

H.886

An act relating to approval of amendments to the charter of the Town of Brattleboro

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

Sec. 1. CHARTER AMENDMENT APPROVAL

The General Assembly approves the amendments to the charter of the Town of Brattleboro as set forth in this act. Proposals of amendments were approved by the voters on March 19, 2016.

Sec. 2. 24 App. V.S.A. chapter 107 is amended to read:

CHAPTER 107. TOWN OF BRATTLEBORO

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Subchapter 2. Organization of Town Government

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§ 2.3a. EARLY VOTING

(a)(1) A voter choosing to vote early by Australian ballot in the Town Clerk's office shall vote in the same manner as those voting on election day provided that the voter completes a "Request for Early Voter Absentee Ballot and Certification" form stating the following:

(A) that the person is a legal voter on the voter checklist for Brattleboro;

(B) that the person is a U.S. citizen and will be at least 18 years of age by the date of a general election;

(C) that the person is not registering, requesting a ballot, or voting in any other jurisdiction except Brattleboro; and

(D) that the information provided is true, accurate, and complete to the best of the voter's knowledge.

(2) The certificate shall be signed and dated by the voter.

(3) The voter shall mark the early voter absentee ballot and deposit it into a vote tabulator.

(b)(1) During business hours in the Town Clerk's office, the vote tabulator and ballot bin shall be in a secured area accessible only to election officials and voters. The vote tabulator unit shall be secured with an identifiable seal and the ballot box containing voted ballots shall remain locked at all times and secured with an identifiable seal. Neither seal shall be broken prior to the time of closing the polls on election day. Ballots shall be comingled with those voted at the polls on election day prior to being examined for the purpose of identifying write-in votes.

(2) When an election official is not present or at times other than business hours, the sealed vote tabulator and ballot box shall be secured in the Town Clerk's office vault. The sealed vote tabulator and sealed ballot boxes

shall be transferred to the polling place on election day by two election officials and shall not be opened until the polls have closed on election day.

(3) Once early voting has commenced in the Town Clerk's office, the Clerk or designee shall certify each day in a record prepared for this purpose that the seals on the vote tabulator and ballot box are intact.

(c) The Town Clerk shall maintain a record of those voting early voter absentee ballots in person. Prior to opening the polls on election day, the number of early voters who vote in person shall match the number of voted ballots displayed on the vote tabulator.

(d) All provisions regarding early voting, including other methods of early voting and those not addressed in this section, shall be prescribed by 17 V.S.A. §§ 2531–2547.

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#### Subchapter 10. Addendum A; Representative Town Meetings

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#### § 10.4. NOMINATION OF CANDIDATES; PREPARATION AND

#### DELIVERY OF BALLOTS; RETURN OF UNUSED BALLOTS

(a)(1) Nomination of candidates for Town Meeting members shall be made by:

(A) ~~certificates~~ a certificate of nomination ~~to be~~ prepared by the Town Clerk which shall:

(i) bear no political designation, ~~shall;~~ and

(ii) be signed by not fewer than 10 voters of the district in which  
the ~~candidates live,~~ and ~~candidate lives;~~ or

(B) a notice of intent prepared by a Town Meeting Member on his or  
her own behalf.

(2) A certificate of nomination or notice of intent shall be filed with the  
Town Clerk no later than 5:00 p.m. on the sixth Monday preceding the  
election; ~~provided that any Town Meeting member may become a candidate~~  
~~for re-election solely by giving written notice thereof to the Town Clerk no~~  
~~later than 5:00 p.m. on the seventh Monday preceding the election.~~

(3) No certificate of nomination or notice of intent shall be valid in  
respect of any candidate whose written acceptance is not endorsed thereon or  
attached thereto when filed.

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### Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.