

1 H.378

2 Introduced by Representative Chesnut-Tangerman of Middletown Springs (By  
3 Request)

4 Referred to Committee on

5 Date:

6 Subject: Elections; local elections; incompatible offices

7 Statement of purpose of bill as introduced: This bill proposes to amend the  
8 local incompatible offices statute to allow a school director or spouse of a  
9 school director to simultaneously hold the office of town auditor or treasurer,  
10 so long as the school district prepares and reports its budget independently of  
11 the town and the school district is audited by an independent public accountant.

12 An act relating to incompatible local offices

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

14 Sec. 1. 17 V.S.A. § 2647 is amended to read:

15 § 2647. INCOMPATIBLE OFFICES

16 (a)(1) An auditor shall not be town clerk, town treasurer, selectboard  
17 member, first constable, collector of current or delinquent taxes, trustee of  
18 public funds, town manager, road commissioner, water commissioner, sewage  
19 system commissioner, sewage disposal commissioner, cemetery commissioner,  
20 or town district school director; nor shall a spouse of or any person assisting

1 any of these officers in the discharge of official duties be eligible to hold office  
2 as auditor.

3 (2) A selectboard member or school director shall not be first constable,  
4 collector of taxes, town treasurer, assistant town treasurer, auditor, or town  
5 agent. A selectboard member shall not be lister or assessor.

6 (3) A cemetery commissioner or library trustee shall not be town  
7 treasurer, assistant town treasurer, or auditor.

8 (4) A town manager shall not hold any elective office in that town or  
9 town school district.

10 (5) Election officers at local elections shall be disqualified as provided  
11 in section 2456 of this title.

12 (b) Notwithstanding subsection (a) of this section, if a school district  
13 prepares and reports its budget independently from the budget of the town and  
14 the school district is audited by an independent public accountant, a ~~person~~  
15 school director or spouse of a school director shall be eligible to hold office as  
16 auditor or town treasurer ~~even if that person's spouse holds office as a school~~  
17 ~~director~~.

18 Sec. 2. EFFECTIVE DATE

19 This act shall take effect on passage.