
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Counsel without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 60 (S.15). Elections; mailing ballots; curing defective ballots; candidate nicknames

An act relating to mailing out ballots, correcting defective ballots, and miscellaneous changes to State election laws

This act makes a series of amendments to Title 17 to require the mailing out of ballots to all active registered voters for the general election. In addition, this act creates a process for a registered voter to cure a ballot that has been deemed defective, places new requirements on the use of candidate nicknames, clarifies statutory language concerning the voting of ballots at the town clerk's office, makes miscellaneous changes to election process provisions, and requires two reports relating to State elections. Specifically:

- Sec. 1 adds new provisions regarding the use of a candidate nickname on a ballot.
- Sec. 2 adds provisions to address outdoor polling places and drive-up voting.
- Sec. 3 adds provisions that would allow, but not require, schools, towns, cities, and villages to mail ballots for local elections to all active registered voters.
- Sec. 4 amends the process for handling a duplicate early voter absentee ballot.
- Sec. 5 clarifies that the cost of absentee ballot envelopes for local elections shall be borne by the municipality.
- Sec. 6 clarifies that a voter may deposit the voter's ballot directly into a vote tabulator or ballot box when voting early in the town clerk's office.
- Sec. 7 adds provisions to require the Secretary of State's office to mail a general election ballot to all active voters on the statewide voter checklist for a general election.
- Sec. 8 adds a process to address the situation where a voter has transferred the voter's registration from one town or city to another in the State following the mailing of ballots for a general election or where a voter has registered for the first time in Vermont after the Secretary of State's office has generated the mailing address file for a general election.

- Sec. 9 removes the instructions to be sent with ballots from statute and instead requires the instructions be in a form prescribed by the Secretary of State's office.
- Sec. 10 adds language to acknowledge the addition of a ballot curing process and the use of secure ballot drop boxes. This section also adds restrictions on candidates' and paid campaign staff members' ability to return ballots and adds a limit on the number of ballots one individual may return (25 ballots unless performing duties as a justice of the peace).
- Sec. 11 adds provisions allowing the use of secure ballot drop boxes, provided the drop boxes meet statutory requirements for location and installation.
- Sec. 12 repeals ballot processing language that is inconsistent with or redundant to the changes made by this act.
- Sec. 13 amends the town clerks' process for receiving ballots so the clerks can determine whether a ballot has been deemed defective and, if so, provide notice to the voter so the voter may cure the defect.
- Sec. 14 clarifies notice provisions for the deposit of ballots, removes the detailed process steps for conducting the processing of early ballots, and instead states that the Secretary of State's office shall issue detailed procedures for conducting the processing of early ballots into the vote tabulator or ballot box.
- Sec. 15 adds references to the use of secure ballot drop boxes and the town clerks' use of the online election management system.
- Sec. 16 adds provisions outlining how a voter may cure a defective ballot.
- Sec. 17 clarifies the process for a voter who has been issued an early absentee ballot but comes to the polls to vote instead (either with or without the absentee ballot).
- Secs. 18 and 19 add references to the process outlined in Sec. 17 regarding a voter bringing a marked ballot enclosed in the signed certificate envelope.
- Sec. 20 requires the Secretary of State's office to provide recommendations to the Senate and House Committees on Government Operations on the best practices for increasing access to voting for non-English-speaking Vermonters and Vermonters with limited English proficiency.
- Sec. 21a requires the Secretary of State's office to provide findings and recommendation to the Senate and House Committees on Government Operations on issues relating to expanding vote by mail and

recommendations on implementing a voter verification system in Vermont.

- Sec. 22 codifies some of the processes the Secretary of State's office is using to maintain the accuracy of the statewide voter checklist.
- Sec. 22a makes an appropriation to the Secretary of State's office for \$800,000.00 for one-time expenses related to beginning universal vote by mail for the general election in 2022.

Effective Date: June 7, 2021