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**Act No. 123 (S.122). Presidential electors**

**An act relating to the required votes of presidential electors**

This act relates to the State’s enactment of the “Agreement Among The States To Elect The President By National Popular Vote” codified in Title 17, chapter 58 (enacted in 2011 Acts and Resolves No. 10). The “national popular vote” requirements in chapter 58 will only become effective if a certain number of states also enact the agreement into law.

The changes to 17 V.S.A. § 2731 in this act update the election canvassing committee’s statutory processes in recognition of the possibility that the State may one day be bound to the “national popular vote” requirements of chapter 58. These changes are designed to align the statutory text between the two chapters and eliminate that potential future conflict; they will not affect the current processes.

The changes to 17 V.S.A. § 2732 in this act amend the processes for counting elector votes in a presidential election. The changes to subsection (c) of this section 2732:

- require the elector to cast the elector’s vote for the elector’s party’s nominees for President and Vice President;
- require an elector to present the elector’s ballot to the Secretary of State and the Secretary to examine that ballot;
- require that the Secretary of State shall not count the vote of an elector who is not casting the elector’s vote for the elector’s party’s nominees for President and Vice President; and
- require the Secretary of State to declare a vacancy for any elector’s office where the elector refuses to present a ballot to the Secretary, presents an unmarked ballot, or presents a ballot marked in violation of subdivision (c)(1).

Effective Date: July 1, 2022