1   H.207

2   Introduced by Representatives Hooper of Montpelier and Kitzmiller of

3   Montpelier

4   Referred to Committee on

5   Date:

6   Subject: Municipal government; municipal charters; City of Montpelier;

7   amendment

8   Statement of purpose of bill as introduced: This bill proposes to approve an

9   amendment to the charter of the City of Montpelier.

10   An act relating to approval of an amendment to the charter of the City of
11   Montpelier regarding non-citizen voting in City elections

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

13   Sec. 1. CHARTER AMENDMENT APPROVAL

14   The General Assembly approves the amendment to the charter of the City

15   of Montpelier as set forth in this act. Voters approved the proposal of

16   amendment on November 6, 2018.

17   Sec. 2. 24 App. V.S.A. chapter 5 is amended to read:

18   CHAPTER 5. CITY OF MONTPELIER

19   * * *

20   Subchapter 15. Supplemental Voting Registry

1   § 1501. ELIGIBILITY OF NON-CITIZEN VOTERS

2   In addition to 17 V.S.A. § 2121, any person may register to vote in

3   Montpelier City elections who, on election day:

4   (1) is a legal resident of the United States;

5   (2) is a resident of the City of Montpelier as defined in 17 V.S.A.

6   § 2122(b);

7   (3) has taken the voter's oath; and

8   (4) is 18 years of age or older.

9   § 1502. SUPPLEMENTAL VOTER REGISTRY; CITY CLERK DUTIES TO

10   MAINTAIN

11   Any non-citizen voter shall be placed on a separate, supplemental voter

12   registry held by the City Clerk. This supplemental voter registry shall be

13   treated and maintained in the same manner as a voter checklist under 17 V.S.A.

14   chapter 43, subchapter 2. The City Clerk shall develop all necessary forms

15   and procedures for implementation of this subchapter.

16   § 1503. CITY ELECTION BALLOT

17   In any election involving a federal, State, county, special district, or school

18   district office or question and a City question or City office, the City Clerk

19   shall prepare and provide to any non-citizen voter a ballot that contains only

20   the City questions and candidates.

1   § 1504. DEFINITIONS

2   As used in this subchapter:

3   (1) "Legal resident of the United States" means any non-citizen who

4   resides in the United States on a permanent or indefinite basis in compliance

5   with federal immigration laws.

6   (2) "Non-citizen voter" means any voter who registers and qualifies to

7   vote in City elections under section 1501 of this charter but is not a citizen of

8   the United States. A non-citizen voter shall not be eligible to vote on any State

9   or federal candidate or question by virtue of registration under section 1501 of

10   this charter.

11   (3) "Supplemental voter registry" means a voter checklist populated by

12   voters who qualify under section 1501 of this charter but are not citizens of the

13   United States. The checklist shall be held separate from any other voter list

14   held or maintained by the City.

15   Sec. 3. EFFECTIVE DATE

16   This act shall take effect on passage.

Sec. 1. CHARTER AMENDMENT APPROVAL

The General Assembly approves the amendment to the charter of the City of

Montpelier as set forth in this act. Voters approved the proposal of amendment

on November 6, 2018.

Sec. 2. 24 App. V.S.A. chapter 5 is amended to read:

CHAPTER 5. CITY OF MONTPELIER

* * *

Subchapter 15. City Voter Checklist

§ 1501. ELIGIBILITY OF NON-CITIZEN VOTERS

(a)   Notwithstanding 17 V.S.A. § 2121(a)(1), any person may register to vote in Montpelier City elections who on election day is a legal resident of the United States, provided that person otherwise meets the qualifications of 17 V.S.A. chapter 43.

(b) A non-citizen voter shall not be eligible to vote on any State or federal candidate or question by virtue of registration under this section.

§ 1502. CITY VOTER CHECKLIST; CITY CLERK DUTIES TO

MAINTAIN

The City Clerk shall maintain a City voter checklist composed of voters eligible to vote in City elections under 17 V.S.A. chapter 43 and this subchapter and shall keep this City voter checklist separate from any other voter checklist. The City Clerk shall develop all necessary forms and procedures for implementation of this subchapter.

§ 1503. CITY ELECTION BALLOT

In any election involving a federal, State, county, special district, or school district office or question and a City question or City office, the City Clerk

shall prepare a ballot that contains only the City questions and candidates,

except for justices of the peace.

§ 1504. DEFINITIONS

As used in this subchapter:

(1) "Legal resident of the United States" means any non-citizen who resides in the United States on a permanent or indefinite basis in compliance with federal immigration laws.

(2) "Non-citizen voter" means any voter who registers and qualifies to vote in City elections under section 1501 of this charter but is not a citizen of the United States.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.