

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations to which was referred House
3 Bill No. 154 entitled “An act relating to the failure of municipal officers to
4 accept office” respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

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

8 § 961. VACANCY OR SUSPENSION OF OFFICER’S DUTIES

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

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

21 * * *

1 (d) When a municipal officer refuses or neglects within 30 days of election
2 or appointment to take an oath of office pursuant to section 831 of this title, the
3 office shall become vacant. However, the office shall not be deemed vacant
4 until the legislative body of the municipality has warned a regular meeting for
5 that purpose and affords the municipal officer the opportunity to take the oath
6 of office at the meeting.

7 Sec. 2. EFFECTIVE DATE

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

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(Committee vote: _____)

Representative _____

FOR THE COMMITTEE