

1 H.313

2 Introduced by Representatives Sibilila of Dover and Logan of Burlington

3 Referred to Committee on

4 Date:

5 Subject: Elections; presidential elections; primary elections; ranked-choice  
6 voting

7 Statement of purpose of bill as introduced: This bill proposes to create a  
8 temporary Ranked-Choice Voting Study Committee to examine issues in  
9 implementing ranked-choice voting in Vermont across all elections for State  
10 and federal offices. It proposes to require the use of ranked-choice voting for  
11 U.S. presidential primary elections for each major political party.

12 An act relating to ranked-choice voting for presidential primary elections

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

14 \* \* \* Ranked-Choice Voting Study Committee \* \* \*

15 Sec. 1. RANKED-CHOICE VOTING STUDY COMMITTEE; REPORT

16 (a) Creation. There is created the Ranked-Choice Voting Study Committee  
17 to examine issues in implementing ranked-choice voting in Vermont across all  
18 elections for State and federal offices.

19 (b) Membership. The Ranked-Choice Voting Study Committee shall be  
20 composed of the following members:

1           (1) two current members of the House of Representatives, not from the  
2           same political party, who shall be appointed by the Speaker of the House;

3           (2) two current members of the Senate, not from the same political  
4           party, who shall be appointed by the Committee on Committees;

5           (3) one designee, appointed by the Secretary of State;

6           (4) three designees, appointed by the Vermont Municipal Clerks' and  
7           Treasurers' Association, from different-sized towns, cities, and villages;  
8           different regions; and at least one shall be from a town, city, or village that  
9           uses a hand count in elections;

10          (5) one designee, appointed by the Vermont League of Cities and  
11          Towns;

12          (6) a member of an organization focused on the conduct of elections,  
13          who shall be appointed by the Speaker of the House; and

14          (7) a member of a different organization focused on the conduct of  
15          elections, who shall be appointed by the Senate Committee on Committees.

16          (c) Powers and duties. The Ranked-Choice Voting Study Committee shall  
17          study ranked-choice voting systems, with the goal of having any  
18          recommendations implemented for all primary and general elections for State  
19          and federal office occurring in 2028, including the following issues:

20           (1) education of voters;

21           (2) training of town clerks, presiding officers, and election staff;

- 1           (3) election integrity, security, and transportation of ballots;  
2           (4) technological requirements in tabulators, hardware, and software;  
3           (5) canvassing of votes and roles of canvassing committees;  
4           (6) post-election processes and reporting; and  
5           (7) other items relating to the design and implementation of ranked-  
6 choice voting systems.

7           (d) Assistance. The Ranked-Choice Voting Study Committee shall have  
8 the administrative, technical, and legal assistance of the Vermont Office of  
9 Legislative Counsel and the Joint Fiscal Office.

10          (e) Report. On or before January 15, 2026, the Ranked-Choice Voting  
11 Study Committee shall report to the House Committee on Government  
12 Operations and Military Affairs and the Senate Committee on Government  
13 Operations with its findings and any recommendations for legislative action.

14          (f) Meetings.

15           (1) A member of the House of Representatives designated by the  
16 Speaker of the House shall call the first meeting of the Ranked-Choice Voting  
17 Study Committee to occur on or before July 1, 2025.

18           (2) The Ranked-Choice Voting Study Committee shall select a chair  
19 from among its members at the first meeting.

20           (3) A majority of the members of the Ranked-Choice Voting Study  
21 Committee shall constitute a quorum.

1           (4) The Ranked-Choice Voting Study Committee shall cease to exist on  
2           November 1, 2026.

3           (g) Compensation and reimbursement.

4           (1) For attendance at meetings during adjournment of the General  
5           Assembly, a legislative member of the Ranked-Choice Voting Study  
6           Committee serving in the legislator's capacity as a legislator shall be entitled to  
7           per diem compensation and reimbursement of expenses pursuant to 2 V.S.A.  
8           § 23 for not more than four meetings. These payments shall be made from  
9           monies appropriated to the General Assembly.

10           (2) Other members of the Ranked-Choice Voting Study Committee who  
11           are not paid for their services by the organization for which the member is  
12           representing on the Ranked-Choice Voting Study Committee shall be entitled  
13           to per diem compensation as permitted under 32 V.S.A. § 1010 for not more  
14           than four meetings. These payments shall be made from monies appropriated  
15           to the Office of the Secretary of State.

16           (h) Appropriation. The sum of \$1,000.00 is appropriated to the Office of  
17           the Secretary of State from the General Fund in fiscal year 2026 for per diem  
18           compensation for members of the Committee.

19           \* \* \* Ranked-Choice Voting for Presidential Primary Elections \* \* \*

20           Sec. 2. REDESIGNATION

21           17 V.S.A. §§ 2705 and 2706 are redesignated as 17 V.S.A. §§ 2711 and 2712.

1 Sec. 3. 17 V.S.A. chapter 57, subchapter 1 is amended to read:

2 Subchapter 1. Presidential Primary

3 § 2701. DEFINITIONS

4 As used in this subchapter:

5 (1) “Active candidate” means a candidate who has not been eliminated.

6 (2) “By lot” means a method, determined by the Secretary of State, for  
7 randomly choosing between two or more active candidates.

8 (3) “Highest-ranked active candidate” means the active candidate  
9 assigned a higher ranking than any other active candidate.

10 (4) “Major political party” has the same meaning as in subdivision  
11 2103(23)(A) of this title.

12 (5) “Ranking” means the number available to be assigned by a voter to a  
13 candidate to express the voter’s choice for that candidate. The number “1” is  
14 the highest ranking, followed by “2,” and then “3,” and so on.

15 (6) “Round” means an instance of the sequence of voting tabulation in  
16 accordance with section 2707 of this title.

17 (7) “Threshold for receiving delegates” means the number of votes  
18 necessary for a candidate to receive delegates in a presidential primary election  
19 conducted in accordance with subdivision 2706(a)(2) of this title.

20 ~~§ 2701~~ 2702. PRESIDENTIAL PRIMARY; TIME OF HOLDING; FORM

21 OF BALLOT

1 In presidential election years, a presidential primary for each major political  
2 party shall be held in all municipalities on the first Tuesday in March. The  
3 Secretary of State shall prepare and distribute for use at the primary an official  
4 ranked-choice ballot for each party for which one or more candidates qualify  
5 for the placing of their names on the ballot under section ~~2702~~ 2703 of this  
6 title. Ballots shall be printed on index stock and configured to be readable by  
7 vote tabulators.

8 § ~~2702~~ 2703. NOMINATING PETITION

9 \* \* \*

10 § ~~2703~~ 2704. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

11 The Secretary of State shall examine the petitions and ascertain whether  
12 they conform to the provisions of this chapter, and sections 2353, 2354, and  
13 2358 of this title. If found not to conform, ~~he or she~~ the Secretary shall state in  
14 writing why a particular petition cannot be accepted, and within 72 hours from  
15 receipt ~~he or she~~ the Secretary shall return it to the candidate in whose behalf it  
16 was filed. In such case, supplementary petitions may be filed not later than 10  
17 days after the deadline for filing petitions. However, supplementary petitions  
18 shall not be accepted if petitions with the signatures of at least 1,000 persons  
19 were not filed by the deadline for filing petitions set forth in section ~~2702~~ 2703  
20 of this chapter.

1       § ~~2704~~ 2705. RANKED-CHOICE VOTING; BALLOTS

2           (a) A presidential primary election for a major political party shall be  
3       conducted by ranked-choice voting.

4           (b) A person voting at the primary shall be required to ask for the ranked-  
5       choice ballot of the party in which the voter wishes to vote, and an election  
6       official shall record the voter's choice of ballot by marking the entrance  
7       checklist with a letter code, as designated by the Secretary of State, to indicate  
8       the voter's party choice.

9           (1) The ballot shall allow voters to rank candidates in order of choice.  
10       The names of all candidates on the ballot shall be listed in alphabetical order.  
11       ~~Each voter may vote for one candidate for the presidential nomination of one~~  
12       ~~party, either by placing a mark opposite the printed name of a candidate as in~~  
13       ~~other primaries, or by writing in the name of the candidate of the voter's~~  
14       ~~choice.~~

15           (2) The ballot shall allow voters to assign rankings to candidates that are  
16       equal to the number of printed candidate names and blank write-in lines,  
17       except to the extent established by the Secretary pursuant to section 2710 of  
18       this title.

1     § 2706. TYPE OF RANKED-CHOICE VOTING

2           (a) At least 150 days before the date of the presidential primary election,  
3     the State committee of each major political party shall confirm in writing with  
4     the Secretary of State whether the party will award delegates either:

5           (1) on a winner-take-all basis in accordance with subsection 2707(d) of  
6     this title; or

7           (2) on a proportional basis in accordance with subsection 2707(e) of this  
8     title, in which case the party shall also indicate the applicable threshold or  
9     thresholds for receiving delegates.

10          (b) If a party fails to provide notice, or its notice does not specify how the  
11     party will award its delegates, the presidential primary election for that party  
12     shall be tabulated on a winner-take-all basis in accordance with subsection  
13     2707(d) of this title.

14     § 2707. RANKED-CHOICE VOTING TABULATION

15          (a) Tabulation rounds. In any presidential primary election for a major  
16     political party, each ballot shall count as one vote for the highest-ranked active  
17     candidate on that ballot. Tabulation shall proceed in rounds. Each round  
18     proceeds sequentially as described in subsection (d) or (e) of this section, as  
19     applicable.

20          (b) Withdrawn candidates. If a candidate withdraws, dies, or for any  
21     reason becomes disqualified after the ballots have been printed, the candidate



1 shall be treated as an eliminated candidate during tabulation unless a ranking  
2 for that candidate is to be counted pursuant to party rule.

3 (c) Treatment of ballots.

4 (1) An undervote is a ballot that does not rank any candidates in an  
5 election for a particular office. An undervote does not count as an active or  
6 inactive ballot in any round of tabulation of that election.

7 (2) An inactive ballot is a ballot that ceases during tabulation to count  
8 for any candidate for the remainder of tabulation of the election for that office  
9 because either:

10 (A) All candidates ranked on the ballot have become inactive.

11 (B) The ballot includes an overvote and any candidates ranked higher  
12 than the overvote have become inactive. An overvote occurs when a voter  
13 ranks more than one candidate at the same ranking.

14 (3) During tabulation, a ballot shall remain active and continue to count  
15 for its highest-ranked active candidate notwithstanding any skipped or repeated  
16 rankings on the ballot. A skipped ranking occurs when a voter leaves a  
17 ranking unassigned but ranks a candidate at a subsequent ranking. A repeated  
18 ranking occurs when a voter ranks the same candidate at multiple rankings.

19 (d) Award of delegates on winner-take-all basis. If a major political party  
20 awards all of the State's delegates to a single candidate on a winner-take-all  
21 basis, tabulation shall proceed as follows:

1           (1) If there are two or fewer active candidates, then tabulation is  
2           complete and the candidate with the most votes is declared the winner of the  
3           election.

4           (2) If there are more than two active candidates, the active candidate  
5           with the fewest votes is eliminated, the votes for the eliminated candidate are  
6           transferred to each ballot's next-ranked active candidate, and a new round  
7           begins.

8           (3) If there is a tie between two active candidates with the fewest votes,  
9           the tie shall be resolved by lot to determine which candidate is defeated. The  
10           result of the tie resolution must be recorded and reused in the event of a  
11           recount.

12           (4) If there is a tie between the final two active candidates, the Secretary  
13           of State shall notify each active candidate involved in the tie, or the candidate's  
14           designee, to be present at the Secretary of State's office at a certain time. At  
15           that time, the Secretary of State shall select the winner of the tabulation by lot.

16           (e) Award of delegates on proportional basis. If a major political party  
17           awards the State's delegates to multiple candidates on a proportional basis,  
18           tabulation shall proceed as follows:

19           (1) If the vote total of every active candidate is above the threshold for  
20           receiving delegates as confirmed by the major political party pursuant to  
21           subdivision 2706(a)(2) of this title, then tabulation is complete.

1           (2) If any active candidate is below the threshold for receiving  
2           delegates, then the active candidate with the fewest votes is eliminated, votes  
3           for the eliminated candidate are transferred to each ballot's next-ranked active  
4           candidate, and a new round begins.

5           (3) If there is a tie between two active candidates with the fewest votes  
6           and tabulation is not yet complete, the tie shall be resolved by lot to determine  
7           which candidate is defeated. The result of the tie resolution must be recorded  
8           and reused in the event of a recount.

9           (f) Certification of tabulation rounds. The Secretary of State shall certify  
10          the results of each round tabulated pursuant to subsection (d) or (e) of this  
11          section, as applicable, along with any other information required under section  
12          2708 of this title, to the State chairperson and the national committee of each  
13          major political party that had at least one candidate on the State-administered  
14          presidential primary election ballot to allocate national delegate votes in  
15          accordance with the party's State and national rules.

16          (g) Priority of major political party rules. Nothing in this subchapter shall  
17          be construed to preclude a major political party from allocating delegates  
18          according to its own rules for allocating such delegates.

1     § 2708. RANKED-CHOICE VOTING RESULTS REPORTING

2           (a) Unofficial preliminary round-by-round results shall be released as soon  
3     as feasible after the polls close and at regular intervals thereafter until the  
4     counting of ballots is complete.

5           (b) Unofficial preliminary ballot-level ranking data shall be made public in  
6     a machine-readable and searchable open format not later than when the  
7     counting of ballots is complete.

8           (c) Official final round-by-round results and official final ballot-level  
9     ranking data in a machine-readable and searchable open format shall be made  
10    public upon certification of the results.

11          (d) If a major political party allocates delegates by geographical unit or  
12    district, round-by-round results by geographical unit or district shall be made  
13    public in addition to statewide results.

14    § 2709. CANVASSING COMMITTEE CERTIFICATES

15          When the canvassing committee provided for in section 2592 of this title  
16    prepares its certificate of election for a presidential primary election for a  
17    major political party, the canvass shall state the number of final round votes  
18    received by each candidate who has received votes in the final round of  
19    tabulation.

1 Sec. 4. 17 V.S.A. § 2710 is added to read:

2 § 2710. RULEMAKING

3 The Secretary of State shall adopt rules pursuant to 3 V.S.A. chapter 25 for  
4 the proper and efficient administration of presidential primary elections,  
5 including procedures for ensuring that voting tabulators, voting tabulator  
6 memory cards, and related software are able to tabulate rank-choice voting  
7 when necessary; procedures for ensuring that the number of rankings allowed  
8 to voters be uniform across the State for any given contest, that the number of  
9 rankings allowed in any given contest be the maximum number allowed by the  
10 equipment, and that the number of rankings allowed be not fewer than three in  
11 any event; procedures for the release of round-by-round results; procedures for  
12 requesting and conducting recounts of the results of presidential primary  
13 elections for major candidates; and procedures for filing returns in accordance  
14 with section 2588 of this title.

15 Sec. 5. TALLY SHEETS; SUMMARY SHEETS; RETURNS

16 The Secretary of State shall ensure that on or before January 1, 2028, all  
17 tally sheets, summary sheets, and returns described in 17 V.S.A. § 2586 are  
18 designed to record ranked-choice voting results in accordance with this act.

1  
2  
3  
4  
5

\* \* \* Effective Dates \* \* \*

Sec. 6. EFFECTIVE DATES

This act shall take effect on passage, except that Secs. 2 (redesignation), 3 (amending 17 V.S.A. chapter 57, subchapter 1), 4 (rulemaking), and 5 (tally sheets; summary sheets; returns) shall take effect on January 1, 2026.