

1 H.154

2 Introduced by Representative Gannon of Wilmington

3 Referred to Committee on

4 Date:

5 Subject: Municipal government; vacancies in town offices; failure to accept  
6 office

7 Statement of purpose of bill as introduced: This bill proposes to deem a  
8 municipal office vacant whenever a municipal officer fails to take a required  
9 oath of office within one week of election or appointment.

10 An act relating to the failure of municipal officers to accept office

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

12 Sec. 1. 24 V.S.A. § 961 is amended to read:

13 § 961. VACANCY OR SUSPENSION OF OFFICER'S DUTIES

14 (a) When a ~~town~~ municipal officer resigns his or her office, or has been  
15 removed therefrom, or dies, or becomes unable to perform his or her duties due  
16 to a mental condition or psychiatric disability, or removes from town, ~~such~~ the  
17 office shall become vacant. Notice of this vacancy shall be posted by the  
18 legislative body in at least two public places in the ~~town~~ municipality, and in  
19 and near the ~~town~~ municipal clerk's office, within 10 days of the creation of  
20 the vacancy.

1 (b) In the event there are so many vacancies on the ~~selectboard~~ legislative  
2 body that a quorum cannot be achieved, the remaining ~~selectperson~~ member or  
3 ~~selectpersons~~ members of the legislative body shall be authorized to draw  
4 orders for payment of continuing obligations and necessary expenses until the  
5 vacancies are filled pursuant to section 963 of this title.

6 \* \* \*

7 (d) When a municipal officer fails within one week of election or  
8 appointment to take an oath of office pursuant to 17 V.S.A. § 831, the office  
9 shall become vacant.

10 Sec. 2. EFFECTIVE DATE

11 This act shall take effect on July 1, 2021.