

To: House Government Operations  
 From: Carol Dawes, Barre City Clerk  
 chair, Vermont Municipal Clerks & Treasurers Association Legislative Committee  
 Date: April 4, 2019

**S.107 – ELECTION CHANGES**

Below is a summary of the sections that impact clerks:

references to unofficial copy as passed by senate

Page #	Sec.	Subsection	Changes
23	Sec. 8	2354	Voters will be able to sign as many petitions as they want to. No longer need to limit it to the number of nominations for a particular office. This applies to both local and state elections. This section is specific to primaries.
24	Sec. 8	2369	If a primary recount results in a tie, the party shall determine the winner from among the tied candidates within 10 days of the primary date. No more run-off elections for primaries.
25	Sec. 8	2403	Same as above – voters will be able to sign as many nomination statements as they want. This section is specific to independent candidates.
29	Sec. 12	2531	In cases of emergency, including unanticipated illness or injury, the clerk - at their discretion - may accept an absentee ballot request after the deadline. This means you could accept a request on election day. The ballot can be mailed, electronically delivered or delivered by two justices. As an example, you can email a ballot to someone who is in the hospital. They can print out the ballot and the certificate for the return envelope, mark the ballot, and have someone return it to the polls in the signed certificate envelope.
35	Sec. 12	2538	Same as above - adds electronic delivery as an option for early absentee ballots in case of a person who is ill, injured or has a disability.
37	Sec. 12	2538	Justices of the Peace are not required to deliver ballots outside town limits.
38	Sec. 12	2539	Same as above – voters who are ill, injured or have a disability may request their ballot be delivered by mail, electronically or by JP.
41	Sec. 12	2546b	A BCA may vote to allow those who vote early in the clerk’s office to deposit their ballots directly into a tabulator. This section is modeled after the process included in Brattleboro’s charter. The process is spelled out in details in the bill. This section would not take effect until July 1, 2020.

43	Sec. 12	2547	Revises definition of defective ballots: removes language that says ballots are defective if the certificate envelop isn't completed. Adds language that says ballots are defective if you are unable to determine who the voter is.
44	Sec. 13	2568	Clarified retention of unused ballots (those that remain undistributed to voters after the election). They can be destroyed or distributed for educational purposes following the election. They do not have to be kept for 90 days, as is currently in statute.
48	Sec. 18	2681	Same as above – voters will be able to sign as many petitions as they want to. This section applies to local elections.

We tried once again to get language in the bill that would create a system whereby a write-in candidate for state or federal office would declare their candidacy before the election. Clerks would tally the write-in votes for those named candidates. All other write-ins would be counted in a block as “undeclared”. Senate GovOps included the language in the bill when it passed out of the committee, but the language was removed when the bill was being considered on the Senate floor.