

Ballot Access Report  
by Andy Gottlieb

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Biography

I received my bachelor’s degree from Wesleyan University and my master’s in international relations and economics from the Johns Hopkins School of Advanced International Studies. I interned in the Washington office of United States Senator Chris Murphy and was a Robert Schuman Trainee for the European Parliament in Brussels, where I was posted to the Civil Liberties, Justice and Home Affairs Committee Secretariat. In that position, I performed legislative and policy research, and organized a committee hearing. I participated in former U.S. senator Russ Feingold’s Workshop on Electoral Reform at the Yale Policy Lab in 2018. I served as an election officer for the Australian Consulate-General in New York, helping Australian expatriates cast their ballot in the 2019 federal election.

I’ve volunteered for Democratic political campaigns in every state/federal election cycle since 2010. In 2018, I ran for state Senate in Connecticut’s 12<sup>th</sup> District, personally encountering Connecticut’s system of primary ballot access.

I believe my academic, legislative, policy and political experience qualifies me to write this expert report.

Methodology

To my knowledge, no one has previously compiled primary ballot access procedures for all 50 states in such detail. I studied exactly how Democrats running for the state legislature, Congress or the governorship get on the primary ballot. I started by looking at publicly available information on the websites of each state’s top election authority (secretaries of state, state boards of elections, lieutenant governors, etc.). I also delved into statute books, party websites and media reports when necessary. If unable to ascertain important points – most often concerning the crucial detail of when candidates can start petitioning – I contacted state election officials directly via email to get a specific answer. In total, I corresponded with election officials across 23 states.

In addition to describing the bare procedures, one of my chief goals was calculating the signatures per day needed to get on the ballot in states that allowed petitioning.<sup>1</sup> For some states those numbers were fairly straightforward: a fixed number of signatures within a fixed number of days. For the others, I always aimed to provide the most accurate possible representation. When signature requirements were based on a percentage of a particular population, I used the figures from the most recent applicable election, and calculated an average for state legislative and U.S. House districts.<sup>2</sup> Whenever a petition requirement gave the option of a fixed number of signatures or a percentage (generally qualified by “whichever is less”), I went with the fixed number, as that would be the maximum number of signatures ever needed (except for North Dakota, whose district fixed ceiling will only be reached if the state more than doubles in population).

The requirements on number of days varied considerably. I denoted any state verified as having no start date as “unlimited.” In other words, there is of course a deadline to submit petitions, but candidates are allowed to start gathering signatures as early as they wish, even years in advance. Some states have start and end dates that are clearly set out by statute, but still vary with the calendar. For instance, in Colorado, the start date is the third Tuesday in January and the deadline is the third Tuesday in March. In cases like these, I used the dates from the most recent election as my reference. I even took care to avoid counting leap days for offices that would never possibly encounter them. For instance, the petition period in Maine is January 1 to March 15 (or the next business day if the deadline falls on a weekend); thus a gubernatorial candidate (elected in years not divisible by four) would never enjoy the extra day candidates for other offices got in 2016 or 2020. I also devoted extra time to understanding why Rhode Island’s petition period was most commonly 10 days long (the figure I ended up citing), but occasionally was nine or 13 days. I discovered, surprisingly, that this was based on how the election calendar interacted with the Fourth of July and Rosh Hashanah in particular years. Another difficult case was Utah, which establishes a start date of the first business day of the year, with a deadline of two weeks before the candidate’s convention, which can take place anytime in late March or April. The statewide convention is always in late April (and nominates federal, statewide and multi-county legislative candidates), but the question of how to fairly incorporate single-county legislative candidates required more investigation. I settled on a baseline with the blessing of the lieutenant governor’s office, which oversees elections in the state. In other states, such as New Jersey and Indiana, the date for releasing petitions is more of a vague administrative decision by election officials (i.e., early January in New Jersey), and I consulted with those officials to determine a typical date.

In any case, I can assure the court that these slight yearly variations would not affect Connecticut’s relative ranking for any office.

I also calculated a population-adjusted version of signatures per day – percentage of eligible signers needed per day – in order to more holistically compare Connecticut’s five percent in 14 days and two percent in 42 days requirements. For states which didn’t already have similar percentage requirements, I calculated a percentage based on the fixed or average numbers already discussed, out of total population of eligible signers. The signing pool was most often either registered Democrats or registered voters in the district or state; uniquely in Iowa, anyone

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<sup>1</sup> I only included petitioning requirements when they were available to all candidates, regardless of financial circumstances. I thus did not include petitions in lieu of filing fee that were only available by declaring oneself indigent.

<sup>2</sup> Signature calculations can be seen in the ‘Miscellaneous Calculations’ sheet.

eligible to vote, even if they're not registered, is allowed to sign petitions. While "percentage of eligible signers per day" may admittedly sound more abstract than raw signatures per day, I think it gives a good sense of the relative difficulty of finding signers under vastly different circumstances (i.e., a California Senate district of approximately one million people versus a Connecticut Senate district of approximately 100,000 people).

While the ballot access data is my own original research, the primary competitiveness data is mostly that of Ballotpedia, the widely cited and self-described "Encyclopedia of American Politics." Ballotpedia has publicly accessible data on primaries in the 2014, 2016, 2018 and 2020 election cycles. I utilized their state total competitiveness percentages (how many primaries were contested out of all available offices) for 2018 and 2020. Ballotpedia had the data for 2014 and 2016 as well, but not already calculated, which I did myself, consistent with the calculations Ballotpedia performed in 2018 and 2020. Based on these percentages, I created tables and charts showing the relative competitiveness ranking of states each year. I excluded states with top-two primaries (meaning all Democrats and Republicans run together in a single election), as these rates generally seemed unfairly high for purposes of comparison with states with discrete Democratic and Republican primaries. I also excluded states which did not hold legislative elections in those years, in order to most clearly and consistently compare states with sizable samples of offices (and to avoid, for instance, having to arbitrarily determine whether a 2019 election should count as the 2018 or 2020 cycle). I can assure the court that the inclusion of these states would not have affected Connecticut's relative ranking.

I will note that I included totals comprising both Democratic and Republican primaries in the competitiveness figures. I did this to be consistent with Ballotpedia's existing calculations and for consistency of comparison, so as to avoid having states with overwhelming Republican dominance appear as if they had no primaries whatsoever. In all, I believe this provides a holistic snapshot of competitiveness in each year.

Based on the same data, I also calculated the average number of candidates running in each state's primaries, in order to see whether any states faced an overwhelming number of candidates on the ballot.

I did correspond with Ballotpedia, pointing out a number of minor errors I found in their data compilation (all such emails included in discovery). Ballotpedia corrected most of the errors I brought to their attention, and acknowledged some editorial inconsistency between how they counted races in 2014 and 2016 versus those in 2018 and 2020. Having ascertained this, I ensured that my distillation of their data was consistent with their more rigorous 2018/2020 standards.

Finally, I created a chart of Connecticut's primary rates going back all the way to 1986, in order to compare the nine elections before *Campbell v. Bysiewicz* with the nine elections since. I used the publicly available figures on the secretary of the state's website which go back to 1998, as well as a Federal Election Commission report to verify congressional figures for 2000. For 1990, 1992 and 1994, I used a study from the Connecticut General Assembly's Office of Legislative Research. For 1986, 1988 and 1996, I relied on contemporary newspaper reports from *The New York Times*, *The Hartford Courant* and *The New London Day*, respectively.

While I share some of the most important charts and figures below, I highly encourage the court to review the full dataset in the accompanying 'Ballot Access by State' and 'Primary Competitiveness' files.

## Findings

Connecticut has the most restrictive primary ballot access laws in the nation. This is indisputably the case for district offices (state representative, state senator and U.S. representative). Connecticut ranks second or third for offices elected statewide (governor and U.S. senator), depending on the parameters used.

Candidates who fail to meet the minimum delegate threshold of 15% (or 50% plus one for single-town legislative districts) must petition their way onto the primary ballot. Connecticut requires petitioning candidates for the offices of state representative and state senator to obtain the signatures of five percent of all registered Democrats in their district within a mere 14 days. Petitioning candidates for U.S. representative and all statewide offices, including U.S. senator and governor, are required to obtain the signatures of two percent of all registered Democrats in their constituency within 42 days.

Connecticut's status as most restrictive is shown most starkly for the office of state senator. Below is a comparison of all states that allow petitioning, organized by signatures per day needed for a Democratic candidate:

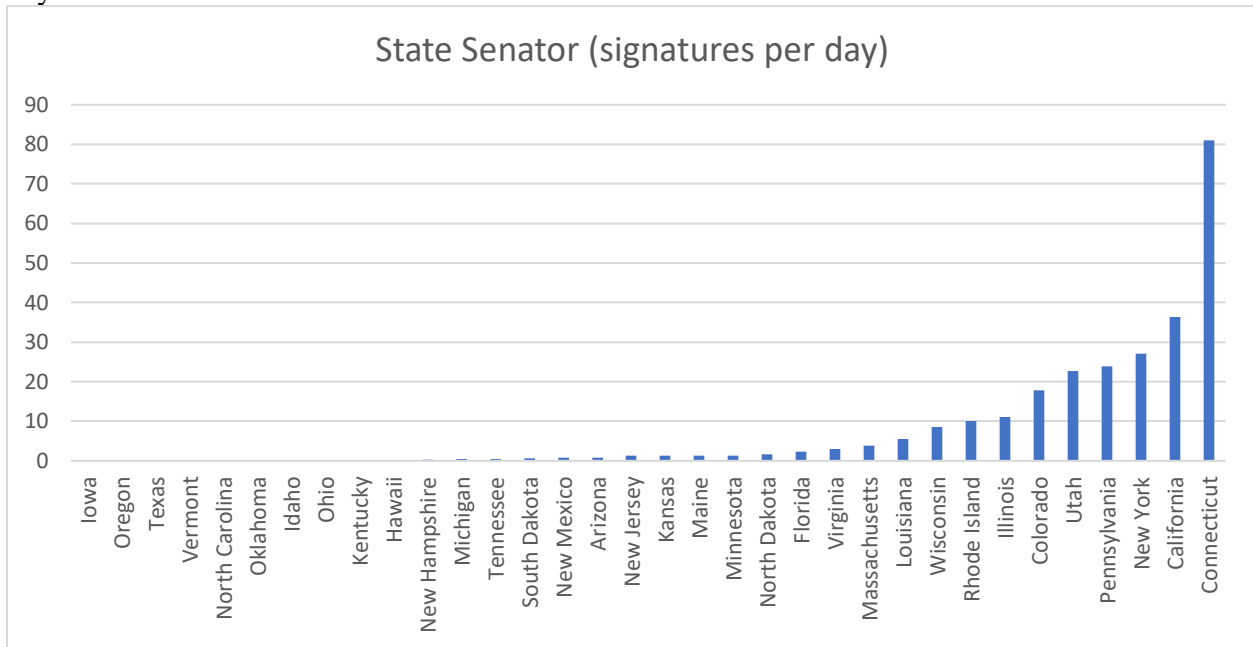


Figure 1

Adjusted for population, the results are even clearer:

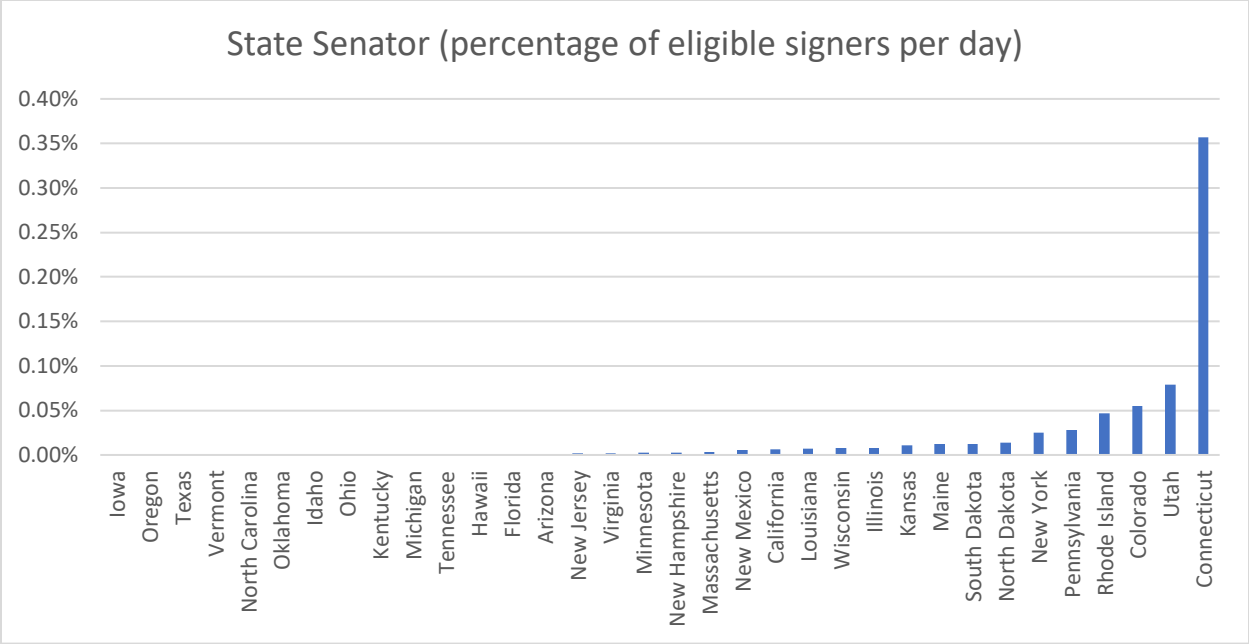


Figure 2

Connecticut’s requirements of approximately 81 signatures per day for state Senate are a complete outlier. Shockingly, it even eclipses Connecticut’s requirements of approximately 78 signatures per day for the average U.S. House seat. And because Connecticut requires more signatures per day to run for U.S. House than any other state (see below), this also means that it takes more signatures per day to run for the average state Senate seat in Connecticut than it does to run for U.S. House in any state in the country. The percentage of eligible signers per day for the Connecticut General Assembly is 0.357% (five percent divided by 14 days), which vastly exceeds the requirements for any of the offices studied in any state.

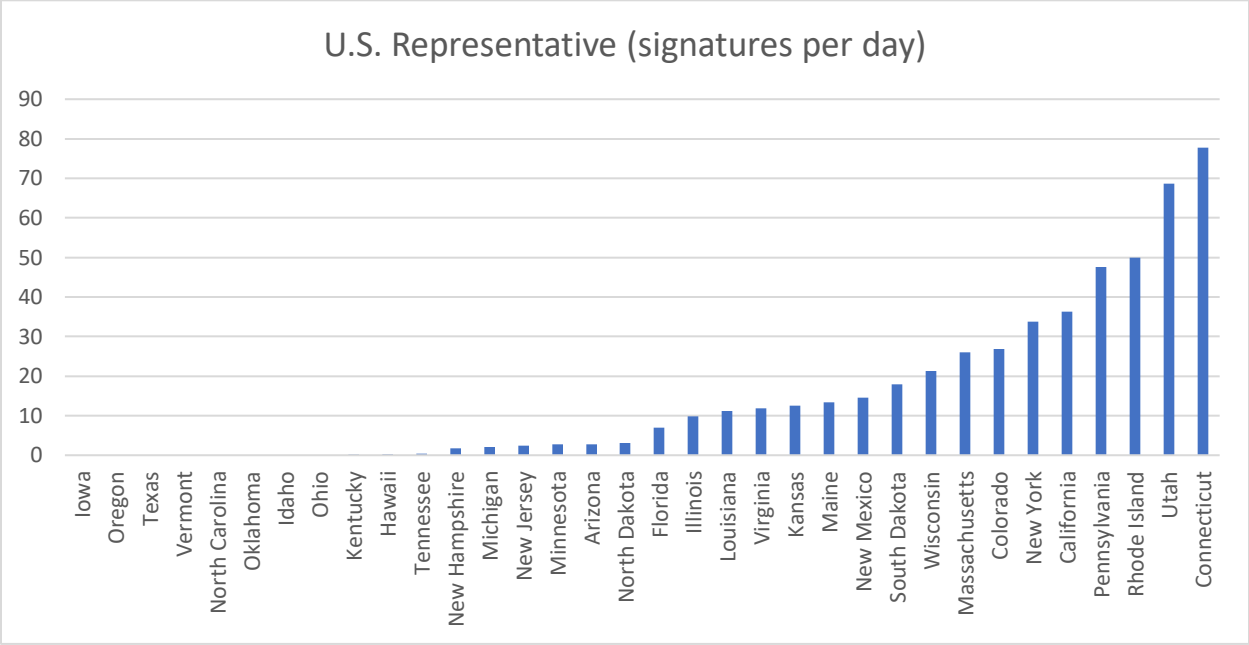


Figure 3

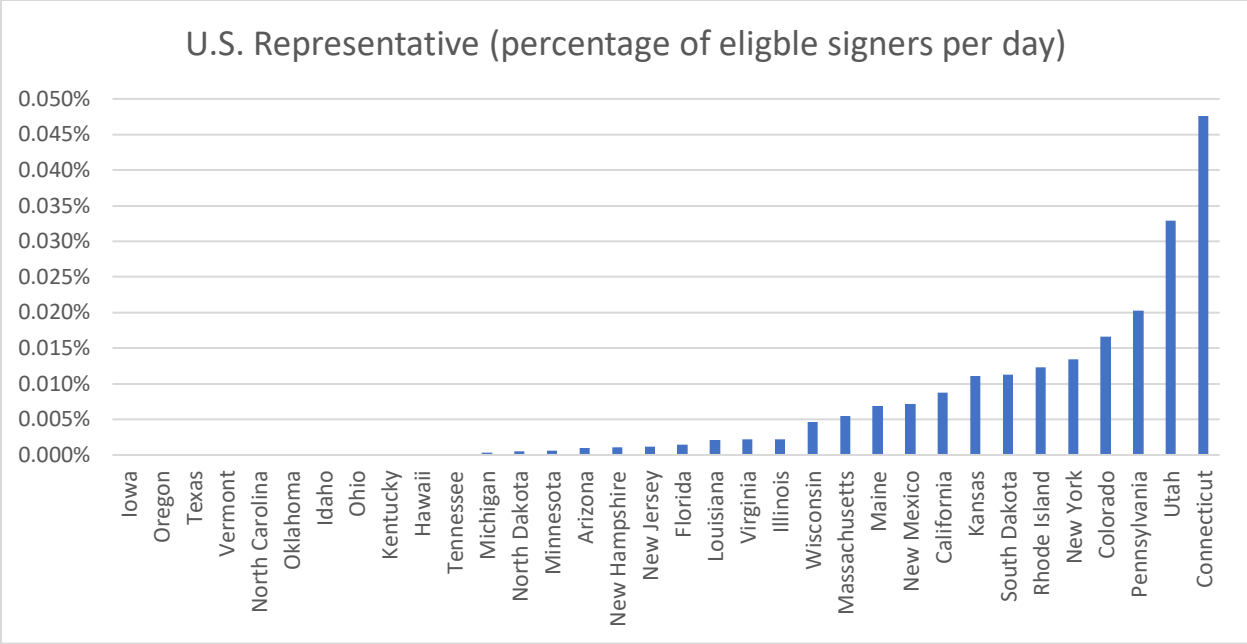


Figure 4

The petitioning figures for governor and U.S. senator are almost identical to each other, given that most states impose the same requirements for statewide offices. Connecticut comes second only to New York for signatures per day, but reclaims first place when adjusted for population.

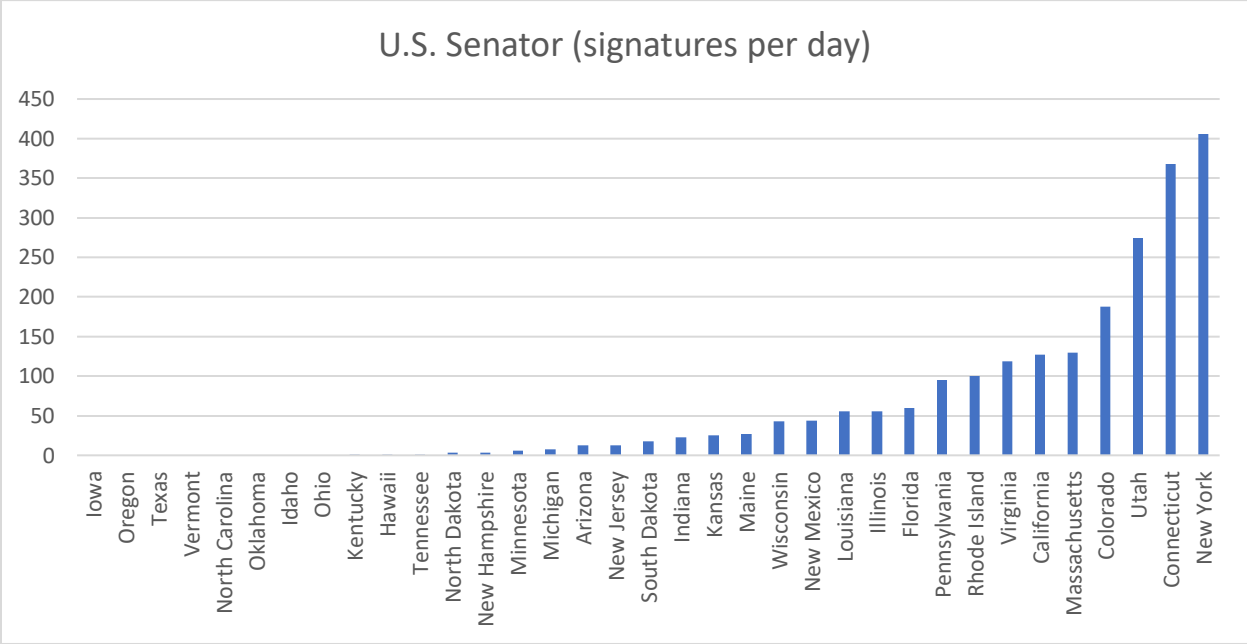


Figure 5

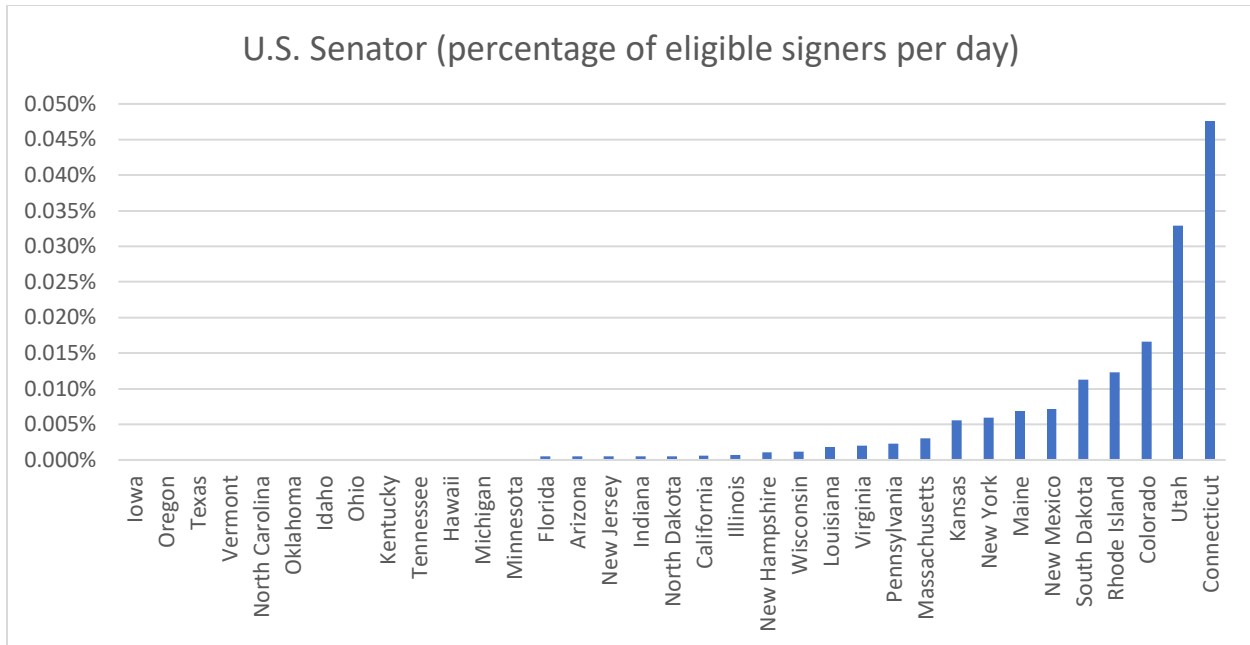


Figure 6

The only wrinkle here is that Massachusetts actually has the most restrictive requirements, a fact not reflected in the numbers. While Massachusetts has a simple signature requirement for district offices, one additional hurdle is imposed on statewide candidates. After gathering signatures, all candidates for the Democratic nomination must subsequently obtain 15% of delegates at the state convention. Only then can candidates be allowed on the primary ballot. This is not mandated by statute, but is rather a rule of the state Democratic Party. Since there's no way around the 15% requirement, I rank Massachusetts as most restrictive for statewide office, followed by either New York or Connecticut.

In total, four states use some form of convention to determine ballot access for all five offices studied: Connecticut, Utah, Colorado and North Dakota. New Mexico uses conventions for U.S. House and statewide offices, while New York and Massachusetts use conventions for statewide offices only. Except for the Massachusetts exception noted above, these states all allow candidates to petition onto the ballot if unable to meet the convention threshold.

Uniquely, Virginia gives the major parties two options for how to nominate their candidate: either hold a primary or hold a convention. The decision is made by the relevant state or district party committee. Until the so-called Incumbent Protection Act was struck down by a federal judge in 2018, incumbent officeholders had the ability to choose the nomination method for their seat in lieu of party committees.<sup>3</sup> In recent history, Democrats have nominated all statewide candidates, as well as the vast majority of district candidates, using the primary method.<sup>4</sup> For this reason, I don't consider it the most restrictive, although it certainly bears

<sup>3</sup> [https://roanoke.com/news/politics/federal-judge-strikes-down-state-incumbent-protection-law/article\\_9f5da6b4-f4da-5adc-90bf-d30d04a044b9.html](https://roanoke.com/news/politics/federal-judge-strikes-down-state-incumbent-protection-law/article_9f5da6b4-f4da-5adc-90bf-d30d04a044b9.html)

<sup>4</sup> <https://centerforpolitics.org/crystalball/articles/are-primaries-or-conventions-more-successful-for-a-party/>  
<https://www.elections.virginia.gov/media/formswarehouse/becomingacandidate/primary/2019-JunePrimaryCombined-Order-List.pdf>  
<https://www.elections.virginia.gov/media/formswarehouse/becomingacandidate/primary/Signed-Order-to-Call-Primary-06.09.20.pdf>

mention. Lastly, Iowa has one notable (if seldom used) procedure, employing a post-primary convention to decide the nomination in the event that no candidate in the primary election wins at least 35% of the vote.

Outside of these nine states that at least sometimes use conventions, the ballot access requirements are much simpler. The remaining 41 states mandate either filing fees, petitioning or some choice or combination of the two. The only exception is Indiana's procedure for district offices, which require no filing fees or petition signatures (or delegates); candidates for the state legislature and the U.S. House merely fill out the relevant paperwork and are placed on the ballot. Indiana does, however, require signatures when seeking the statewide offices of governor and U.S. senator.

Of the 35 states that use petitioning as part of the process, Connecticut's 14- and 42-day timeframes are strikingly low, particularly considering the high quantity of signatures required. Only Rhode Island's window of 10 days is shorter (for a vastly smaller number of signatures). The other relatively short periods are Pennsylvania's 21 days and New York's 37 days. All other states allow more time than Connecticut, often substantially more, on the scale of months or even years. In Arizona, candidates can start collecting signatures the day after the last general election. In Florida and Michigan, signature gathering can take place for almost the entire length of the current term of the office the candidate is seeking. For instance, candidates for U.S. Senate in those two states can petition for nearly six years. In eight states, candidates can petition for a theoretically unlimited amount of time (again, meaning that there's a deadline, but no start date). When I verified this with state election officials, they generally recommended that candidates not begin petitioning too early, since the signatures would still need to be valid by the time they're submitted (and voters could move or otherwise become disqualified in the meantime). But as a matter of law, it's perfectly permissible for candidates in those eight states to begin petitioning as early as they wish.

Connecticut nearly stands alone in its percentage standards as well. Only North Carolina, New Mexico, Oklahoma, Kansas and Utah have statutory or effective petitioning percentages of at least two percent, and all those states allow much more time than 14 or 42 days. North Carolina and Oklahoma fittingly allow an unlimited amount of time, Kansas 180 days, New Mexico 161 days and Utah roughly between 88 and 102 days, depending on the office.



Connecticut consistently ranks at or near the bottom of primary competitiveness. For the 2020 cycle, Connecticut was last in the nation, with only 4.2% of available offices holding primaries. Connecticut was third-to-last in 2018, last in 2016 and second-to-last in 2014.

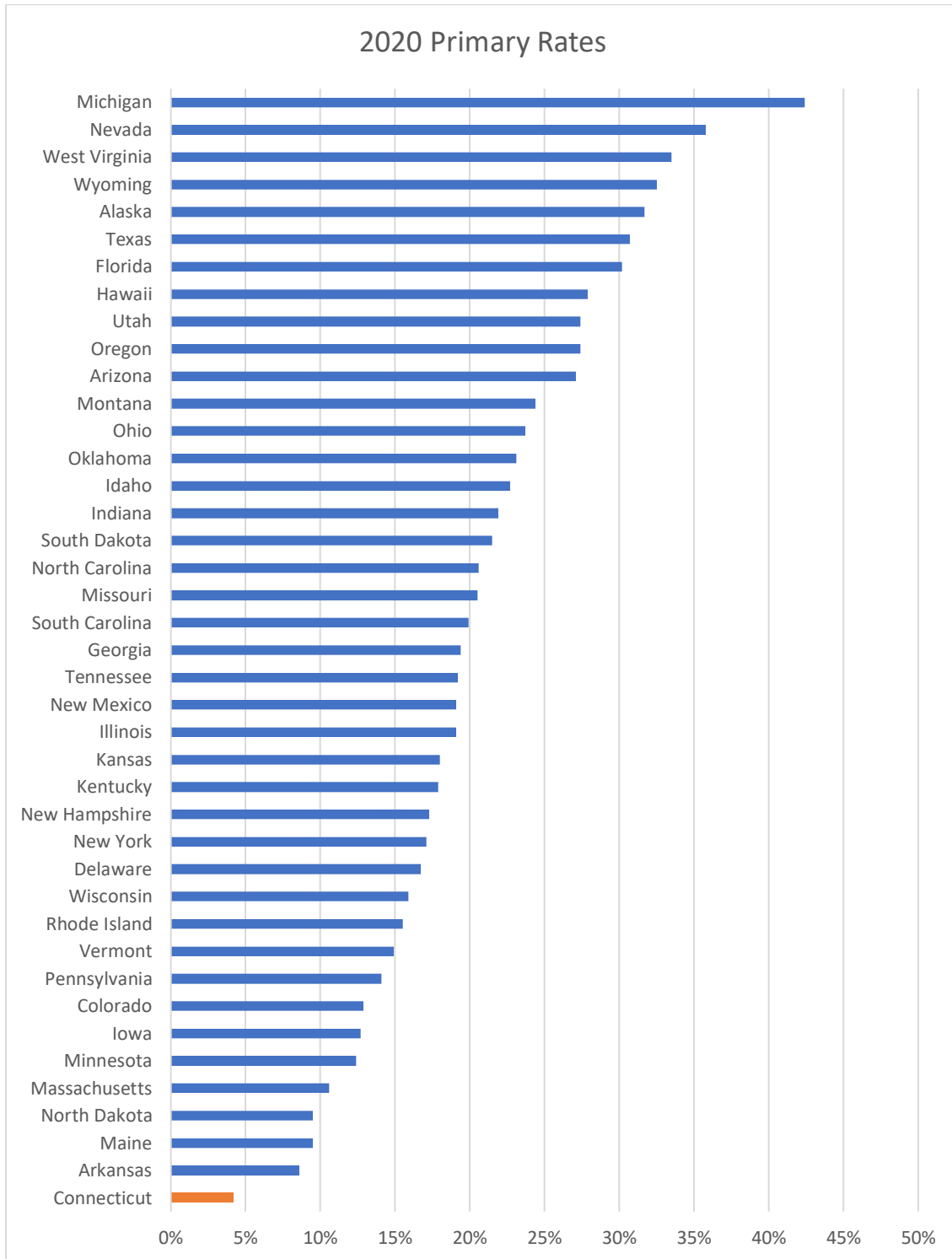


Figure 7

While there are of course many variables in how many primaries are held in a given state each year (the state and national political environments, ideological divisions, candidates’ personal circumstances, etc.), it is remarkable that Connecticut’s primary rate is so consistently anemic. While Connecticut’s overall ranking is the most salient fact, I do find it telling that even Arkansas, the state with the largest filing fees in the nation (ranging from up to \$3,000 to run for state representative to \$12,000 for a statewide office), has a higher primary rate.

Beyond a state-by-state comparison, Connecticut’s primary rate is just a fraction of the national average. In 2020, for instance, the national primary rate for all legislative, executive and congressional seats was 20.4%, as opposed to Connecticut’s 4.2%. The primary rate for incumbents is even more staggering; 23.1% of all incumbents in the nation faced a primary compared to just 2.8% in Connecticut. This is a pattern that has repeated itself year after year.

It does not appear as if any state faces a deluge of candidates on the ballot, even states with relatively liberal requirements. No state with separate Democratic and Republican primaries even comes close to having an average of just two candidates on the ballot. In 2020, the average number of candidates in a primary reached a high of 1.8 in Michigan. While there will of course be individual races that attract many candidates, these averages demonstrate that it’s not a systemic issue for any state.

Finally, the historical primary rates for Connecticut show that the last four election cycles were hardly flukes. Most surprisingly, even after *Campbell v. Bysiewicz* forced the legislature to allow petitioning for all offices in 2003, the average primary rate did not go up.

Year	1986	1988	1990	1992	1994	1996	1998	2000	2002
Primaries	32	24	25	52	29	8	19	8	11
Seats	200	194	199	194	200	193	200	194	198
Percentage	8.0%	6.2%	6.3%	13.4%	7.3%	2.1%	4.8%	2.1%	2.8%
									Pre-Campbell Average:
									5.9%
Year	2004	2006	2008	2010	2012	2014	2016	2018	2020
Primaries	12	16	19	32	20	21	12	35	16
Seats	193	199	192	199	193	198	193	199	192
Percentage	3.1%	4.0%	4.9%	8.0%	5.2%	5.3%	3.1%	8.8%	4.2%
									Post-Campbell Average:
									5.2%

Figure 8

This is all the more striking considering that the Citizens’ Election Program was implemented in 2008, allowing the public funding of campaigns for the General Assembly and state constitutional offices. Connecticut’s program has been cited as a “national model,” significantly leveling the playing field between incumbents and challengers.<sup>5</sup> Primary candidates are eligible to receive equal monetary grants, but qualifying is dependent on ballot access.<sup>6</sup> Even with these incentives to run, Connecticut’s primary rate has not budged.

<sup>5</sup> <https://ctmirror.org/2020/09/14/new-study-cts-citizens-elections-program-has-become-a-national-model-for-clean-elections/>

<sup>6</sup> <https://seec.ct.gov/Portal/data/Publications/Guidebooks/2020CEPGuide.pdf#page=49>

Connecticut still maintains another distinction from the pre-Campbell v. Bysiewicz era: no incumbent U.S. House member has ever faced a primary.<sup>7</sup> Indeed, Connecticut is the only state in the nation where this is the case.<sup>8</sup> In the last few election cycles, the nationwide primary rate for U.S. House incumbents has hovered around 50%, further underlining that primaries are a normal and unremarkable occurrence in most states.

## Historical Background

In 1955, Connecticut became the last state in the country to establish primaries. It was a contentious and confused legislative process, with the bill purportedly being lost as it ping-ponged between the House and Senate.<sup>9</sup> Of one primary proposal circulating that year, Governor Abe Ribicoff stated that he had never seen a measure “so designed to promote political skullduggery and political blackmail.”<sup>10</sup> Though much has changed since then, that same ethos still pervades ballot access in Connecticut.

As the court is well aware, Judge Peter Dorsey struck down the byzantine 1955 framework in the landmark 2003 case of Campbell v. Bysiewicz, leaving it to the legislature to rewrite the law.<sup>11</sup> Then-Secretary of the State Susan Bysiewicz and then-Attorney General Richard Blumenthal subsequently appeared before the General Assembly to introduce their proposal for replacing the ballot access system.<sup>12</sup> Their draft bill featured petitioning requirements of two percent of party members within three months (starting the first business day of the year and ending in late March) for state and federal candidates, while instituting the five percent within 14 days standard for all state legislative candidates.<sup>13</sup> Several witnesses testified in the committee hearing that the proposed five percent in 14 days was unjustifiably burdensome. Among them were the lead plaintiff and his counsel in Campbell v. Bysiewicz.

Secretary Bysiewicz herself acknowledged that she had received many comments urging that legislative candidates also be allowed to start petitioning in January; she conceded that “the Committee may want to consider that issue as we go forward.” When questioned over the five percent figure, Bysiewicz stated:

“The thought was that for a single town district the five-percent figure appeared to be working well, it did not appear to be onerous on candidates. We asked all the town clerks and the registrars of voters to let us know if there were many candidates who had their candidacies foiled because they couldn’t reach the five-percent. We did not get back any significant anecdotal evidence that, that was the case. So we thought that we would leave the five-percent in place because it appeared to be working well...”

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<sup>7</sup> <https://law.justia.com/cases/federal/district-courts/FSupp2/213/152/2362123/>

<sup>8</sup> Forty-five states have held at least one primary against an incumbent U.S. House member since 2014, as reflected in Ballotpedia’s [data](#). The remaining four are Delaware ([1990](#)), Maine ([1974](#)), Montana ([2010](#)) and North Dakota ([1990](#)).

<sup>9</sup> <https://www.cga.ct.gov/2002/rpt/2002-R-0142.htm>

<sup>10</sup> [https://thesis.library.caltech.edu/7756/1/Dissertation\\_Sinclair\\_JAndrew\\_finalapproved052413.pdf#page=82](https://thesis.library.caltech.edu/7756/1/Dissertation_Sinclair_JAndrew_finalapproved052413.pdf#page=82)

<sup>11</sup> <https://law.justia.com/cases/federal/district-courts/FSupp2/242/164/2440219/>

<sup>12</sup> <https://www.cga.ct.gov/2003/gaedata/chr/2003GAE00210-R001330-CHR.htm>

<sup>13</sup> <https://www.cga.ct.gov/2003/tob/h/2003HB-06372-R00-HB.htm>

Five percent in 14 days was therefore based not on comprehensive investigation or outreach to candidates, but merely on the lack of “significant anecdotal evidence” from town clerks and registrars. It’s also important to note that, by that time, there were no single-town Senate districts in existence, so town clerks and registrars would not have contemporary experience with petitioning efforts of a much larger magnitude.<sup>14</sup> Even in the prior two decades, there was just one single-town Senate district in the entire state.<sup>15</sup>

Secretary Bysiewicz went on to say, “[P]ersonally I’ve got no problem if you wanted to lower the percentage... You should listen carefully to some of the, perhaps some of the plaintiffs in the lawsuit or some of the members of the public who have tried this and see what their feeling is.”

The General Assembly declined to heed these warnings, instead going in the direction of further restrictions. By the time the bill reached the governor’s desk, five percent in 14 days was untouched, but the petitioning period for federal and statewide candidates had been halved to only 42 days.<sup>16</sup>

## Conclusions

Fifteen years after this system became law, I experienced Connecticut’s ballot access rules firsthand in my campaign for state Senate. I did my utmost to get on the Democratic primary ballot, but was still unsuccessful. Running for office has been a lifelong goal; I didn’t declare my candidacy on a flight of fancy, but rather out of a sincere and thought-out desire to change public policy for the better. I wanted to put my ideas to the people and see if they agreed, a right I cherished as an American citizen and an ardent believer in democracy. But that opportunity was denied to me, as it has been to so many other candidates and potential candidates in this state.

The extraordinary ballot access restrictions and the paucity of primaries in Connecticut merit strict scrutiny of the state’s electoral system. Connecticut goes far beyond keeping frivolous candidates off the ballot – it keeps candidates off the ballot, period. The General Assembly is extremely unlikely to ever voluntarily reform the system; after all, it wrote the law which insulates state legislators more than anyone else. This self-perpetuating closed political framework cries out for strong judicial intervention.

The Supreme Court has recognized five percent as unusually high, but lying just within the constitutional limit of thresholds for ballot access.<sup>17</sup> That comports with my findings, and I make no claim that five percent in and of itself is unconstitutionally burdensome. What I do dispute is the artificially and irrationally short timeframe. If the state is serious in its claim that candidates must demonstrate a significant modicum of support, why disallow the ability to demonstrate that support by imposing such a late start date? Even amidst the stressful circumstances of those fateful 14 days, I greatly enjoyed talking to voters; I only wished I had more time to do so. Two percent in 42 days remains an exceedingly troubling standard as well, pushing Connecticut into the stratosphere of signature collection.

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<sup>14</sup> <https://law.justia.com/cases/federal/district-courts/FSupp2/213/152/2362123/>

<sup>15</sup> [https://portal.ct.gov/-/media/SOTS/ElectionServices/StatementOfVote\\_PDFs/1992SOVpdf.pdf](https://portal.ct.gov/-/media/SOTS/ElectionServices/StatementOfVote_PDFs/1992SOVpdf.pdf)  
[https://portal.ct.gov/-/media/SOTS/ElectionServices/StatementOfVote\\_PDFs/1982SOVpdf.pdf](https://portal.ct.gov/-/media/SOTS/ElectionServices/StatementOfVote_PDFs/1982SOVpdf.pdf)

<sup>16</sup> [https://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=6372&which\\_year=2003](https://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=6372&which_year=2003)

<sup>17</sup> <https://supreme.justia.com/cases/federal/us/403/431/>

The flimsy to nonexistent justification for Connecticut’s ultra-restrictive petitioning requirements – including the fact that it takes more signatures per day to run for state Senate than for U.S. House – brings to mind *Illinois State Board of Elections v. Socialist Workers Party* (1979).<sup>18</sup> As Justice Thurgood Marshall wrote in the majority opinion:

“States must adopt the least drastic means to achieve their ends. This requirement is particularly important where restrictions on access to the ballot are involved. Since the State has determined that a smaller number of signatures in a larger political unit adequately serves its interest in regulating the number of candidates on the ballot, the signature requirements for independent candidates and political parties seeking offices in Chicago are clearly not the least restrictive means of achieving the same objective. Appellant State Board of Elections has advanced no reason, much less a compelling one, why the State needs a more stringent requirement for elections in Chicago than for statewide elections.

Prior invalidation of Illinois’ rules regarding geographic distribution of signatures tied the requirements for both city and state candidates solely to a population standard. However, while this may explain the anomaly at issue here, it does not justify it. Historical accident, without more, cannot constitute a compelling state interest.”

I believe that the solution to Connecticut’s ballot access problem is simple: allow petitions to be circulated starting the first business day of each election year. Candidates would still be required to gather an immense number of signatures by national standards, but would now have sufficient time to do so. January 2 is a commonsense benchmark, preventing any confusion with other election cycles. With the same mid-June deadline, respecting the state’s concern last year about time needed to print and mail ballots, candidates would have approximately 160 days to petition.

Federal and statewide candidates are currently allowed to start gathering signatures before their conventions; this has hardly upended Connecticut’s strong party system. Now legislative candidates would be given that same ability. The party establishment would continue to exert influence on the nominating process. The convention-endorsed candidate would still enjoy multiple advantages, including automatic ballot access and, perhaps most importantly, the coveted first row on the primary ballot.

Moving the start date to the first business day of the year would not appear to be a bureaucratic burden for the Secretary of the State’s Office. As Director of Elections Ted Bromley pointed out last year in *Libertarian Party v. Merrill*, petitions for independent and third-party candidates are already available at that time.<sup>19</sup>

In almost no other state is getting on the primary ballot such a next-to-impossible or even a knife-edge process. I am not asking the court for a “fair shot” at the nomination of my party; the petitioning candidate will always face structural disadvantages. I am not asking for a reduction in the number of signatures. I’m more than happy to talk to as many voters as it takes; I’d even prefer to have longer and more substantive conversations with potential constituents, instead of having to rush off to get my next signature. All I ask for is the time to do the job the state has prescribed, so I can move beyond ballot access and do the hard work of politics.

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<sup>18</sup> <https://supreme.justia.com/cases/federal/us/440/173/>

<sup>19</sup> [https://www.cga.ct.gov/current/pub/chap\\_153.htm#sec\\_9-453b](https://www.cga.ct.gov/current/pub/chap_153.htm#sec_9-453b)