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H.115

Introduced by Representatives Pearson of Burlington and Fagan of  
Rutland City

Referred to Committee on

Date:

Subject: Elections; presidential primaries; overseas voters; rank choice voting

Statement of purpose of bill as introduced: This bill proposes to require the  
Secretary of State to prepare separate ballots in presidential primaries for  
military or overseas voters to enable these voters – who by federal law must  
receive their ballots 45 days in advance of the election – to rank their choice of  
candidates in case a candidate withdraws by the time of the election.

An act relating to requiring rank choice voting for military or overseas  
voters in presidential primaries

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

Sec. 1. 17 V.S.A. § 2704a is added to read:

§ 2704a. MILITARY OR OVERSEAS VOTERS; RANK CHOICE

BALLOTS

(a)(1) The Secretary of State shall prepare and distribute for each  
presidential primary a separate early voter absentee rank choice ballot for each

1 qualified military or overseas voter, which shall be labeled “EARLY VOTER  
2 ABSENTEE RANK CHOICE BALLOT.”

3 (2) The rank choice ballot shall conform to the standard presidential  
4 primary ballot but shall permit the military or overseas voter to vote his or her  
5 order of preference for each candidate by indicating a rank next to the  
6 candidate’s name on the ballot, with “1” being the highest rank and indicating  
7 the voter’s most preferred candidate.

8 (3) The rank choice ballot shall include instructions explaining the rank  
9 choice voting process.

10 (b) For any presidential primary, a town clerk shall send an early voter  
11 absentee rank choice ballot to each qualified military or overseas voter in  
12 accordance with subsection 2539(c) of this title.

13 (c) The voter shall not be required to indicate a preference for more than  
14 one candidate on the ballot.

15 Sec. 2. 17 V.S.A. § 2587 is amended to read:

16 § 2587. RULES FOR COUNTING BALLOTS

17 \* \* \*

18 (g) When votes are being tallied, a vote on an early voter absentee rank  
19 choice ballot in a presidential primary shall be counted as one vote for the  
20 highest ranked candidate who has not withdrawn from the election.

1       Sec. 3. EFFECTIVE DATE

2       This act shall take effect on passage.