

AN ACT PROMOTING VOTING SYSTEM ACCURACY, INTEGRITY AND SECURITY THROUGH VOTER-VERIFIED PAPER RECORDS.

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

Section 1. Section 9-242 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2006*):

(a) A voting machine approved by the Secretary of the State shall be so constructed as to provide facilities for voting for the candidates of at least nine different parties or organizations. It shall permit voting in absolute secrecy. It shall be provided with a lock by means of which any illegal movement of the voting or registering mechanism is absolutely prevented. Such machine shall be so constructed that an elector cannot vote for a candidate or on a proposition for whom or on which he is not lawfully entitled to vote.

(b) It shall be so constructed as to prevent an elector from voting for more than one person for the same office, except when he is lawfully entitled to vote for more than one person for that office, and it shall afford him an opportunity to vote for only as many persons for that office as he is by law entitled to vote for, at the same time preventing his voting for the same person twice. It shall be so constructed that all votes cast will be registered or recorded by the machine.

(c) Notwithstanding the provisions of subsection (b), the Secretary of the State may approve a voting machine which requires the elector in the polls to place his ballot into the recording device and which meets the voluntary performance and test standards for voting systems adopted by the Federal Election Commission on January 25, 1990, as amended from time to time, and regulations which the Secretary of the State may adopt in accordance with the provisions of chapter 54, provided the voting machine shall (1) warn the elector of overvotes, (2) not record overvotes and (3) not record more than one vote of an elector for the same person for an office.

(d)(1) A voting machine approved by the Secretary of the State for an election or primary held on or after January 1, 2006, shall be so constructed as to produce an individual, permanent, voter-verified paper record for each elector casting a vote on the machine. Each such record shall (A) be suitable for a manual audit of such voting machine as described in subsection (e) of this section, (B) be made available for inspection and verification by the elector prior to the elector casting the elector's official vote on the voting machine, and (C) be preserved in the same manner in which other election materials are preserved after the election.

(e) (1) After every election or primary in which any electronic voting machine is used, including any electronic voting machine or device approved for use in this state prior to January 1, 2006, the registrars of voters shall conduct a manual audit of the votes as recorded on at least one electronic voting machine in each voting district. Such manual audit shall be completed by comparing the votes as recorded on the voting machine and

any paper receipts produced by or as a result of votes cast on such voting machine. Such manual audit shall be completed within fourteen days after any election or primary. If such audit discloses a discrepancy that is likely to affect the outcome of the election or primary, the results of such audit may be used as prima facie evidence of such discrepancy in any contest relating to the election or primary pursuant to Chapter 149.

(2) Notwithstanding subdivision (1) of subsection (e), in an election or primary where any recanvass is required pursuant to chapter 148, the registrars of voters shall conduct a manual audit of all of the electronic voting machines used in the election or primary subject to the recanvass. Such manual audit shall be performed after any official recanvass as described in chapters 148 or 153 of the general statutes and any irregularities identified by the manual audit procedure conducted in accordance with this subsection that is noted by any candidate involved in the recanvass may be presented and considered as prima facie evidence of such irregularity in any contest relating to the election or primary pursuant to chapter 149.

(3) Nothing in this subsection shall preclude any candidate from seeking additional remedies pursuant to chapter 149.