



General Assembly

Substitute Bill No. 394

February Session, 2026



AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE RISK-LIMITING AUDITS WORKING GROUP.

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

1 Section 1. (NEW) (*Effective January 1, 2027*) (a) Not earlier than the
2 fifteenth day after any state election and not later than two business
3 days before the canvass of votes by the Secretary of the State, Treasurer
4 and Comptroller, commencing on a day designated by the Secretary, the
5 registrars of voters shall conduct a risk-limiting audit of such election.
6 Each such audit shall be noticed in advance and be open to public
7 observation. Any election official who participates in the administration
8 and conduct of an audit pursuant to this section shall be compensated
9 by the municipality at the standard rate of pay established by such
10 municipality for elections.

11 (b) (1) Except as provided in subdivision (2) of this subsection, the
12 offices subject to a risk-limiting audit pursuant to this section shall be
13 (A) the office of presidential elector, if applicable, (B) all applicable state
14 offices, as defined in section 9-372 of the general statutes, (C) at least one
15 representative in Congress, selected in a random drawing by the
16 Secretary of the State, (D) at least five per cent, in the aggregate, of the
17 offices of state senator and state representative, selected in a random
18 drawing by the Secretary, and (E) any other office required to be audited
19 by federal law. Whenever an office is randomly selected by the Secretary

20 under this subsection, the selection process shall be open to the public.

21 (2) (A) If an office of representative in Congress is subject to
22 recanvass, other than under section 9-311a or 9-311b of the general
23 statutes, or to an election contest pursuant to any provision of the
24 general statutes, the Secretary of the State shall ensure such office is
25 included in the office or offices selected under subparagraph (C) of
26 subdivision (1) of this subsection.

27 (B) If an office of state senator or state representative is subject to
28 recanvass, other than under section 9-311a or 9-311b of the general
29 statutes, or to an election contest pursuant to any provision of the
30 general statutes, the Secretary of the State shall ensure such office is
31 included in the offices selected under subparagraph (D) of subdivision
32 (1) of this subsection.

33 (C) If any office is subject to recanvass under section 9-311a or 9-311b
34 of the general statutes, or if a candidate was elected to an office without
35 opposition by another candidate for such office, the Secretary of the
36 State shall ensure such office is excluded from the offices selected under
37 subdivision (1) of this subsection.

38 (c) Prior to the day designated by the Secretary of the State for the
39 commencement of the risk-limiting audit described in subsection (a) of
40 this section, the registrars of voters shall submit to the Secretary the
41 ballot manifests created under section 4 of this act.

42 (d) The risk-limiting audit described in subsection (a) of this section
43 shall be conducted in accordance with instructions and procedures
44 prescribed by the Secretary of the State not later than January 1, 2027,
45 which instructions and procedures shall be consistent across all offices
46 subject to such audit. The risk limit for each such audit shall be not more
47 than five per cent. The results of each audit conducted pursuant to this
48 section, including any such audit that produces an outcome of
49 "INCONCLUSIVE" as described in subsection (e) of this section, shall be
50 reported on a form and in a manner prescribed by the Secretary. Such
51 reported results shall be filed with the Secretary, who shall immediately

52 forward such reported results to The University of Connecticut for
53 analysis. The University of Connecticut shall submit to the Secretary a
54 written report regarding such analysis that describes any concerns
55 identified. After receipt of such written report, the Secretary shall
56 transmit a copy of such written report to the State Elections Enforcement
57 Commission.

58 (e) In the event a risk-limiting audit conducted pursuant to this
59 section for a particular office produces an outcome of
60 "INCONCLUSIVE", the Secretary of the State shall order a manual
61 recount of all ballots cast for such office.

62 (f) If the written report submitted by The University of Connecticut
63 under subsection (d) of this section indicates that a voting tabulator
64 failed to record votes accurately and in the manner provided by title 9
65 of the general statutes, the Secretary of the State shall require that the
66 voting tabulator be examined and recertified by the Secretary or the
67 Secretary's designee. Nothing in this subsection shall be construed to
68 prohibit the Secretary from requiring that a voting tabulator be
69 examined and recertified.

70 (g) The audit results reported to the Secretary of the State pursuant to
71 subsection (d) of this section shall be open to public inspection and may
72 be used as prima facie evidence of an irregularity in any contest arising
73 pursuant to chapter 149 of the general statutes or for any other cause of
74 action arising from such election.

75 (h) If the audit officials are unable to reconcile the results from an
76 audit described in subsection (a) of this section with the outcome of the
77 person declared elected by virtue of having received the greatest
78 number of votes, as determined by the paper ballots, the Secretary of the
79 State shall conduct such further investigation of the voting tabulator as
80 may be necessary for the purpose of reviewing whether or not to
81 decertify the voting tabulator or tabulators in question or to order the
82 voting tabulator to be examined and recertified in accordance with
83 subsection (f) of this section. Any report produced by the Secretary as a

84 result of such investigation shall be filed with the State Elections
85 Enforcement Commission, and the commission may initiate such
86 further investigation in accordance with subdivision (1) of subsection
87 (a) of section 9-7b of the general statutes, as may be required to
88 determine if any violations of the general statutes concerning election
89 law have been committed.

90 (i) The individual paper ballots used at an election shall be carefully
91 preserved and returned in their designated receptacle in accordance
92 with the requirements of section 9-266 or 9-310 of the general statutes,
93 as applicable.

94 (j) Nothing in this section shall be construed to preclude any
95 candidate or elector from seeking additional remedies pursuant to
96 chapter 149 of the general statutes.

97 (k) After a state election, any voting tabulator may be kept locked for
98 a period longer than that prescribed by sections 9-266, 9-310 and 9-447
99 of the general statutes, if such an extended period is ordered by a court
100 of competent jurisdiction, the Secretary of the State or the State Elections
101 Enforcement Commission. Such court or the Secretary of the State may
102 order an audit of such voting tabulator to be conducted by such persons
103 as the court or the Secretary may designate, provided the State Elections
104 Enforcement Commission may order such an audit where the particular
105 office in question is that of the Secretary of the State. If the machine
106 utilized in such election is an optical scan voting system, such order to
107 lock such machine shall include the tabulator, memory card and all
108 other components and processes utilized in the programming of such
109 machine.

110 (l) The Secretary of the State may adopt regulations, in accordance
111 with the provisions of chapter 54 of the general statutes, for the conduct
112 of risk-limiting audits described in subsection (a) of this section and to
113 establish guidelines for expanded audits when the results from such a
114 risk-limiting audit cannot be reconciled with the outcome of the person
115 declared elected by virtue of having received the greatest number of

116 votes, as determined by the paper ballots.

117 (m) Notwithstanding any provision of the general statutes, the
118 Secretary of the State shall have access to the code in any voting machine
119 whenever any problem is discovered as a result of an audit described in
120 subsection (a) of this section.

121 (n) As used in this section:

122 (1) "Risk-limiting audit" means a publicly verifiable auditing
123 procedure that (A) manually examines a statistical sample of paper
124 ballots that reflect the intents of the voters having cast such ballots, (B)
125 produces an outcome of either "ACCEPTABLE" or "INCONCLUSIVE",
126 and (C) guarantees a specified risk limit;

127 (2) "Risk limit" means the maximum probability that an audit would
128 produce an outcome of "ACCEPTABLE" when there is a disagreement
129 between the person declared elected and the person who received the
130 greatest number of votes as determined by the paper ballots; and

131 (3) "State election" has the same meaning as provided in section 9-1
132 of the general statutes.

133 Sec. 2. Subsection (a) of section 9-320 of the general statutes is
134 repealed and the following is substituted in lieu thereof (*Effective January*
135 *1, 2027*):

136 (a) The clerk of each municipality shall, [within ten days after the
137 municipal election] not later than the last day of the month in which the
138 municipal election was held, return to the Secretary of the State a
139 statement of the name, post-office address and term of each person
140 elected to office in such election. If an elected [town] municipal clerk is
141 registrar of vital statistics, ex officio, such return shall so indicate. Each
142 municipal clerk neglecting to make such return shall be fined not more
143 than twenty-five dollars.

144 Sec. 3. Section 9-320f of the general statutes is repealed and the
145 following is substituted in lieu thereof (*Effective January 1, 2027*):

146 (a) [(1)] Not earlier than the fifteenth day after any federal or state
147 [election or] primary or any municipal election or primary and not later
148 than two business days before the canvass of votes by the Secretary of
149 the State, Treasurer and Comptroller, [and (2) not earlier than the fifth
150 day after any municipal election or primary and not later than two
151 business days before the canvass of votes] or by the town clerk, as
152 applicable, the registrars of voters shall conduct a manual audit, or an
153 electronic audit authorized under section 9-320g, as amended by this
154 act, of the votes recorded in not less than five per cent of the voting
155 districts in the state, district or municipality, whichever is applicable.
156 For the purposes of this section, any central location used in a
157 municipality for the counting of absentee ballots, early voting ballots or
158 same-day election registration ballots shall be deemed a voting district.
159 Such manual or electronic audit shall be noticed in advance and be open
160 to public observation. Any election official who participates in the
161 administration and conduct of an audit pursuant to this section shall be
162 compensated by the municipality at the standard rate of pay established
163 by such municipality for elections or primaries, as the case may be.

164 (b) The voting districts subject to an audit described in subsection (a)
165 of this section shall be selected in a random drawing by the Secretary of
166 the State and such selection process shall be open to the public. The
167 offices subject to an audit pursuant to this section shall be, (1) [in the
168 case of an election where the office of presidential elector is on the ballot,
169 all offices required to be audited by federal law, plus one additional
170 office selected in a random drawing by the Secretary of the State, but in
171 no case less than three offices, (2) in the case of an election where the
172 office of Governor is on the ballot, all offices required to be audited by
173 federal law, plus one additional office selected in a random drawing by
174 the Secretary of the State, but in no case less than three offices, (3)] in the
175 case of a municipal election, three offices or twenty per cent of the
176 number of offices on the ballot, whichever is greater, selected at random
177 by the municipal clerk, and [(4)] (2) in the case of a primary, [election,]
178 all offices required to be audited by federal law, plus one additional
179 office, if any, but in no event less than twenty per cent of the offices on

180 the ballot, selected in a random drawing by the municipal clerk.

181 (c) If a selected voting district has an office that is subject to recanvass
182 or an election or primary contest pursuant to any provision of the
183 general statutes, the Secretary of the State shall select an alternative
184 district, pursuant to the process described in subsection (b) of this
185 section.

186 (d) The manual or electronic audit described in subsection (a) of this
187 section shall consist of the manual or electronic tabulation of the paper
188 ballots cast and counted by each voting tabulator subject to such audit.
189 Once complete, the vote totals established pursuant to such manual or
190 electronic tabulation shall be compared to the results reported by the
191 voting tabulator on the day of the election or primary. The results of
192 such manual or electronic tabulation shall be reported on a form
193 prescribed by the Secretary of the State which shall include the total
194 number of ballots counted, the total votes received by each candidate in
195 question, the total votes received by each candidate in question on
196 ballots that were properly completed by each voter and the total votes
197 received by each candidate in question on ballots that were not properly
198 completed by each voter. Such [report] reported results shall be filed
199 with the Secretary, [of the State] who shall immediately forward such
200 [report] reported results to The University of Connecticut for analysis.
201 The University of Connecticut shall [file] submit to the Secretary a
202 written report [with the Secretary of the State] regarding such analysis
203 that describes any discrepancies identified. After receipt of such written
204 report, the Secretary [of the State shall file such report with] shall
205 transmit a copy of such written report to the State Elections Enforcement
206 Commission.

207 (e) For the purposes of this section, a ballot that has not been properly
208 completed will be deemed to be a ballot on which (1) votes have been
209 marked by the voter outside the vote targets, (2) votes have been marked
210 by the voter using a manual marking device that cannot be read by the
211 voting tabulator, or (3) in the judgment of the registrars of voters, the
212 voter marked the ballot in such a manner that the voting tabulator may

213 not have read the marks as votes cast.

214 (f) Notwithstanding the provisions of section 9-311, the Secretary of
215 the State shall order a discrepancy recanvass of the returns of an election
216 or primary for any office if a discrepancy, as defined in subsection (o) of
217 this section, exists where the margin of victory in the race for such office
218 is less than the amount of the discrepancy multiplied by the total
219 number of voting districts where such race appeared on the ballot,
220 provided in a year in which the Secretary of the State is a candidate for
221 an office on the ballot and that office is subject to an audit as provided
222 by this section, the State Elections Enforcement Commission shall order
223 a discrepancy recanvass if a discrepancy, as defined by subsection (o) of
224 this section, has occurred that could affect the outcome of the election or
225 primary for such office.

226 (g) If the written report submitted by The University of Connecticut
227 [report described in] under subsection (d) of this section indicates that a
228 voting tabulator failed to record votes accurately and in the manner
229 provided by [the general statutes] this title, the Secretary of the State
230 shall require that the voting tabulator be examined and recertified by
231 the Secretary, [of the State,] or the Secretary's designee. Nothing in this
232 subsection shall be construed to prohibit the Secretary [of the State] from
233 requiring that a voting tabulator be examined and recertified.

234 (h) The audit [report filed] results reported to the Secretary of the
235 State pursuant to subsection (d) of this section shall be open to public
236 inspection and may be used as prima facie evidence of a discrepancy in
237 any contest arising pursuant to chapter 149 or for any other cause of
238 action arising from such election or primary.

239 (i) If the audit officials are unable to reconcile the manual or electronic
240 count from an audit described in subsection (a) of this section with the
241 electronic vote tabulation and discrepancies from the election or
242 primary, the Secretary of the State shall conduct such further
243 investigation of the voting tabulator malfunction as may be necessary
244 for the purpose of reviewing whether or not to decertify the voting

245 tabulator or tabulators in question or to order the voting tabulator to be
246 examined and recertified [pursuant to] in accordance with subsection
247 (g) of this section. Any report produced by the Secretary [of the State] as
248 a result of such investigation shall be filed with the State Elections
249 Enforcement Commission and the commission may initiate such further
250 investigation in accordance with subdivision (1) of subsection (a) of
251 section 9-7b₂ as may be required to determine if any violations of the
252 general statutes concerning election law have been committed.

253 (j) The individual paper ballots used at an election or primary shall
254 be carefully preserved and returned in their designated receptacle in
255 accordance with the requirements of section 9-266 or 9-310, [whichever
256 is] as applicable.

257 (k) Nothing in this section shall be construed to preclude any
258 candidate or elector from seeking additional remedies pursuant to
259 chapter 149.

260 (l) After an election or primary, any voting tabulator may be kept
261 locked for a period longer than that prescribed by sections 9-266, 9-310
262 and 9-447, if such an extended period is ordered by [either] a court of
263 competent jurisdiction, the Secretary of the State or the State Elections
264 Enforcement Commission. [Either the] Such court or the Secretary of the
265 State may order an audit of such voting tabulator to be conducted by
266 such persons as the court or the Secretary [of the State] may designate,
267 provided the State Elections Enforcement Commission may order such
268 an audit under the circumstances prescribed in subsection (f) of this
269 section. If the machine utilized in such election or primary is an optical
270 scan voting system, such order to lock such machine shall include the
271 tabulator, memory card and all other components and processes utilized
272 in the programming of such machine.

273 (m) The Secretary of the State may adopt regulations, in accordance
274 with the provisions of chapter 54, [as may be necessary] for the conduct
275 of the manual or electronic tabulation of the paper ballots described in
276 subsection (a) of this section and to establish guidelines for expanded

277 audits when there are differences between the manual or electronic
278 counts from the audit described in subsection (a) of this section and
279 tabulator counts from the election or primary.

280 (n) Notwithstanding any provision of the general statutes, the
281 Secretary of the State shall have access to the code in any voting machine
282 whenever any problem is discovered as a result of an audit described in
283 subsection (a) of this section.

284 (o) As used in this section: ["discrepancy"]

285 (1) "Discrepancy" means any difference in vote totals between
286 tabulator counts from an election or primary and manual or electronic
287 counts from an audit described in subsection (a) of this section in a
288 voting district that exceeds one-half of one per cent of the lesser amount
289 of the vote totals between such tabulator counts and such manual or
290 electronic counts where such differences cannot be resolved through an
291 accounting of ballots that were not marked properly in accordance with
292 subsection (e) of this section; ["state election" means "state election", as
293 defined in section 9-1, "municipal election"]

294 (2) "Municipal election" means a municipal election held pursuant to
295 section 9-164; ["manual"]

296 (3) "Manual" means by hand and without the assistance of electronic
297 equipment; and ["electronic"]

298 (4) "Electronic" means through the use of equipment described in
299 section 9-320g, as amended by this act.

300 Sec. 4. (NEW) (*Effective January 1, 2027*) (a) Except in the case of a
301 recanvass subject to the provisions of subsection (b) of this section, not
302 later than seventy-two hours after the close of the polls at each state
303 election, as defined in section 9-1 of the general statutes:

304 (1) The election officials in each polling place shall create a ballot
305 manifest for such polling place in accordance with procedures
306 prescribed by the Secretary of the State; and

307 (2) The absentee ballot counters in each central counting location shall
308 create a ballot manifest for such central counting location in accordance
309 with procedures prescribed by the Secretary of the State.

310 (b) Not later than twenty-four hours after the completion of any
311 recanvass conducted at a state election in a voting district, the recanvass
312 officials shall create a ballot manifest for such district in accordance with
313 procedures prescribed by the Secretary of the State.

314 (c) All ballot manifest creation procedures shall be open to public
315 observation.

316 (d) Immediately after a ballot manifest has been created pursuant to
317 this section, the moderator shall submit such ballot manifest to the
318 registrars of voters.

319 Sec. 5. Section 9-323 of the general statutes is repealed and the
320 following is substituted in lieu thereof (*Effective January 1, 2027*):

321 Any elector or candidate who claims that he or she is aggrieved by
322 any ruling of any election official in connection with any election for
323 presidential electors and for a senator in Congress and for
324 representative in Congress or any of them, held in his or her town, or
325 that there was a mistake in the count of the votes cast at such election
326 for candidates for such electors, senator in Congress and representative
327 in Congress, or any of them, at any voting district in his or her town, or
328 any candidate for such an office who claims that he or she is aggrieved
329 by a violation of any provision of section 9-355, 9-357 to 9-361, inclusive,
330 9-364, 9-364a₂, or 9-365 in the casting of absentee ballots at such election,
331 may bring his or her complaint to any judge of the Supreme Court, in
332 which he or she shall set out the claimed errors of such election official,
333 the claimed errors in the count or the claimed violations of said sections.
334 In any action brought pursuant to the provisions of this section, the
335 complainant shall file a certification attached to the complaint indicating
336 that a copy of the complaint has been sent by first-class mail or delivered
337 to the State Elections Enforcement Commission. If such complaint is
338 made prior to such election, such judge shall proceed expeditiously to

339 render judgment on the complaint and shall cause notice of the hearing
340 to be given to the Secretary of the State and the State Elections
341 Enforcement Commission. If such complaint is made subsequent to the
342 election, it shall be brought not later than fourteen days after the election
343 or, if such complaint is brought in response to [the manual tabulation of
344 paper ballots authorized] an audit conducted pursuant to section 9-320f,
345 as amended by this act, or section 1 of this act, such complaint shall be
346 brought not later than seven days after the close of any such [manual
347 tabulation] audit, and in either such circumstance, the judge shall
348 forthwith order a hearing to be had upon such complaint, upon a day
349 not more than five or less than three days from the making of such order,
350 and shall cause notice of not less than three or more than five days to be
351 given to any candidate or candidates whose election may be affected by
352 the decision upon such hearing, to such election official, to the Secretary
353 of the State, to the State Elections Enforcement Commission and to any
354 other party or parties whom such judge deems proper parties thereto,
355 of the time and place for the hearing upon such complaint. Such judge,
356 with two other judges of the Supreme Court to be designated by the
357 Chief Court Administrator, shall, on the day fixed for such hearing and
358 without unnecessary delay, proceed to hear the parties. If sufficient
359 reason is shown, such judges may order any voting tabulators to be
360 unlocked or any ballot boxes to be opened and a recount of the votes
361 cast, including absentee ballots, to be made. Such judges shall
362 thereupon, in the case they, or any two of them, find any error in the
363 rulings of the election official, any mistake in the count of such votes or
364 any violation of said sections, certify the result of their finding or
365 decision, or the finding or decision of a majority of them, to the Secretary
366 of the State before the first Tuesday after the second Wednesday in
367 December. Such judges may order a new election or a change in the
368 existing election schedule, provided such order complies with Section
369 302 of the Help America Vote Act, P.L. 107-252, as amended from time
370 to time. Such certificate of such judges, or a majority of them, shall be
371 final upon all questions relating to the rulings of such election officials,
372 to the correctness of such count and, for the purposes of this section
373 only, such claimed violations, and shall operate to correct the returns of

374 the moderators or presiding officers so as to conform to such finding or
375 decision.

376 Sec. 6. Section 9-324 of the general statutes is repealed and the
377 following is substituted in lieu thereof (*Effective January 1, 2027*):

378 Any elector or candidate who claims that such elector or candidate is
379 aggrieved by any ruling of any election official in connection with any
380 election for Governor, Lieutenant Governor, Secretary of the State, State
381 Treasurer, Attorney General, State Comptroller or judge of probate, held
382 in such elector's or candidate's town, or that there has been a mistake in
383 the count of the votes cast at such election for candidates for said offices
384 or any of them, at any voting district in such elector's or candidate's
385 town, or any candidate for such an office who claims that such candidate
386 is aggrieved by a violation of any provision of section 9-355, 9-357 to 9-
387 361, inclusive, 9-364, 9-364a, or 9-365 in the casting of absentee ballots at
388 such election or any candidate for the office of Governor, Lieutenant
389 Governor, Secretary of the State, State Treasurer, Attorney General or
390 State Comptroller, who claims that such candidate is aggrieved by a
391 violation of any provision of sections 9-700 to 9-716, inclusive, may bring
392 such elector's or candidate's complaint to any judge of the Superior
393 Court, in which such elector or candidate shall set out the claimed errors
394 of such election official, the claimed errors in the count or the claimed
395 violations of said sections. In any action brought pursuant to the
396 provisions of this section, the complainant shall send a copy of the
397 complaint by first-class mail, or deliver a copy of the complaint by hand,
398 to the State Elections Enforcement Commission. If such complaint is
399 made prior to such election, such judge shall proceed expeditiously to
400 render judgment on the complaint and shall cause notice of the hearing
401 to be given to the Secretary of the State and the State Elections
402 Enforcement Commission. If such complaint is made subsequent to the
403 election, it shall be brought not later than fourteen days after the election
404 or, if such complaint is brought in response to [the manual tabulation of
405 paper ballots authorized] an audit conducted pursuant to section 9-320f,
406 as amended by this act, or section 1 of this act, such complaint shall be
407 brought not later than seven days after the close of any such [manual

408 tabulation] audit and, in either such circumstance, such judge shall
409 forthwith order a hearing to be had upon such complaint, upon a day
410 not more than five nor less than three days from the making of such
411 order, and shall cause notice of not less than three nor more than five
412 days to be given to any candidate or candidates whose election may be
413 affected by the decision upon such hearing, to such election official, the
414 Secretary of the State, the State Elections Enforcement Commission and
415 to any other party or parties whom such judge deems proper parties
416 thereto, of the time and place for the hearing upon such complaint. Such
417 judge shall, on the day fixed for such hearing and without unnecessary
418 delay, proceed to hear the parties. If sufficient reason is shown, such
419 judge may order any voting tabulators to be unlocked or any ballot
420 boxes to be opened and a recount of the votes cast, including absentee
421 ballots, to be made. Such judge shall thereupon, in case such judge finds
422 any error in the rulings of the election official, any mistake in the count
423 of the votes or any violation of said sections, certify the result of such
424 judge's finding or decision to the Secretary of the State before the
425 fifteenth day of the next succeeding December. Such judge may order a
426 new election or a change in the existing election schedule. Such
427 certificate of such judge of such judge's finding or decision shall be final
428 and conclusive upon all questions relating to errors in the rulings of
429 such election officials, to the correctness of such count, and, for the
430 purposes of this section only, such claimed violations, and shall operate
431 to correct the returns of the moderators or presiding officers, so as to
432 conform to such finding or decision, unless the same is appealed from
433 as provided in section 9-325.

434 Sec. 7. Section 9-328 of the general statutes is repealed and the
435 following is substituted in lieu thereof (*Effective January 1, 2027*):

436 Any elector or candidate claiming to have been aggrieved by any
437 ruling of any election official in connection with an election for any
438 municipal office or a primary for justice of the peace, or any elector or
439 candidate claiming that there has been a mistake in the count of votes
440 cast for any such office at such election or primary, or any candidate in
441 such an election or primary claiming that he is aggrieved by a violation

442 of any provision of sections 9-355, 9-357 to 9-361, inclusive, 9-364, 9-364a,
443 or 9-365 in the casting of absentee ballots at such election or primary,
444 may bring a complaint to any judge of the Superior Court for relief
445 therefrom. In any action brought pursuant to the provisions of this
446 section, the complainant shall send a copy of the complaint by first-class
447 mail, or deliver a copy of the complaint by hand, to the State Elections
448 Enforcement Commission. If such complaint is made prior to such
449 election or primary, such judge shall proceed expeditiously to render
450 judgment on the complaint and shall cause notice of the hearing to be
451 given to the Secretary of the State and the State Elections Enforcement
452 Commission. If such complaint is made subsequent to such election or
453 primary, it shall be brought not later than fourteen days after such
454 election or primary, except that if such complaint is brought in response
455 to [the manual tabulation of paper ballots, authorized] an audit
456 conducted pursuant to section 9-320f, as amended by this act, or section
457 1 of this act, such complaint shall be brought not later than seven days
458 after the close of any such [manual tabulation] audit, to any judge of the
459 Superior Court, in which he shall set out the claimed errors of the
460 election official, the claimed errors in the count or the claimed violations
461 of said sections. Such judge shall forthwith order a hearing to be had
462 upon such complaint, upon a day not more than five nor less than three
463 days from the making of such order, and shall cause notice of not less
464 than three nor more than five days to be given to any candidate or
465 candidates whose election or nomination may be affected by the
466 decision upon such hearing, to such election official, the Secretary of the
467 State, the State Elections Enforcement Commission and to any other
468 party or parties whom such judge deems proper parties thereto, of the
469 time and place for the hearing upon such complaint. Such judge shall,
470 on the day fixed for such hearing and without unnecessary delay,
471 proceed to hear the parties. If sufficient reason is shown, he may order
472 any voting tabulators to be unlocked or any ballot boxes to be opened
473 and a recount of the votes cast, including absentee ballots, to be made.
474 Such judge shall thereupon, if he finds any error in the rulings of the
475 election official or any mistake in the count of the votes, certify the result
476 of his finding or decision to the Secretary of the State before the tenth

477 day succeeding the conclusion of the hearing. Such judge may order a
478 new election or primary or a change in the existing election schedule.
479 Such certificate of such judge of his finding or decision shall be final and
480 conclusive upon all questions relating to errors in the ruling of such
481 election officials, to the correctness of such count, and, for the purposes
482 of this section only, such claimed violations, and shall operate to correct
483 the returns of the moderators or presiding officers, so as to conform to
484 such finding or decision, except that this section shall not affect the right
485 of appeal to the Supreme Court and it shall not prevent such judge from
486 reserving such questions of law for the advice of the Supreme Court as
487 provided in section 9-325. Such judge may, if necessary, issue his writ of
488 mandamus, requiring the adverse party and those under him to deliver
489 to the complainant the appurtenances of such office, and shall cause his
490 finding and decree to be entered on the records of the Superior Court in
491 the proper judicial district.

492 Sec. 8. Subsection (a) of section 9-329a of the general statutes is
493 repealed and the following is substituted in lieu thereof (*Effective January*
494 *1, 2027*):

495 (a) Any (1) elector or candidate aggrieved by a ruling of an election
496 official in connection with any primary held pursuant to (A) section 9-
497 423, 9-425 or 9-464, or (B) a special act, (2) elector or candidate who
498 alleges that there has been a mistake in the count of the votes cast at such
499 primary, or (3) candidate in such a primary who alleges that he is
500 aggrieved by a violation of any provision of sections 9-355, 9-357 to 9-
501 361, inclusive, 9-364, 9-364a₂, or 9-365 in the casting of absentee ballots at
502 such primary, may bring his complaint to any judge of the Superior
503 Court for appropriate action. In any action brought pursuant to the
504 provisions of this section, the complainant shall file a certification
505 attached to the complaint indicating that a copy of the complaint has
506 been sent by first-class mail or delivered to the State Elections
507 Enforcement Commission. If such complaint is made prior to such
508 primary such judge shall proceed expeditiously to render judgment on
509 the complaint and shall cause notice of the hearing to be given to the
510 Secretary of the State and the State Elections Enforcement Commission.

511 If such complaint is made subsequent to such primary it shall be
512 brought, not later than fourteen days after such primary, or if such
513 complaint is brought in response to [the manual tabulation of paper
514 ballots, described in] an audit conducted pursuant to section 9-320f, as
515 amended by this act, or section 1 of this act, such complaint shall be
516 brought, not later than seven days after the close of any such [manual
517 tabulation] audit, to any judge of the Superior Court.

518 Sec. 9. Subsection (b) of section 9-3 of the general statutes, as amended
519 by section 89 of public act 26-1, is repealed and the following is
520 substituted in lieu thereof (*Effective January 1, 2027*):

521 (b) During any municipal, state or federal election, primary or
522 recanvass, or any audit conducted pursuant to section 9-320f, as
523 amended by this act, or section 1 of this act, the Secretary of the State
524 may issue an order, whether orally or in writing, to any registrar of
525 voters or moderator to correct any irregularity or impropriety in the
526 conduct of such election, primary or recanvass or audit. Any such order
527 shall be effective upon issuance. As soon as practicable after issuance of
528 an oral order pursuant to this subsection, the Secretary shall reduce such
529 order to writing, cite within such order any applicable provision of law
530 authorizing such order and cause a copy of such written order to be
531 delivered to the individual who is the subject of such order or, in the
532 case that such order was originally issued in writing, issue a subsequent
533 written order that conforms to such requirements. The Superior Court,
534 on application of the Secretary or the Attorney General, may enforce by
535 appropriate decree or process any such order issued pursuant to this
536 subsection.

537 Sec. 10. Subdivision (3) of subsection (b) of section 9-229 of the general
538 statutes is repealed and the following is substituted in lieu thereof
539 (*Effective January 1, 2027*):

540 (3) The duties of each regional election advisor shall include, but not
541 be limited to: (A) Holding the instructional sessions described in
542 subdivision (2) of this subsection; (B) communicating with registrars of

543 voters to assist, to the extent permitted under law, in preparations for
544 and operations of any election, primary or recanvass, or any audit
545 conducted pursuant to section 9-320f, as amended by this act, or section
546 1 of this act; and (C) transmitting any order issued by the Secretary of
547 the State, pursuant to subsection (b) of section 9-3, as amended by this
548 act.

549 Sec. 11. Subsection (a) of section 9-229b of the general statutes is
550 repealed and the following is substituted in lieu thereof (*Effective January*
551 *1, 2027*):

552 (a) Any regional council of governments organized under the
553 provisions of sections 4-124i to 4-124p, inclusive, may appoint a regional
554 election advisor, who shall represent, consult with and act on behalf of
555 such regional council of governments and any combination of regional
556 councils of governments or member towns of regional councils of
557 governments that may seek the assistance of such regional election
558 advisor. A regional election advisor shall consult and coordinate with
559 the Secretary of the State to provide such assistance in preparations for
560 and operations of any election, primary or recanvass, or any audit
561 conducted pursuant to section 9-320f, as amended by this act, or section
562 1 of this act.

563 Sec. 12. Section 9-320g of the general statutes is repealed and the
564 following is substituted in lieu thereof (*Effective January 1, 2027*):

565 Notwithstanding any provision of this title, the Secretary of the State,
566 in consultation and coordination with The University of Connecticut,
567 may authorize the use of electronic equipment for the purpose of
568 conducting any audit required pursuant to section 9-320f, as amended
569 by this act, [for any primary or general election held on or after January
570 1, 2016] or section 1 of this act, provided (1) the Secretary of the State
571 prescribes specifications for (A) the testing, set-up and operation of such
572 equipment, and (B) the training of election officials in the use of such
573 equipment; and (2) the Secretary of the State and The University of
574 Connecticut agree that such equipment is sufficient in quantity to

575 accommodate the total number of audits to be conducted. Nothing in
576 this section shall preclude any candidate or elector from seeking
577 additional remedies pursuant to chapter 149 as a result of any
578 information revealed by such process.

579 Sec. 13. (*Effective from passage*) The Secretary of the State shall establish
580 a pilot program for the conduct of risk-limiting audits at state elections
581 in 2026. The Secretary shall randomly select three municipalities for
582 participation in such pilot program, provided the Secretary shall select:
583 (1) One municipality with a population of less than twenty thousand;
584 (2) one municipality with a population of twenty thousand or greater,
585 but less than ninety thousand; and (3) one municipality with a
586 population of ninety thousand or greater. For the purposes of this
587 section, "risk-limiting audit" has the same meaning as provided in
588 section 1 of this act and "population" means the estimated number of
589 people according to the most recent version of the State Register and
590 Manual prepared pursuant to section 3-90 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2027	New section
Sec. 2	January 1, 2027	9-320(a)
Sec. 3	January 1, 2027	9-320f
Sec. 4	January 1, 2027	New section
Sec. 5	January 1, 2027	9-323
Sec. 6	January 1, 2027	9-324
Sec. 7	January 1, 2027	9-328
Sec. 8	January 1, 2027	9-329a(a)
Sec. 9	January 1, 2027	9-3(b)
Sec. 10	January 1, 2027	9-229(b)(3)
Sec. 11	January 1, 2027	9-229b(a)
Sec. 12	January 1, 2027	9-320g
Sec. 13	from passage	New section

Statement of Legislative Commissioners:

In Section 3(a), "or municipal election and" was changed to "or any municipal election or primary and" for accuracy; and in Section 3(l), "Such court or the Secretary [of the State]" was changed to "Such court

or the Secretary of the State", and "as the court or the Secretary of the State may designate" was changed to "as the court or the Secretary [of the State] may designate", for consistency.

GAE *Joint Favorable Subst.*