1   H.78

2   An act relating to the use of the Australian ballot system in local elections

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

4   Sec. 1. 17 V.S.A. § 2680 is amended to read:

5   § 2680. AUSTRALIAN BALLOT SYSTEM; GENERAL

6   * * *

7   (b) Officers. Once a municipality votes to elect any or all officers by the

8   Australian ballot system, such the officers shall be elected in that manner until

9   the municipality votes to discontinue use of the system. A vote on whether to

10   use the Australian ballot system to elect officers shall be in substantially the

11   following form:

12   (1) "Shall (name of municipality) elect its (specify the municipal officer

13   or officers to be elected) by Australian ballot?" or

14   (2) "Shall (name of municipality) elect all municipal officers by

15   Australian ballot?"

16   * * *

17   Sec. 2. VALIDITY OF MUNICIPAL ELECTIONS USING THE

18   AUSTRALIAN BALLOT SYSTEM

19   (a) This act shall not render invalid the election of any municipal officer at

20   a 2025 annual municipal meeting. The failure of a municipality to comply

21   with the procedures required by this act or the prior provisions of 17 V.S.A.

1   § 2680(b) shall not be the basis for any action related to the election of a

2   municipal officer at a municipality's annual meeting in 2025.

3   (b) The validity of a vote by a municipality to elect some, but not all,

4   municipal officers prior to the effective date of this act shall not be subject to

5   challenge for failure to comply with this act or the prior provisions of

6   17 V.S.A. § 2680(b). In any municipality that voted to elect some, but not all,

7   municipal officers prior to the effective date of this act, the election of a

8   municipal officer shall not be subject to challenge for failure to comply with

9   this act or the prior provisions of 17 V.S.A. § 2680(b).

10   Sec. 3. EFFECTIVE DATE

11   This act shall take effect on passage.