clerk or to the Secretary of the State, as the case  
133 may be, the name of the person so endorsed. If such certification is made  
134 at least twenty-four hours prior to the opening of the polls at the  
135 primary, in the case of such an endorsement to replace a candidate who  
136 has died, or at least seven days before the day of such primary, in the  
137 case of such an endorsement to replace a candidate who has withdrawn  
138 or become disqualified, such person so endorsed shall run in the  
139 primary as the party-endorsed candidate, except as provided in sections  
140 9-416 and 9-417. If such certification of another party-endorsed  
141 candidate has been made within the time specified in this section, and if  
142 the ballots have already been printed and the names of the candidates  
143 for such position appear on the ballots, the Secretary of the State or the  
144 registrar, as the case may be, shall direct the clerk of each municipality  
145 holding such primary to have the ballots reprinted with the name of the  
146 person so certified included thereon; provided, in the case of such an  
147 endorsement to replace a candidate who has died, if such certification  
148 has been made less than ninety-six hours but at least twenty-four hours  
149 prior to the opening of the polls at the primary, such Secretary or  
150 registrar shall direct such clerk to have stickers printed and inserted  
151 upon the ballots, having the name of the person so certified appearing  
152 thereon, and the moderator in each polling place shall cause such

153 stickers to be pasted on the ballots before the opening of the polls at such  
154 primary. If no such certification has been made, such clerk shall cause  
155 to be obscured the name of the candidate whose candidacy has been  
156 vacated.

157 (b) If a party-endorsed candidate for nomination to an office, prior to  
158 twenty-four hours before the commencement of the period of early  
159 voting at the primary, dies or, prior to ten days before the first day of  
160 such period of early voting, withdraws his name from nomination or for  
161 any reason becomes disqualified to hold the office for which he is a  
162 candidate, the state central committee, the town committee or other  
163 authority of the party which endorsed such candidate may make an  
164 endorsement to fill such vacancy or provide for the making of such  
165 endorsement, in such manner as is prescribed in the rules of such party,  
166 and certify to the registrar and municipal clerk or to the Secretary of the  
167 State, as the case may be, the name of the person so endorsed. If such  
168 certification is made at least twenty-four hours prior to the  
169 commencement of the period of early voting at the primary, in the case  
170 of such an endorsement to replace a candidate who has died, or at least  
171 seven days before the first day of such period of early voting, in the case  
172 of such an endorsement to replace a candidate who has withdrawn or  
173 become disqualified, such person so endorsed shall run in the primary  
174 as the party-endorsed candidate, except as provided in sections 9-416  
175 and 9-417. If such certification of another party-endorsed candidate has  
176 been made within the time specified in this section, and if the ballots  
177 have already been printed and the names of the candidates for such  
178 office appear on the ballots, the Secretary of the State or the registrar, as  
179 the case may be, shall direct the clerk of each municipality holding such  
180 primary to have the ballots reprinted with the name of the person so  
181 certified included thereon; provided, in the case of such an endorsement  
182 to replace a candidate who has died, if such certification has been made  
183 less than ninety-six hours but at least twenty-four hours prior to the  
184 commencement of the period of early voting at the primary, such  
185 Secretary or registrar shall direct such clerk to have stickers printed and  
186 inserted upon the ballots, having the name of the person so certified

187 appearing thereon, and the moderator in each polling place shall cause  
188 such stickers to be pasted on the ballots before the opening of the polls  
189 at such primary. If no such certification has been made, such clerk shall  
190 cause to be obscured the name of the candidate whose candidacy has  
191 been vacated.

192 Sec. 505. Subsection (d) of section 9-135b of the general statutes is  
193 repealed and the following is substituted in lieu thereof (*Effective from*  
194 *passage*):

195 (d) If a vacancy in candidacy occurs after the ballots have been  
196 printed, the clerk may either reprint the ballots or cause [blank or]  
197 printed stickers [, as the case may be,] to be affixed to them so that the  
198 name of any candidate who has vacated his candidacy is deleted and  
199 the name of any candidate chosen to fill the vacancy as provided in  
200 section 9-428, as amended by this act, or section 9-460, as amended by  
201 this act, appears in the same position as that in which the vacated  
202 candidacy appeared except as provided in section 9-426 or 9-453s. If no  
203 candidate is chosen to fill such vacancy as so provided, the clerk shall  
204 cause to be obscured the name of the candidate whose candidacy has  
205 been vacated.

206 Sec. 506. Section 9-472 of the general statutes is repealed and the  
207 following is substituted in lieu thereof (*Effective from passage*):

208 If, after determination of the order of candidates on the ballot, a  
209 candidate dies, his name shall not appear on such ballot; provided that  
210 the position of each remaining candidate on the ballot shall not be  
211 altered by the deletion of such name. The secretary may authorize [the  
212 use of] town clerks to use blank stickers on the ballot [by town clerks] or  
213 otherwise cause to be obscured the name of such deceased candidate in  
214 order to comply with the provisions of this section.

215 Sec. 507. Subsection (a) of section 9-164 of the general statutes is  
216 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
217 *2023*):

218 (a) (1) (A) On and after January 1, 2022, and notwithstanding any  
 219 contrary provision of law, there shall be held in each municipality,  
 220 biennially, a municipal election on the Tuesday after the first Monday  
 221 of November of the odd-numbered years, except that such municipal  
 222 election may be held on the first Monday of May of the odd-numbered  
 223 years if the legislative body of such municipality so determines by a  
 224 three-fourths vote.

225 (B) In any municipality where the legislative body determines to hold  
 226 its municipal election on the first Monday of May of the odd-numbered  
 227 years in accordance with the provisions of subparagraph (A) of this  
 228 subdivision, such legislative body may subsequently determine by a  
 229 majority vote to hold such municipal election on the Tuesday after the  
 230 first Monday of November of the odd-numbered years.

231 (2) In any municipality where the term of any incumbent elected  
 232 official would expire prior to the next regular election held under the  
 233 provisions of this section, the term of such [official] incumbent shall be  
 234 extended to [the date of such election] conform to the beginning of the  
 235 succeeding term under section 9-187a, as amended by this act."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	9-460
Sec. 502	<i>from passage</i>	9-437(a)
Sec. 503	<i>from passage</i>	9-437(g)
Sec. 504	<i>January 1, 2024</i>	9-428
Sec. 505	<i>from passage</i>	9-135b(d)
Sec. 506	<i>from passage</i>	9-472
Sec. 507	<i>July 1, 2023</i>	9-164(a)