

No. M-5. An act relating to approval of an amendment to the charter of the City of Montpelier.

(H.177)

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

Sec. 1. CHARTER AMENDMENT APPROVAL

The General Assembly approves the amendment to the charter of the City of Montpelier as set forth in this act. Voters approved the proposal of amendment on November 6, 2018.

Sec. 2. 24 App. V.S.A. chapter 5 is amended to read:

CHAPTER 5. CITY OF MONTPELIER

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Subchapter 15. City Voter Checklist

§ 1501. ELIGIBILITY OF NONCITIZEN VOTERS

(a) Notwithstanding 17 V.S.A. § 2121(a)(1), any person may register to vote in Montpelier City elections who on election day is a citizen of the United States or a legal resident of the United States, provided that person otherwise meets the qualifications of 17 V.S.A. chapter 43.

(b) A noncitizen voter shall not be eligible to vote on any State or federal candidate or question by virtue of registration under this section.

§ 1502. CITY VOTER CHECKLIST; CITY CLERK DUTIES TO MAINTAIN

The City Clerk shall maintain a City voter checklist composed of voters eligible to vote in City elections under 17 V.S.A. chapter 43 and this

subchapter and shall keep this City voter checklist separate from any other voter checklist. The City Clerk shall develop all necessary forms and procedures for implementation of this subchapter.

§ 1503. CITY ELECTION BALLOT

In any election involving a federal, State, county, special district, or school district office or question and a City question or City office, the City Clerk shall prepare a ballot that contains only the City questions and candidates, except for justices of the peace.

§ 1504. DEFINITIONS

As used in this subchapter:

(1) “Legal resident of the United States” means any noncitizen who resides in the United States on a permanent or indefinite basis in compliance with federal immigration laws.

(2) “Noncitizen voter” means any voter who registers and qualifies to vote in City elections under section 1501 of this charter but is not a citizen of the United States.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

Became law by the June 24, 2021 legislative override of Governor’s veto.