

1 S.51

2 Introduced by Senators Rodgers, Benning, McAllister, Starr, and White

3 Referred to Committee on

4 Date:

5 Subject: Elections; conduct of elections; election results; town clerks;

6 Secretary of State

7 Statement of purpose of bill as introduced: This bill proposes to require town
8 clerks to report unofficial election results immediately on the Secretary of
9 State's online elections reporting system and to require those results to be
10 posted on the Secretary of State's website as soon as they are submitted.

11 An act relating to the immediate reporting of election results to the
12 Secretary of State

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 17 V.S.A. § 2588 is amended to read:

15 § 2588. FILING RETURNS

16 (a) In towns that count all ballots by hand, as the count of votes for each
17 office or public question is completed, the presiding officer and at least one
18 other election official shall collect the tally sheets, enter the totals shown on
19 the tally sheets upon the summary sheets, add and enter the sum of the figures,

1 and sign the summary sheets. As each summary sheet is completed, the
2 presiding officer shall publicly announce the results.

3 (b) In towns that use vote tabulating machines, after the close of the polls
4 and after all remaining absentee or transfer ballots have been fed into the
5 machine, the presiding officer shall insert the ender card and the tabulator will
6 print a tape of unofficial results. The presiding officer shall print at least two
7 additional copies of the tabulator tape. The unofficial results from the tape
8 may be publicly announced, and one copy of the printed tape may be posted in
9 the polling place upon a placard that clearly states: “Unofficial incomplete
10 results.”

11 (c)(1) The town clerk shall immediately report the unofficial results of the
12 election to the Secretary of State by digitally submitting the results on the
13 Secretary’s online elections reporting system.

14 (2) The Secretary’s online elections reporting system shall cause the
15 unofficial results to be posted immediately on the Secretary’s official website
16 as soon as those results are submitted.

17 (d) The presiding officer and one other election official then shall proceed
18 either to complete the return at once, or to store the summary sheets in a safe
19 and secure place until their retrieval for completion of the return. In any event,
20 no later than 24 hours after the polls close, the presiding officer and at least
21 one other election official shall transfer the totals from the summary sheets to

1 the proper spaces on the return, and both shall sign the return. The town clerk
2 shall store the summary sheets safely so that the public cannot reasonably have
3 access to them for a period of 90 days without the town clerk's consent. The
4 original of the return shall be delivered to the town clerk. In a manner
5 prescribed by the ~~secretary of state~~ Secretary of State and within 48 hours of
6 the close of the polls, the town clerk shall deliver to the ~~secretary of state~~
7 Secretary of State, the senatorial district clerk, the county clerk, and the
8 representative district clerk one certified copy each of the return. The town
9 clerk shall also make a copy available to the public upon request.

10 Sec. 2. EFFECTIVE DATE

11 This act shall take effect on passage.