



Office of the Secretary of the State
State of Connecticut
P.O. Box 150470, Hartford, CT 06115-0470

DENISE W. MERRILL
Secretary of the State
JAMES FIELD SPALLONE
Deputy Secretary of the State

October 26, 2016

To The Municipal Clerks Of Municipalities Holding November 8, 2016 Elections:

Re: Write-In Votes

Under Section 9-373a of the General Statutes, anyone who wants to be a write-in candidate for any state, district or municipal office (with the exception of someone who wants to be a write-in candidate for Representative Town Meeting member in a municipality whose RTM has 75 or more members) must register his/her candidacy with the Office of the Secretary of the State by 4:00 p.m. on October 25, 2016. (RTM member write-in candidates in municipalities with RTM's having 75 or more members register their candidacies with the Town Clerk, and the deadline is the last business day preceding the election.) In addition, pursuant to Section 9-175, a write-in candidate for President of the United States must submit his/her name, the name of a Vice Presidential candidate, and the names of candidates for the office of Presidential Elector. Enclosed is a list of persons who registered with the Office of the Secretary of the State as write-in candidates for the offices to be contested at the election to be held in your municipality on November 8, 2016. The law does **not** permit posting of the list of registered write-in candidates at the polls. It is the opinion of this office, however, that if an elector asks for the names of registered write-in candidates, the election officials may show an exact copy of the enclosed list to him/her without comment.

A. WRITE-IN ROW ON BALLOTS:

All official ballots and absentee ballots will have a write-in row at the bottom of the ballot. In order to cast a vote for a write-in candidate a voter must fill in the oval in the appropriate column on the ballot and write-in the name of the write-in candidate on the ballot. Therefore, even if you do not have registered write-in candidates in your municipality, your ballots will include a "write-in row". It is very important that you indicate to your poll workers responsible for counting ballots the names, if any, of the registered write-in candidates.

B. WRITE-INS ON ABSENTEE BALLOTS--WHEN ELECTOR WRITES IN NAME OF NOMINATED CANDIDATE

1. Write-in votes for candidates who are not validly registered write-in candidates should not be recorded or counted. However, with regard to write-ins of nominated candidates on the ballots, Section 9-265(b) of the General Statutes provides that a write-in vote cast for a person nominated for a single-opening office by a major or minor party, or by nominating petition, shall be counted and recorded. Write-in votes for such nominated candidates cast on absentee ballots should be counted and included in the "Absentee" totals for that candidate on the Tally Sheet.

2. In the case of a write-in vote cast on a ballot for a nominated candidate to a multiple-opening office, such candidate's name shall be deemed to have been checked on such ballot and one vote shall be counted and recorded for such candidate for such office. Also, the General Statutes provide that the intent of the voter shall govern in the counting of ballots. Consequently, a write-in vote, cast on a ballot for a nominated candidate for a multiple-opening office should be counted if the elector did not also cast a second vote for that candidate by means of marking the oval corresponding to the name of such candidate on the ballot. If the elector did also cast a second vote for that candidate by means of marking the oval corresponding to the name of such candidate then one, and only one vote should be counted for the candidate. (Applies only in Berlin, Darien and Stamford).
 3. Write-in votes for nominated candidates should be counted even if the candidate's name is not complete or is misspelled, provided the election officials could determine the identity of the candidate. Also, the Connecticut Supreme Court has ruled that a write-in of the number and letter of a candidate's placement on the ballot must be counted. In re Election of U.S. Representative for the Second Congressional District, 231 Conn. 602, 667 (1994). (See Examples in the Procedure Manual for Counting Absentee Ballots.)
 4. Any write-in votes on an absentee ballot for a nominated candidate should be included in the "Absentee" totals for that candidate on the Tally Sheet (and are not entered under "Write-in Ballots for Registered Write-in Candidates).
 5. Write-in votes for registered write-in candidates for President and Vice President for the United States or candidates for President and Vice President listed on the ballot should be counted as follows:
 - A write-in vote cast for President or Vice President in conjunction with a write-in vote for the other such office cast for a person nominated by a different party or petition should not be counted for either office. Examples: A write-in vote for Clinton/Pence; Trump/Kaine will not be counted and recorded for either office.
 - A write-in vote cast for President or Vice President should be counted as a vote for each of the candidates for the office of Presidential Elector represented by such candidate for President or Vice President. Example: A write-in vote for "Pence" will be counted as a vote for the office of Presidential Electors for Trump/Pence. Likewise, "Kaine" counts for Clinton/Kaine, etc.
- C. A prescribed form for Return of Votes Cast at a State Election will be sent to the Registrar of Voters shortly.**

- D. A copy of this letter should be distributed to all moderators at polling places and at absentee ballot central counting locations with the other election materials given to the moderators before the polls open.**

Please do not hesitate to contact this office at (860) 509-6100 if you have any questions.

Sincerely,

Denise W. Merrill
Secretary of the State

(By: )

(Ms.) O. P. Williams
Elections Officer
Legislation & Elections
Administration Division

Cc: Registrars of Voters

[G\write-in\2016\write-in election 11/8/2016]