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S.15

Senator Benning moves that the report of the Committee on Government Operations be amended by striking out Sec. 10, 17 V.S.A. § 2543, in its entirety and inserting in lieu thereof a new Sec. 10 to read as follows:

Sec. 10. 17 V.S.A. § 2543 is amended to read:

§ 2543. RETURN OF BALLOTS

(a) After marking the ballots and signing the certificate on the envelope, the early or absentee voter to whom the same are addressed shall return the ballots to the clerk of the town in which ~~he or she is a~~ the voter is registered, in the manner prescribed, except that in the case of a voter to whom ballots are delivered by justices, the ballots shall be returned to the justices calling upon ~~him or her~~ that voter, and they shall deliver them to the town clerk.

(b) Once an early voter absentee ballot has been returned to the clerk in the envelope with the signed certificate, it shall be stored in a secure place and shall not be returned to the voter for any reason unless the ballot is deemed defective under subdivision 2546(a)(2) of this subchapter and the voter chooses to cure the defect and cast the ballot pursuant to subsection 2547(d) of this subchapter.

(c) If a ballot includes more than one page, the early or absentee voter need only return the page upon which the voter has marked his or her vote.

(d)(1) All early voter absentee ballots returned as follows shall be counted:

1 (A) by any means, to the town clerk’s office before the close of
2 business on the day preceding the election;

3 (B) to any secure ballot drop box provided by the town or city in
4 which the voter is registered pursuant to section 2543a of this subchapter
5 before the close of business on the day before the election;

6 ~~(B)~~(C) by mail, to the town clerk’s office before the close of the polls
7 on the day of the election; and

8 ~~(C)~~(D) by hand delivery to the presiding officer at the voter’s polling
9 place before the closing of the polls at 7:00 p.m.

10 (2) An early voter absentee ballot returned in a manner other than those
11 set forth in subdivision (1) of this subsection shall not be counted.

12 (e) A candidate whose name appears on the ballot for that election, or a
13 campaign staff member of any such candidate, may not return a ballot to the
14 town clerk or to a secure ballot drop box, unless that candidate or campaign
15 staff member:

16 (1) is returning the candidate’s or campaign staff member’s own ballot;

17 (2) is returning the ballot of an immediate family member, as defined in
18 section 2532 of this title, including a person’s spouse, children, brothers,
19 sisters, parents, spouse’s parents, grandparents, and spouse’s grandparents,
20 who has requested the candidate’s or campaign staff member’s assistance with
21 the return of that ballot;

1 (3) is returning the ballot of a voter for whom the candidate or campaign
2 staff member is a caretaker, and who has requested their assistance with the
3 return of that ballot; or

4 (4) is a justice of the peace performing his or her official duties pursuant
5 to section 2538 of this title.

6 (f) The clerk or other local election official accepting the return of ballots
7 shall not be required to enforce the provisions of subsection (e) of this section
8 but shall report any suspected violations to the Secretary of State’s office, who
9 shall refer them to the Attorney General’s office for investigation. Candidates
10 violating this section may be subject to penalties pursuant to section 2017 of
11 this title.