



Senate

General Assembly

File No. 563

February Session, 2026

Substitute Senate Bill No. 393

Senate, April 9, 2026

The Committee on Government Administration and Elections reported through SEN. FLEXER of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***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:

1 Section 1. Subsection (a) of section 9-211 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2026*):

4 (a) In case of a vacancy in the office of senator in Congress, the
5 Governor, except as otherwise provided by federal or state law, shall,
6 not more than ten days after the occurrence of such vacancy, issue writs
7 of election directed to the town clerks or assistant town clerks ordering
8 an election to be held on the one hundred fiftieth day after the issue of
9 such writs on a day, other than a Saturday or Sunday, to fill such
10 vacancy for the remaining portion of the term vacated, provided (1)
11 except as provided in subdivisions (2), (3) and (4) of this subsection, if
12 such a vacancy occurs due to the death of the senator in Congress, the
13 Governor shall issue such writs not less than seven days after such

14 occurrence and not more than seventeen days after such occurrence, (2)
15 except as provided in subdivisions [(2) and (3)] (3) and (4) of this
16 subsection, if such a vacancy occurs between the one hundred twenty-
17 fifth day and the sixty-third day before the day of a regular state or
18 municipal election in November of any year, the Governor shall so issue
19 such writs that order an election to be held on the day of such regular
20 election, [(2)] (3) except as provided in subdivision [(3)] (4) of this
21 subsection, if such vacancy occurs after the municipal election in the
22 year preceding the last year of the term of a senator or in the last year of
23 the term of a senator, the Governor shall nominate a person to fill such
24 vacancy and such nomination shall be filed with both the clerk of the
25 Senate and the clerk of the House of Representatives. Approval of such
26 nomination shall require an affirmative vote of two-thirds of the
27 membership of each chamber of the General Assembly, or [(3)] (4) if
28 such a vacancy occurs in the year of a state election and not more than
29 sixty-two days prior to such election, and the office of senator in
30 Congress for which the vacancy exists will be on the ballot during such
31 election, the Governor shall not issue such writs and no election shall be
32 held under this section. If the position vacated is that of member-elect,
33 the Governor shall so issue writs and an election shall be held as
34 provided in this section.

35 Sec. 2. Subsection (a) of section 9-212 of the general statutes is
36 repealed and the following is substituted in lieu thereof (*Effective October*
37 *1, 2026*):

38 (a) In case of a vacancy in the office of representative in Congress
39 from any district, the Governor, except as otherwise provided by law,
40 shall not more than ten days after the occurrence of such vacancy issue
41 writs of election directed to the town clerks or assistant town clerks, in
42 such district, ordering an election to be held on the sixtieth day after the
43 issue of such writs on a day, other than a Saturday or Sunday, to fill such
44 vacancy, provided (1) except as provided in subdivisions (2), (3) and (4)
45 of this subsection, if such a vacancy occurs due to the death of the
46 representative in Congress, the Governor shall issue such writs not less
47 than seven days after such occurrence and not more than seventeen days

48 after such occurrence, (2) if such a vacancy occurs between the one
49 hundred twenty-fifth day and the sixty-third day before the day of a
50 regular state or municipal election in November of any year, the
51 Governor shall so issue such writs on the sixtieth day before the day of
52 such regular election, ordering an election to be held on the day of such
53 regular election, ~~[(2)]~~ (3) if such a vacancy occurs after the sixty-third
54 day before the day of a regular state election but before the regular state
55 election, the Governor shall not issue such writs and no election shall be
56 held under this section, unless the position vacated is that of member-
57 elect, in which case the Governor shall issue such writs and an election
58 shall be held as provided in this section, and ~~[(3)]~~ (4) if a primary for
59 such office occurs pursuant to subdivision (3) of subsection (b) of section
60 9-450, the Governor shall, within ten days following the filing of a
61 candidacy for nomination by a person other than the party-endorsed
62 candidate, issue new writs of election, in place of those first issued
63 pursuant to this section.

64 Sec. 3. Subsection (b) of section 9-215 of the general statutes is
65 repealed and the following is substituted in lieu thereof (*Effective October*
66 *1, 2026*):

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

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

89 Sec. 4. Section 9-218 of the 2026 supplement to the general statutes is
90 repealed and the following is substituted in lieu thereof (*Effective October*
91 *1, 2026*):

92 [When] Except as otherwise provided in this section, when there is
93 no election of probate judge in any district by reason of two or more
94 having an equal and the highest number of votes, or when a new
95 probate district is created and no provision made for the election of a
96 judge thereof, or whenever it is shown to the Governor that a vacancy is
97 about to exist in said office by reason of the resignation of the incumbent
98 to take effect at a future time or by reason of constitutional limitation, or
99 when there is a vacancy in said office, the Governor may issue writs of
100 election directed to the town clerk or clerks or assistant town clerk or
101 clerks within such district, ordering an election to be held on a day
102 named therein, other than a Saturday or Sunday, to fill such vacancy or
103 impending vacancy, and cause such writs to be conveyed to such clerk
104 or clerks. If such a vacancy occurs due to the death of the probate judge,
105 the Governor shall issue such writs not less than seven days after such
106 occurrence. On receiving such writs, such clerk or clerks shall warn
107 elections to be held on the day appointed in such writs, in the same
108 manner as state elections are warned. Such elections shall be organized
109 and conducted, and the vote shall be declared and returns made,
110 certified, directed, deposited and transmitted, in the same manner as at
111 a state election. The Secretary of the State, Treasurer and Comptroller
112 shall, within thirty days after any such election, count and declare the
113 votes so returned, and notice shall be given to the person declared
114 elected, in the same manner as is provided in the election of probate
115 judges at state elections. The Secretary of the State shall enter the returns

116 in tabular form in books kept by him for that purpose and present a copy
 117 of the same, with the name of, and the total number of votes received
 118 by, each of the candidates for said office, to the Governor within ten
 119 days thereafter. The Probate Court Administrator shall cite a probate
 120 judge to act as a judge in the district during any vacancy in said office
 121 in accordance with section 45a-120.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	9-211(a)
Sec. 2	October 1, 2026	9-212(a)
Sec. 3	October 1, 2026	9-215(b)
Sec. 4	October 1, 2026	9-218

Statement of Legislative Commissioners:

The provisions of Section 3 were rewritten for clarity.

GAE *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill shifts when the Governor may issue writs of election for a special election due to the death of certain elected officials or members-elect, resulting in no fiscal impact to the state or municipalities.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 393*****AN ACT CONCERNING SPECIAL ELECTIONS TO FILL VACANCIES DUE TO THE DEATH OF CERTAIN ELECTED OFFICIALS.*****SUMMARY**

This bill delays when the governor may issue a writ calling for a special election to fill vacancies in certain offices due to the death of the elected official or member elect. The bill maintains the existing timeline for vacancies created for other reasons, such as resignations.

Under current law, the governor generally must issue these writs within 10 days after a vacancy in the office of U.S. senator, U.S. representative, or General Assembly member. Under the bill, he must instead do so between seven and 17 days after the death occurred, subject to certain existing exceptions unchanged by the bill (see BACKGROUND).

For probate judge vacancies created due to the judge's death, the bill requires the governor to wait at least seven days after the death before issuing the writ, if he chooses to do so (§ 4). State law gives the governor discretion to call a special election to fill a probate court vacancy and does not currently set a timeline for issuing these writs.

The bill also makes technical changes.

EFFECTIVE DATE: October 1, 2026

BACKGROUND***Special Writ Exceptions***

In certain circumstances, the law directs when the (1) governor must issue a special writ and (2) special election must occur. For example, for General Assembly vacancies created between 49 and 125 days before the

next regular election, special election writs must be issued 46 days before that regular election and the special election must be held to coincide with it. The law has similar provisions for congressional offices.

The law also directs the governor to not issue special writs for congressional or state legislative offices if the vacancy is created within a certain period before the upcoming regular election for that office, in which case the vacancy is filled then.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 19 Nay 0 (03/20/2026)