
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Council without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 67 (S.107). Elections; miscellaneous

An act relating to elections corrections

This act makes miscellaneous amendments to election law. In addition to technical clean-up, substantive amendments include the following:

- *“Voters”*; *gender neutrality*. The act substitutes throughout Title 17 the gender neutral term “voters” for “freemen” and “freewomen.”
- *Ratification of constitutional proposals*. Sec. 1 makes miscellaneous amendments to the Title 17 chapter on ratifying proposed articles of amendment to the Vermont Constitution, including by adding language reflecting the Governor’s duty to issue a proclamation prior to the ratification vote in accordance with Vt. Const. Ch. II, § 72.
- *Automatic voter registration agencies*. Sec. 7 allows the Secretary of State to designate voter registration agencies that will provide automatic voter registration as part of the agency’s applications for services. The head of such an agency must approve this designation.
- *Municipal voter checklists*. As is already provided in law for the Statewide Voter Checklist or a municipality’s portion of it, Sec. 8a prohibits a public agency from knowingly disclosing any municipal voter checklist to a foreign government or the federal government for three specified purposes.
- *Political party organization*. Sec. 9 makes miscellaneous amendments to the Title 17 chapter on political party organization, including by changing the threshold that requires a special notice for town committee meetings; revising the requirements to file political party certificates of organization with the Secretary of State; and eliminating several requirements regarding the procedure for political party organization.
- *Nominations*. Sec. 10 prohibits primary petitions and independent candidates’ statements of nomination from containing more than one office for which a person seeks to be a candidate; eliminates the limitation on the number of primary petitions and statements of nomination that a voter may sign; requires political party committees to decide primary election ties after a recount; and specifies the time frame in which the Secretary of State must keep disclosure forms posted.
- *Political materials in polling places*. Sec. 13 revises the prohibitions on political materials in polling places in accordance with Minnesota Voters Alliance v. Mansky, 138 S.Ct. 1876 (2018).

- *Early or absentee voters.* Sec. 14 makes miscellaneous amendments to the Title 17 subchapter on early or absentee voters, including:
 - providing town clerks with discretion to accept requests for early voter absentee ballots after the request deadline in cases of emergency;
 - adding injuries and emergencies as bases for ballot delivery by justices of the peace;
 - eliminating reference to the type of disability a voter might have that would permit such delivery;
 - allowing ballots to be electronically delivered to voters who are ill, are injured, or have a disability or in cases of emergency;
 - providing justices of the peace with discretion to deliver early voter absentee ballots outside their town;
 - allowing a board of civil authority to vote to permit early voting in the town clerk's office using vote tabulators, in accordance with procedures the Secretary of State is required to adopt for this purpose; and
 - revising the conditions under which an early voter absentee ballot is considered defective.
- *Unused ballots.* Sec. 15 allows town clerks to destroy or distribute unused ballots following an election, consistent with the Vermont State Archives and Records Administration's retention policy.
- *Local incompatible offices.* Sec. 19 provides a new exception to incompatible local offices when a school district prepares and reports its budget independently from a town and is audited by an independent public accountant.
- *Local nominating petitions.* Similar to Sec. 10, Sec. 20 eliminates the limitation on the number of local nominating petitions a voter may sign. Sec. 20 also eliminates the requirement that a candidate's name on a local nominating petition appear exactly as it does on the voter checklist.
- *Campaign finance reports.* Sec. 22 revises the dates for July and August campaign finance reporting.

Multiple effective dates, beginning on June 17, 2019