



SECRETARY OF THE STATE
30 TRINITY STREET
HARTFORD, CT 06106

May 17, 2022

TO ALL TOWN CLERKS:

Re: Primary Absentee Ballot

We are enclosing for your use in the August 9, 2022 primaries, if any, instructions regarding absentee ballot preparation. In the event of one or more primaries, you must prepare a printed absentee ballot and make the same available for distribution to absentee ballot applicants beginning Tuesday, July 19, 2022. A separate absentee ballot must be prepared for each party's primary, if more than one party is holding a primary in your town. Even within a single party primary, separate ballots may be required if the jurisdiction of some of the offices contested at the primary are from political subdivisions, that is, are not at-large offices.

Pursuant to Conn. Gen. Stat. Section 9-433, we will send you notices of primary for state and district ("multi-town") offices on or about June 14, 2022, which is the date when all multi-town primary petitions must be filed with our office from the respective registrars of voters of each town. All such primary notices affecting your town will be sent to you together and simultaneously. Under Section 9-435 you will receive notice of any primary for municipal ("single-town") office in your town from the party's Registrar of Voters. You must promptly forward a copy of such "municipal" primary notice to us. (Tuesday, June 7, 2022 is the last day for opposition candidates to file primary petitions for municipal offices.) In order to have sufficient time to prepare your printed absentee ballot(s), we suggest that you ask your registrars, before the June 7, 2022 primary petition-filing deadline, whether petitions have been issued by them. NOTE: As you are aware, certificate of endorsements for "single-town" state representatives, judge of probate and registrars of voters will now be filed with the Secretary of the State. We will forward information related to these endorsements as soon as possible after they are filed with our office.

Absentee ballots must contain: (1) the name of your town, (2) the name of the party holding the primary, and (3) the date of the primary - August 9, 2022. This information must be placed immediately above the first horizontal row of boxes - Boxes 1, 2, 3, etc. - in the appropriate space adjacent to the words "CONNECTICUT", "PRIMARY (PRIMARIA)", and "DATE (FECHA)". Office designations in the appropriate numbered boxes at the top of the office columns and names of candidates in the appropriate ballot positions must also be provided. (See below regarding order of offices and candidates.) You may include district numbers (e.g. Senatorial district, Assembly district, voting district) on the face of the ballot if desired - but not in the actual office-designation boxes, since ballot office designations prescribed by law do not include such numbers. All candidates' names must appear in exactly the same size and style of type. You may eliminate columns and rows on the absentee ballot in your town which are not needed and enlarge those being used, if desired; your printer can help you determine the best format in this respect.

It is not necessary to include Spanish instructions unless you are a town in which this has been required by law - presently, only Bridgeport, East Hartford, Hartford, Meriden, New Britain, New Haven, New London, Norwalk, Waterbury and Windham. However, we encourage you to do so if you have a Spanish-speaking community of any size.

ORDER OF OFFICES. Conn. Gen. Stat. Section 9-437(a) provides that at a primary, "The vertical columns shall be headed by the designation of the office...in the same manner as a ballot label used in a regular election". Section 9-437(g) provides that at a primary, "The order of the offices...shall be as prescribed by the secretary of the state." The Secretary of the State prescribes that the order of offices for each party's primary shall be the same as the order of offices at a state election specified by Conn. Gen. Stat. Section 9-251: Governor, Lieutenant Governor, US Senate, Representative in Congress, State Senator, State Representative, Secretary of the State, Treasurer, Comptroller, Attorney General and Judge of Probate. If there is a primary for Registrar of Voters, that office will appear in the last column used. The "wording" of the office designations is also as specified.

Of course, the titles of offices not involved in a party's primary in your town are not to be listed on the primary ballot. Thus, in designating the office columns, in the order and manner specified above, no column is to be "skipped" or left blank.

ORDER OF CANDIDATES. The following applies to all "single-opening" offices (for which a party may nominate only one candidate) subject to this year's primaries.

A. Party-endorsed candidates. Section 9-437(a) requires that the name of the party-endorsed candidate, if any, for a particular office appear on the first horizontal row (Row A) in the appropriate office column, with such name designated by an asterisk (*). The size of the asterisk must be commensurate with the size of type used for all candidates' names. The name should be placed above the numeral contained in the pertinent voting box. If there is no party-endorsed candidate for an office for which a primary is being held, the words "No Party Endorsement" must be inserted within the numbered box containing the title of such office, below the office title; and the box or boxes reserved for the party-endorsed candidate must be left blank.

1 State Representative No Party Endorsement
1A

PLEASE REMEMBER TO ELIMINATE THE CANDIDATE OVAL, IN THE FIRST HORIZONTAL ROW UNDER THE APPLICABLE OFFICE TITLE, IF THERE IS NO PARTY-ENDORSED CANDIDATE FOR SUCH OFFICE. See the foregoing example.

B. Other candidates. Under Section 9-437 when there is a party-endorsed candidate for an office and only one other candidate for that office (the most common situation), the challenging candidate's name appears on Row B in the appropriate office column.

When there are two or more non-endorsed candidates for a particular office, regardless of whether there is or is not a party-endorsed candidate for that office, the following rules apply pursuant to Section 9-437.

1. State or district ("multi-town") office. Section 9-437(b) explicitly requires that for any office whose jurisdiction crosses town lines (except state-wide offices), non-endorsed candidates' names are listed in the appropriate vertical office column, beginning on Row B, in alphabetical order of surnames. Such candidates for state or district office will be listed in the above order in the Notice of Primary sent to you by this office.

2. Municipal ("single-town") office. In most instances, non-endorsed candidates for a municipal office, including a single-town state-legislative district, will be listed in the appropriate vertical office column, beginning on Row B, in alphabetical order of surnames.

Explanation: The statutory provision concerning municipal office which allocates entire horizontal rows to multiple-candidate slates, in the order of time-of-filing, applies only to a primary petition which (a) proposes more than one candidate and (b) proposes a candidate for every office or position being contested at the party's primary in the town or subdivision thereof. It is essentially an "odd-year" provision, designed to apply to "full-slate" primary petitions in municipal election years.

In a state election year, a primary petition for State Senator or Representative in a "municipal" district cannot, in most instances, propose more than one candidate, because in all but a few such districts no other office has the identical geographical jurisdiction - a prerequisite for combining candidacies for different offices on a single petition (the form of which is so prescribed by this office). Moreover, even the rare primary petition which can and does propose two or more candidates in an even-numbered year will still not qualify for time-of-filing ballot order unless it also meets the Section 9-437(d) test of proposing "at least two candidates and the full number of candidates for each office to be contested at such primary as the party may nominate or choose thereat" in the town or subdivision.

Section 9-437(f) requires that, except for multiple-candidate, full-slate, municipal-office primary petitions which qualify for the time-of-filing allocation of entire horizontal rows as explained above, "The names of all other candidates shall be placed in the appropriate columns in alphabetical order...." [emphasis added]. This is the specific basis for alphabetical placement of two or more non-endorsed candidates for a municipal office whose primary petitions do not qualify for time-of-filing treatment.

If you should happen to have a primary petition listing more than one candidate this year - e.g., town-wide Registrar of Voters and State Representative in an assembly district consisting of one entire town (remember that the geographical jurisdictions of the offices must be identical) - please do not hesitate to contact us for guidance on any question of ballot order. (Of course, if such petitioners are the only non-endorsed candidates for the offices in question, the issue of ballot order resolves itself.)

GENERAL INFORMATION

Please note the following provision of Section 9-437(a) [emphasis added]:

"The name of each candidate for state or district office or for the municipal offices of state senator or state representative shall appear on the ballot as it appears on the certificate or statement of consent filed under section 9-388, 9-391, 9-400 or 9-409."

Consequently, the names of party-endorsed candidates for the offices of state senator or state representative chosen from single towns shall appear as the candidate authorized it to appear on Form ED-634b "Certificate of Party Endorsement". The names of petitioning candidates for the offices of state senator or state representative chosen from single towns shall appear as the candidate authorized it to appear on the statement of consent for primary petition filed with the registrar. The names of all candidates for state and district office shall appear on the ballot as they appear on the notice of primary which this office will send to you.

If you are having a primary, please notify this office to provide you with a specified additional quantity of absentee ballot sets (inner envelopes, outer serially-numbered envelopes, etc.) Please remember to use the postage-free serially-numbered envelopes for both the military, their spouses and dependents, and for any civilian absentee ballot applicant who has asked that the ballot be sent outside of the country to a bona fide personal mailing address.

Conn. Gen. Stat. Section 9-135b(c) requires you to file with this office, as soon as received, copies of the absentee ballot(s) that you have printed for the primary, together with an affidavit as to the quantity of each such ballot(s) printed. A copy of the form of affidavit (ED-629) is enclosed. If any correction or other alteration is subsequently made on an absentee ballot, you must immediately file with this office a corrected or altered ballot, together with an affidavit as to the number of corrected ballots printed.

Order of offices and candidates on the ballot at a primary is, of course, the same as on the absentee ballot.

Active and Inactive Enrollment List:

If you receive an application for an absentee ballot from an elector on the inactive enrollment list (and such person is not an elector residing outside the United States, or a serviceman, spouse or dependent), we advise that you send the applicant the enclosed Notice to Absentee Ballot Applicant (ED-660) prescribed by this office under Conn. Gen. Stat. Section 9-140(c), and a Voter Registration Application for Restoration of the Elector to Official Check List.

* * *

We hope that the foregoing instructions and examples will be of assistance to you; please do not hesitate to call this office at (860) 509-6100 if you have any questions.

Sincerely,

Denise Merrill
Secretary of the State

By: _____
Theodore E. Bromley
Staff Attorney

Enclosures (ED-629, ED-660)
cc: Printers of Record

NOTICE TO ABSENTEE BALLOT APPLICANT

Date: _____

Name: _____

Voting Address: _____
(No., Street and Town)

Mailing Address: _____

IMPORTANT! THIS CONCERNS YOUR RIGHT TO VOTE BY ABSENTEE BALLOT

The municipal clerk has received your application for an absentee ballot. Your name does not appear on the municipality's list of qualified electors and an absentee ballot cannot be issued to you until you are admitted or restored to such list.

Your application for an absentee ballot will be kept on file, and an absentee ballot will be mailed to you immediately after your name is added or restored to the list of qualified electors. Please feel free to contact this office or the office of the registrars of voters if you are in any doubt as to the cut-off dates for registration or restoration to the list of qualified electors.

By: _____
Municipal Clerk (or Designee)