

1 S.147

2 Introduced by Senator Perchlik

3 Referred to Committee on

4 Date:

5 Subject: Elections; general elections; incompatible offices

6 Statement of purpose of bill as introduced: This bill proposes to establish that
7 the offices of Secretary of State, Auditor of Accounts, and Attorney General
8 are incompatible offices, in addition to those set forth in Vt. Const. Ch. II,
9 § 54; provide that a person may be a candidate in the general election for only
10 one incompatible office; and to require the Secretary of State to provide on the
11 general election ballot the one incompatible office for which a person will be a
12 candidate if the person fails to choose one such office from among the multiple
13 incompatible offices for which the person was validly nominated.

14 An act relating to incompatible statewide and legislative offices

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

16 Sec. 1. 17 V.S.A. chapter 49 is amended to read:

17 CHAPTER 49. NOMINATIONS

18 * * *

19 Subchapter 4. Miscellaneous Provisions

20 * * *

1 § 2412a. INCOMPATIBLE OFFICES; CHOICE OF CANDIDACY

2 (a) The offices set forth in Vt. Const. Ch. II, § 54 and the following offices
3 are incompatible: Secretary of State, Auditor of Accounts, and Attorney
4 General.

5 (b) A candidate who has been validly nominated by one of the methods
6 prescribed in this chapter for two or more offices that are incompatible under
7 Vt. Const. Ch. II, § 54 and this section shall be required to choose the one
8 incompatible office for which he or she will be a candidate. A person may be a
9 candidate for only one incompatible office.

10 (c)(1) Such a candidate shall notify the Secretary of State of the candidate's
11 choice on or before 5:00 p.m. on the 10th day following the primary.

12 (2) If a candidate fails to notify the Secretary by that deadline, the
13 Secretary shall provide on the ballot that the person is only a candidate for the
14 first incompatible office set forth in the following list for which the candidate
15 was validly nominated:

16 (A) Governor;

17 (B) Lieutenant Governor;

18 (C) Treasurer;

19 (D) Secretary of State;

20 (E) Auditor of Accounts;

21 (F) Attorney General;

1 (G) State Senator;

2 (H) State Representative;

3 (I) Sheriff.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on passage.