

1 H.490

2 Introduced by Representative Sullivan of Dorset

3 Referred to Committee on

4 Date:

5 Subject: Elections; incompatible offices; candidate qualifications; candidacy

6 for more than one office; ballots

7 Statement of purpose of bill as introduced: This bill proposes to prohibit an
8 individual from running for more than one elected office at one time or holding
9 more than one elected office at any time.

10 An act relating to elections and holding elected office

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

12 * * * Statewide Offices; Statewide Elections * * *

13 Sec. 1. 17 V.S.A. § 2353 is amended to read:

14 § 2353. PETITIONS TO PLACE NAMES ON BALLOT

15 (a) The name of any person shall be printed upon the primary ballot as a
16 candidate for nomination by any major political party for the office indicated,
17 if a petition containing the requisite number of signatures made by registered
18 voters, in substantially the following form, is filed with the proper official,
19 together with the ~~person's~~ candidate's written consent to having ~~his or her~~ the
20 candidate's name printed on the ballot:

1 I join in a petition to place on the primary ballot of the
2 party the name of, whose residence is in the (city), (town)
3 of in the county of, for the office of
4 to be voted for on Tuesday, the day of
5 August, 20 and I certify that I am at the present time a registered
6 voter and am qualified to vote for a candidate for this office.

7 (b)(1) A person's name shall not be listed as a candidate on the primary
8 ballot of more than one party in the same election.

9 (2) A single petition shall contain only the one office for which ~~a~~ the
10 person seeks to be a candidate.

11 (3) A person shall not file ~~a separate~~ more than one petition for ~~each~~
12 elected office ~~for which he or she seeks to be a candidate~~ in the same election.

13 Sec. 2. 17 V.S.A. § 2472 is amended to read:

14 § 2472. CONTENTS

15 * * *

16 (b)(1) Each office to be voted upon shall be separately indicated and
17 preceded by the word "For," as: "For United States Senator." Beneath the
18 office to be voted upon shall appear the instructions: "Vote for not more than
19 (the number of candidates to be elected)."

20 (2) The names of the candidates for each office shall be listed in
21 alphabetical order by surname, followed by the candidate's town of residence,

1 and the party or parties by which the candidate has been nominated, or in the
2 case of independent candidates who have not chosen some other name or
3 identification, by the word “Independent.” The word “party” shall not be
4 printed on the ballot following a candidate’s party name.

5 (3) To the right of the party designation shall be an oval in which the
6 voter may indicate his or her choice by filling in the oval.

7 (4) A candidate’s name shall not appear on the ballot more than once for
8 any one office.

9 (5) A candidate’s name shall not appear on the ballot for more than one
10 office.

11 * * *

12 Sec. 3. 17 V.S.A. chapter 51, subchapter 2A is added to read:

13 Subchapter 2A. Incompatible Offices; Serving Only One Office

14 § 2485. INCOMPATIBLE OFFICES; SERVING ONLY ONE OFFICE

15 (a) Running for office. No individual shall run for more than one elected
16 office at the same election.

17 (b) Holding one office. No individual shall hold more than one elected
18 office at one time. If an elected official is elected or appointed to two or more
19 election offices with concurrent or overlapping terms, the elected official shall
20 resign from all but one elected office.

1 * * * Municipal Elections; Elected Officials * * *

2 Sec. 4. 17 V.S.A. § 2647 is amended to read:

3 § 2647. INCOMPATIBLE OFFICES; SERVING ONLY ONE ELECTED
4 OFFICE

5 (a)(1) An auditor shall not be town clerk, town treasurer, selectboard
6 member, first constable, collector of current or delinquent taxes, trustee of
7 public funds, town manager, road commissioner, water commissioner, sewage
8 system commissioner, sewage disposal commissioner, cemetery commissioner,
9 or town school district director; nor shall a spouse of or any person assisting
10 any of these officers in the discharge of official duties be eligible to hold office
11 as auditor.

12 (2)(A) A selectboard member or school director shall not be first
13 constable, collector of taxes, town treasurer, assistant town treasurer, auditor,
14 or town agent.

15 (B) A selectboard member shall not be lister or assessor.

16 (3) A cemetery commissioner or library trustee shall not be town
17 treasurer, assistant town treasurer, or auditor.

18 (4) A town manager shall not hold any elective office in that town or
19 town school district.

20 (5) Election officers at local elections shall be disqualified as provided
21 in section 2456 of this title.

