

AN ACT CONCERNING BALLOT DESIGN

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

Section 1. (NEW)(Effective upon passage). All ballots used at any regular election or primary shall be approved by the Secretary of the State. The Secretary shall prescribe the type to be used, the instructions to appear, the layout and orientation of any ballot printed to use in any regular election or primary.

Sec. 2. Section 9-460 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

If any party has nominated a candidate for office, or, on and after November 4, 1981, if a candidate has qualified to appear on any ballot by nominating petition under a reserved party designation, in accordance with the provisions of this chapter, and such nominee thereafter, but prior to [twenty-four] forty-six days before the opening of the polls on the day of the election for which such nomination has been made, dies, withdraws such nominee's name or for any reason becomes disqualified to hold the office for which such nominee has been nominated, (1) such party or, on and after November 4, 1981, the party designation committee may make a nomination to fill such vacancy or provide for the making of such nomination as its rules prescribe, and (2) if another party that is qualified to nominate a candidate for such office does not have a nominee for such office, such party may also nominate a candidate for such office as its rules prescribe. No withdrawal, and no nomination to replace a candidate who has withdrawn, under this section shall be valid unless the candidate who has withdrawn has filed a letter of withdrawal signed by such candidate with the Secretary of the State in the case of a state or district office or the office of state senator or state representative from any district, or with the municipal clerk in the case of a municipal office other than state senator or state representative. A copy of such candidate's letter of withdrawal to the municipal clerk shall also be filed with the Secretary of the State. No nomination to fill a vacancy under this section shall be valid unless it is certified to the Secretary of the State in the case of a state or district office or the office of state senator or state representative from any district, or to the municipal clerk in the case of a municipal office other than state senator or state representative, by the organization or committee making such nomination, at least [twenty-one] forty-two days before the opening of the polls on the day of the election, except as otherwise provided by this section. If a nominee dies within [twenty-four] forty-six days, but prior to [twenty-four hours] forty-two days before the opening of the polls on the day of the election for which such nomination has been made, the vacancy may be filled in the manner prescribed in this section [by two o'clock p.m. of the day before the election]with the municipal clerk or the Secretary of the State, as the case may be. If a nominee dies within [twenty-four hours] forty-two days before the opening of the polls and prior to the close of the polls on the day of the election for which such nomination has been made, such nominee shall not be replaced and the votes cast for such nominee shall be canvassed and counted, and if such nominee receives a plurality of the votes cast, a vacancy shall exist in the office for which the nomination was made. The vacancy shall then be filled in a manner prescribed by law. A copy of such certification to the municipal clerk shall also be filed with the Secretary of the State. Such nomination to fill a vacancy due to death or disqualification shall include a statement setting forth the reason for such vacancy. If at the time such nomination is certified to the Secretary of the State or to the municipal clerk, as the case may

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

Sec. 3. Section 9-428 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

If a party-endorsed candidate for nomination to an office or for election to the position of town committee member, prior to [twenty-four hours before the opening of the polls at the primary, dies or, prior to ten] thirty-two days before the day of such primary, dies, withdraws his or her name from nomination or for any reason becomes disqualified to hold the office or position for which he or she is a candidate, the state central committee, the town committee or other authority of the party which endorsed such candidate may make an endorsement to fill such vacancy or provide for the making of such endorsement, in such manner as is prescribed in the rules of such party, and certify to the registrar and municipal clerk or to the Secretary of the State, as the case may be, the name of the person so endorsed. If such certification is made at least [twenty-four hours prior to the opening of the polls at the primary, in the case of such an endorsement to replace a candidate who has died, or at least seven] twenty-eight days before the day of such primary, in the case of such an endorsement to replace a candidate who has died, withdrawn or become disqualified, such person so endorsed shall run in the primary as the party-endorsed candidate, except as provided in sections 9-416 and 9-417. If such certification of another party-endorsed candidate has been made within the time specified in this section, and if the ballots have already been printed and the names of the candidates for such office or position appear on the ballots, the Secretary of the State or the registrar, as the case may be, shall direct the clerk of each municipality holding such primary to [have the ballots reprinted with the name of the person so certified included thereon; provided, in the case of such an endorsement to replace a candidate who has died, if such certification has been made less than ninety-six hours but at least twenty-four hours prior to the opening of the polls at the primary, such Secretary or registrar shall direct such clerk to have stickers printed and inserted upon the ballots, having the name of the person so certified appearing thereon, and the moderator in each polling place shall cause such stickers to be pasted on the ballots before the opening of the polls at such primary.] (A) have the ballots reprinted with the endorsement thus made included thereon, (B) cause printed stickers to be affixed to the ballots so that the name of any candidate who has died, withdrawn or been disqualified is deleted and the name of any candidate chosen to fill such vacancy appears in the same position as that in which the vacated candidacy appeared, or (C) cause blank stickers to be so affixed if the vacancy is not filled.

Sec. 4. Section 9-249a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The names of the parties shall be arranged on the machines in the following order:

(1) The party [whose candidate for] of the Governor elected [polled the highest number of votes in] at the last-preceding election;

(2) Other parties who had candidates for Governor in the last-preceding election, in descending order, according to the number of votes polled for each such candidate;

(3) Minor parties who had no candidate for Governor in the last-preceding election;

(4) Petitioning candidates with party designation whose names are contained in petitions approved pursuant to section 9-453o; and

(5) Petitioning candidates with no party designation whose names are contained in petitions approved pursuant to section 9-453o.

(b) Within each of subdivisions (3) and (4) of subsection (a) of this section, the [following rules shall apply in the following order:]

[(1) Precedence shall be given to the party any of whose candidates seeks an office representing more people than are represented by any office sought by any candidate of any other party;

(2) A party having prior sequence of office as set forth in section 9-251 shall be given precedence; and]

[(3)] Parties shall be listed in alphabetical order.

(c) Within subdivision (5) of subsection (a) of this section, candidates shall be listed according to the provisions of section 9-453r.