

1 Introduced by Committee on Government Operations

2 Date:

3 Subject: Elections; temporary elections provisions; COVID-19

4 Statement of purpose of bill as introduced: This bill proposes to authorize
5 temporary elections provisions in response to COVID-19.

6 An act relating to temporary elections provisions in response to COVID-19

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

8 Sec. 1. LEGISLATIVE INTENT; PROTECTION OF CITIZENS AND OF
9 ELECTIONS

10 It is the intent of the General Assembly that, if the coronavirus disease 2019
11 (COVID-19) pandemic continues its expected spread in the State of Vermont,
12 the citizens of Vermont should be able to protect their health, safety, and
13 welfare while also continuing to exercise their right to participate in elections
14 in order to maintain our democratic institutions. Accordingly, this act sets
15 forth temporary elections provisions in response to COVID-19.

16 Sec. 2. ELECTIONS IN THE YEAR 2020; SUSPENSION OF PRIMARY
17 PETITION, STATEMENT OF NOMINATION, AND LOCAL
18 ELECTION VOTER SIGNATURE REQUIREMENTS

19 (a) Notwithstanding 17 V.S.A. § 2354, 2355, 2402(b), 2681(b), or any
20 other provision of law to the contrary, a person shall not be required to collect

1 voter signatures in order to have the person’s name placed on any ballot in the
2 year 2020, including on any local election ballot. Accordingly, a person shall
3 not be required to file a primary petition as a major party candidate for the
4 primary, a statement of nomination as an independent candidate for the general
5 election, or a petition as a candidate for a local election, as those contain the
6 voter signatures.

7 (b) In the year 2020:

8 (1) Notwithstanding the start date for filing primary petitions for major
9 party candidates set forth in 17 V.S.A. § 2356(a), consent of candidate forms
10 for those candidates shall be filed not earlier than the second Thursday after the
11 first Monday in May.

12 (2) Notwithstanding the start date for filing statements of nomination for
13 independent candidates for President or Vice President of the United States set
14 forth in 17 V.S.A. § 2402(d)(1)(A), consent of candidate forms for those
15 candidates shall be filed not earlier than Saturday, July 18, 2020.

16 (3) Notwithstanding the start date for filing statements of nomination for
17 any other independent candidates except for justice of the peace set forth in
18 17 V.S.A. § 2402(d)(1)(C), consent of candidate forms for those candidates
19 shall be filed not earlier than Thursday, July 23, 2020.

20 (c) All other requirements relating to nominations and candidate
21 qualifications shall continue to apply.

1 Sec. 3. ELECTIONS IN THE YEAR 2020; SECRETARY OF STATE;
2 GOVERNOR; TEMPORARY ELECTIONS PROCEDURES

3 In the year 2020, the Secretary of State is authorized, in consultation with
4 the Governor, to order or permit, as applicable, appropriate elections
5 procedures for the purpose of protecting the health, safety, and welfare of
6 voters, elections workers, and candidates in carrying out elections, including:

7 (1) requiring mail balloting by requiring town clerks to send ballots by
8 mail to all registered voters;

9 (2) creating early or mail ballot collection stations;

10 (3) permitting municipal clerks to process and begin counting ballots in
11 a 30-day window preceding the day of an election;

12 (4) permitting drive-up, car window collection of ballots by election
13 officials;

14 (5) extending the time for municipal clerks to process and count ballots;

15 and

16 (6) extending voting hours on the day of an election.

17 Sec. 4. 2020 LOCAL ELECTIONS BY AUSTRALIAN BALLOT

18 (a) Notwithstanding the provisions of 17 V.S.A. § 2680(a) that require the
19 voters of a municipality to vote to apply the provisions of the Australian ballot
20 system to the annual or special meeting of the municipality, in the year 2020,

1 any municipality may apply the Australian ballot system to any or all of its
2 municipal elections held in the year 2020 by vote of its legislative body.

3 (b) The Secretary of State may waive statutory deadlines or other statutory
4 provisions, or provisions set forth in a school district’s articles of agreement,
5 related to a municipal election as necessary in order for a municipality to apply
6 the Australian ballot system to its meeting in the year 2020. This waiver
7 authority applies to statutory provisions set forth in a municipal charter or
8 provisions set forth in a school district’s articles of agreement if the waiver is
9 requested by that municipality.

10 Sec. 5. EFFECTIVE DATE

11 This act shall take effect on passage.