

Bill No. 5028

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Referred to Committee on *Elections*

LCO No. 273

Introduced by Rep. Stolberg, 112th District

General Assembly,

January Session, A.D., 1971

AN ACT CONCERNING THE RESOLUTION OF TIE VOTES IN PRIMARIES.

CONNECTICUT
STATE LIBRARY
LEGISLATIVE REFERENCE
SECTION

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

Section 9-446 of the general statutes is repealed and the following is substituted in lieu thereof: If two or more candidates obtain the same number of votes at a primary held to nominate candidates for [a state or district] ANY office, or if two or more slates of candidates obtain the same number of votes at a primary held for district delegates to a convention, and a tie vote thereby occurs, [any of such candidates, or the state chairman of the political party, may apply for] a recanvass of the returns SHALL BE MADE in the manner provided in section 9-445. [If no such application is made, or] If any such recanvass results in a tie vote, [the secretary of the state, in the presence of not fewer than three disinterested persons, and after notification to the candidates obtaining the same number of votes and the chairman of the state central committee of the party holding the primary of the time when and the place where such tie vote is to be dissolved, shall dissolve such tie vote by lot. The secretary of the state shall execute a certificate attesting to the result of the dissolution of such tie vote, and the person so certified or the slate so certified as having been chosen by lot shall be deemed to have received a plurality of the votes cast and shall be deemed to have been chosen as the nominee of such party to such office, or as such district delegates, as the case may be. If two or more candidates obtain the same number of

votes at a primary held to nominate candidates for a municipal 40
 office or to elect members of a town committee, or if two or more 41
 slates of candidates obtain the same number of votes at a 42
 primary held for delegates to a convention other than district 43
 delegates, and a tie vote thereby occurs, any of such candidates, 44
 or the town chairman of the political party, may apply for a 45
 recanvass of the returns in the manner provided in section 9-445. 46
 If no such application is made, or if any such recanvass results 47
 in a tie vote, the registrar, in the presence of not fewer than 48
 three disinterested persons, and after notification to the 49
 candidates obtaining the same number of votes, and the chairman 50
 of the town committee of the party holding the primary, of the 51
 time when and the place where such tie vote is to be dissolved, 52
 shall dissolve such tie vote by lot. The registrar shall execute 53
 a certificate attesting to the result of the dissolution of such 54
 tie vote, and each person so certified or the slate so certified 55
 as having been chosen by lot shall be deemed to have received a 56
 plurality of the votes cast and shall be deemed to have been 57
 chosen as the nominee of such party to such office or to have 58
 been elected as a member of the town committee or as delegates to 59
 the convention, as the case may be] A NEW PRIMARY AMONG THE 60
 CANDIDATES WHO OBTAINED THE SAME NUMBER OF VOTES GIVING RISE TO 61
 THE TIE VOTE SHALL BE HELD ONE WEEK FROM THE DATE OF SUCH 62
 RECANVASS. THE SAME OFFICIALS SHALL SERVE AT SUCH NEW PRIMARY AS 63
 SERVED AT THE PRIMARY GIVING RISE TO THE TIE VOTE AND THE SAME 64
 HOURS OF VOTING SHALL BE IN EFFECT AND THE SAME ENROLMENT LISTS 65
 UTILIZED.

STATEMENT OF PURPOSE: To provide that tie votes at primaries be 68
resolved by the holding of new primaries. 69

[Proposed deletions are enclosed in brackets and proposed 71
additions are all capitalized, or underlined where appropriate.] 73