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H.314

Introduced by Representatives Sibia of Dover and Logan of Burlington  
Referred to Committee on

Date:

Subject: Elections; primaries

Statement of purpose of bill as introduced: This bill proposes to require  
nonpartisan primary elections in which the four candidates receiving the most  
votes shall be placed on the ballot for the succeeding general election.

An act relating to a top-four nonpartisan primary election system

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

\* \* \* Short Title \* \* \*

Sec. 1. SHORT TITLE

This act may be cited as the “People over Party Provision for Vermont’s  
Primary Elections Act of 2025.”

\* \* \* Provisions for Primary Elections \* \* \*

Sec. 2. 17 V.S.A. chapter 49 is amended to read:

CHAPTER 49. ~~NOMINATIONS~~ PRIMARY ELECTIONS

~~Subchapter 1. Primary Elections~~

§ 2351. PROVISIONS FOR PRIMARY ELECTION

1       A primary election shall be held on the second Tuesday in August in each  
2       even-numbered year ~~for the nomination of candidates of major political parties~~  
3       to narrow the number of candidates for all offices to be voted for at the  
4       succeeding general election, except candidates for President and Vice  
5       President of the United States, their electors, and justices of the peace. A  
6       primary election does not serve to determine the nominee of a political party.

7       § 2352. ~~NOMINATION OF CANDIDATES PRIOR TO SPECIAL~~  
8       PRIMARY ELECTION

9       When the Governor or any court, pursuant to law, orders a special election  
10      to be held for any of the offices covered by section 2351 of this title, a special  
11      primary election shall be held on the Tuesday that falls not less than 60 days  
12      nor more than 66 days prior to the date set for the special election. ~~The~~  
13      ~~nomination of candidates prior to a special election, including nomination both~~  
14      ~~by primary and by other means, shall be governed by the rules applicable to~~  
15      ~~nomination of candidates prior to the general election, except as may be~~  
16      ~~specifically provided in this chapter.~~ The term “general election,” as used in  
17      this chapter, shall be deemed to include a special election, unless the context  
18      requires a different interpretation.

19      § 2353. PETITIONS TO PLACE NAMES ON BALLOT

20      (a) The name of any person shall be printed upon the primary ballot as a  
21      candidate for ~~nomination by any major political party~~ for the office indicated,  
22      if a petition containing the requisite number of signatures made by registered

1 voters, in substantially the following form, is filed with the proper official,  
2 together with the person's written consent to having ~~his or her~~ the person's  
3 name printed on the ballot:

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

10 (b)(1) ~~A person's name shall not be listed as a candidate on the primary~~  
11 ~~ballot of more than one party in the same election. [Repealed.]~~

12 (2) A single petition shall contain only one office for which a person  
13 seeks to be a candidate.

14 (3) A person shall file a separate petition for each office for which ~~he or~~  
15 ~~she~~ a person seeks to be a candidate.

16 § 2354. SIGNING PETITIONS

17 (a) Any number of voters may sign the same petition.

18 (b)(1) A voter's signature shall not be valid unless at the time ~~he or she~~ the  
19 voter signs, the voter is registered and qualified to vote for the candidate whose  
20 petition ~~he or she~~ the voter signs.

21 (2) Each voter shall indicate ~~he or she~~ the voter's town of residence next  
22 to his or her signature.

1 (c) The signature of a voter on a candidate's petition does not necessarily  
2 indicate that the voter supports the candidate.

3 (d) A petition shall contain the name of only one candidate.

4 § 2355. NUMBER OF SIGNATURES REQUIRED

5 The number of signatures on primary petitions shall be not less than:

6 (1) for State and congressional officers, 500;

7 (2) for county officers or State senator, 100; ~~and~~

8 (3) for Representative to the General Assembly, 50; and

9 (4) for justice of the peace, 30 or one percent of the legal voters of the  
10 municipality, whichever is less.

11 § 2356. TIME FOR FILING PETITIONS

12 (a) Primary petitions ~~for major party candidates~~ shall be filed not earlier  
13 than the fourth Monday in April and not later than 5:00 p.m. on the fourth  
14 Thursday after the first Monday in May preceding the primary election  
15 prescribed by section 2351 of this chapter, and not later than 5:00 p.m. of the  
16 62nd day prior to the day of a special primary election.

17 (b) A petition ~~or statement of nomination~~ shall apply only to the election  
18 cycle in which the petition or statement of nomination is filed.

19 § 2357. PLACE OF FILING PETITION

20 (a) Primary petitions and consent forms shall be filed as follows:

21 (1) For State and congressional officers, with the Secretary of State;

22 (2) For county officers, with the county clerk;

1 (3) For State Senator, with the senatorial district clerk;

2 (4) For Representative to the General Assembly, with the representative  
3 district clerk; and

4 (5) for justices of the peace, with the town clerk.

5 (b) The public official designated to accept a petition shall not accept a  
6 ~~nominating~~ primary petition unless a completed and signed consent form is  
7 filed at the same time.

8 \* \* \*

9 § 2362. PRIMARY BALLOTS

10 (a) A ~~separate primary~~ ballot for each major political party shall be printed  
11 and furnished to the towns by the Secretary of State and shall contain the  
12 names of all candidates for ~~nominating~~ nomination by that party at the primary election.  
13 Ballots shall be printed on index stock and configured to be readable by vote  
14 tabulators. Ballots shall be printed in substantially the following form:

15 OFFICIAL VERMONT PRIMARY ELECTION BALLOT

16 ~~VOTE ON ONE PARTY BALLOT ONLY~~ AND PLACE IN BALLOT

17 BOX OR VOTE TABULATOR

18 ~~ALL OTHER PARTY BALLOTS MUST BE PLACED IN UNVOTED~~

19 ~~BALLOT BOX~~

20 \_\_\_\_\_  
21 ~~[MAJOR POLITICAL PARTY NAME]~~

22 \_\_\_\_\_



1 § 2369. DETERMINING ~~WINNER~~ WINNERS; TIE VOTES

2 (a) ~~A person who receives a plurality of all the votes cast by a party in a~~  
3 ~~primary shall be a candidate of that party be placed for the office designated on~~  
4 ~~the ballot~~ Determining winners. Only the four candidates who receive the  
5 greatest number of votes for an office in a primary election shall be determined  
6 to have won the primary election for that office and shall, except as provided in  
7 17 V.S.A. § 2475, be placed on the ballot for that office for the subsequent  
8 general election.

9 (b)(~~4~~) Ties. If any primary election results in more than four candidates  
10 qualifying to be placed on the ballot for an office for the general election  
11 because of a tie in the number of votes received by candidates, and after the  
12 period for requesting a recount under section 2602 of this title has expired, no  
13 candidate has requested a recount and two or more candidates of the same  
14 party of the four candidates to receive the most votes are tied for the same  
15 office, or if the results of recount result in a tie, the choice among those tied  
16 shall be determined upon five days' notice and not later than 10 days following  
17 the primary election by the committee of that party, which shall meet to  
18 nominate a candidate from among the tied candidates the Secretary of State  
19 shall resolve the tie by lot to determine which candidates have won the primary  
20 election and shall be placed on the ballot for that office for the subsequent  
21 general election. The Secretary of State shall notify each active candidate  
22 involved in the tie, or the candidate's designee, to be present at the Secretary of

1 State's office at a certain time. At that time, the Secretary of State shall select  
2 the winner of the tabulation by lot. "By lot" means a method, determined by  
3 the Secretary of State, for randomly choosing between two or more candidates.

4 ~~The committee that nominates a candidate shall be as follows:~~

5 ~~(A) the State committee of a party for a State or congressional office;~~

6 ~~(B) the senatorial district committee for State Senate;~~

7 ~~(C) the county committee for county office; or~~

8 ~~(D) the representative district committee for a Representative to the~~

9 ~~General Assembly.~~

10 ~~(2) The committee chair shall certify the candidate nomination for the~~  
11 ~~general election to the Secretary of State within 48 hours of the nomination.~~

12 § 2370. WRITE-IN CANDIDATES

13 (a) A write-in candidate shall not qualify as a primary winner unless ~~he or~~  
14 ~~she~~ the candidate receives at least one-half the number of votes as the number  
15 of signatures required for ~~his or her~~ the candidate's office on a primary  
16 petition, except that if a write-in candidate receives more votes than a  
17 candidate whose name is printed on the ballot, ~~he or she~~ the write-in candidate  
18 may qualify as a primary winner.

19 (b) The write-in candidate who qualifies as a primary winner under this  
20 section must still be determined a winner under section 2369 of this chapter  
21 before ~~he or she becomes~~ the party's candidate shall be placed on the ballot for  
22 the subsequent general election.



1       § 2371. ~~NOMINEES; NOTICE TO NOMINEES~~ PRIMARY ELECTION

2                     WINNERS

3           (a) The canvassing committee shall prepare and sign certificates of  
4 ~~nomination~~ advancement and mail or deliver in person to each winning  
5 candidate ~~nominated~~ a notice of ~~his or her nomination~~ the candidate's  
6 advancement within two days after their meeting. On each certificate the  
7 canvassing committee shall indicate the name, town of residence, ~~party~~  
8 ~~affiliation~~, and mailing address of the winning candidate ~~nominated~~. At the  
9 same time that they mail or deliver the certificates of ~~nomination~~ advancement,  
10 the canvassing committees shall also file with the office of the Secretary of  
11 State a list showing the vote for each candidate ~~of each party~~ for each office.

12           (b) Unless a ~~person~~ winning candidate who is notified of ~~being nominated~~  
13 ~~withdraws the candidacy~~, the person's name, and residence, ~~and party~~  
14 ~~affiliation~~ shall be printed upon the general election ballot in the same manner  
15 as they appear in the notice of ~~nomination~~ advancement; provided, however,  
16 that within five days of the date of mailing or personal delivery a candidate  
17 may request that an error in the candidate's name, or residence, ~~or party~~  
18 ~~affiliation~~ be corrected or that the candidate's preference as to the candidate's  
19 own name be used on the ballot. ~~The candidate shall also have the right to~~  
20 ~~make the choice as set forth in section 2474 of this title.~~

21                     ~~Subchapter 2. Nomination by Party Committee~~

1     § 2381. ~~APPLICABILITY OF SUBCHAPTER~~

2           ~~(a) A candidate may also be nominated and have the candidate's name~~  
3     ~~printed on the general election ballot in accordance with the provisions set~~  
4     ~~forth in this subchapter, in the following instances:~~

5           ~~(1) In case of a vacancy on the general election ballot occasioned by~~  
6     ~~death, removal, or withdrawal of a candidate, or the failure of a major political~~  
7     ~~party to nominate a candidate by primary;~~

8           ~~(2) In case a minor political party desires to nominate a candidate for~~  
9     ~~any office for which major political parties nominate candidates by primary or~~  
10    ~~for the offices of President and Vice President of the United States;~~

11          ~~(3) In case of nomination for the office of justice of the peace, in the~~  
12    ~~event that such nomination has not already been made by caucus as provided in~~  
13    ~~section 2413 of this chapter.~~

14          ~~(b) In no event may any committee nominate a candidate or candidates for~~  
15    ~~statewide office under this subchapter unless the political party has town~~  
16    ~~committees organized in at least 10 towns in this State in accordance with~~  
17    ~~procedures in chapter 45 of this title. [Repealed.]~~

18    § 2382. ~~WHICH COMMITTEE TO NOMINATE~~

19          ~~Nominations of party candidates pursuant to this subchapter shall be made~~  
20    ~~by the following political committee of the party:~~

21          ~~(1) By the State committee in the case of President and Vice President~~  
22    ~~of the United States or State or congressional officers;~~

1           ~~(2) By the county committee in the case of county officers;~~

2           ~~(3) By the senatorial district committee in the case of the office of State~~  
3     ~~Senator;~~

4           ~~(4) By the representative district committee in the case of the office of~~  
5     ~~Representative to the General Assembly;~~

6           ~~(5) By the town committee in the case of the office of justice of the~~  
7     ~~peace. [Repealed.]~~

8     § 2383. ~~NOTICE OF MEETINGS~~

9           ~~The chair of the appropriate committee, or if the chair has not called a~~  
10     ~~meeting then any three members of the committee, may set a date, time, and~~  
11     ~~place for a committee meeting for the nomination of candidates pursuant to~~  
12     ~~this subchapter and shall give not less than five days' notice in writing to all~~  
13     ~~members of the committee. The notice shall specifically state the offices for~~  
14     ~~which nominations may be made. [Repealed.]~~

15     § 2384. ~~PROCEDURE UPON MEETING~~

16           ~~At the time and place set for the meeting, the committee shall proceed to~~  
17     ~~nominate such candidates as it may desire pursuant to this subchapter.~~  
18     ~~Nomination shall require a majority of those present and voting, and if no~~  
19     ~~candidate shall have received a majority after two ballots, the candidate with~~  
20     ~~the lowest number of votes in the second and in each succeeding ballot shall be~~  
21     ~~eliminated until a candidate receives a majority. [Repealed.]~~

22     § 2385. ~~STATEMENT BY COMMITTEE OFFICERS; CONSENT OF~~

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CANDIDATE

~~(a) When a nomination is made under the provisions of this subchapter, the chair and the secretary of the committee making the nomination shall file a statement of nomination in substantially the following form:~~

~~“The ..... met on ..... and nominated the~~

~~(name of committee) (date)~~

~~following person (or persons) to be a candidate (or candidates) of the~~

~~..... for the office (or offices) indicated~~

~~(Name of political party)~~

~~.....~~

~~(Name of candidate) (residence) (office for which nominated)~~

~~“Notice of the meeting was properly given in compliance with all requirements of section 2383 of this title and the procedures required by section 2384 of this title were followed. A copy of the notice of the meeting is attached.~~

~~“We swear under oath that we understand the above provisions of law and that the statements we have made in this document are true.~~

~~Sworn to before me~~

~~.....~~

~~Notary Public Signature of Chair~~

~~.....”~~

~~Date Signature of Secretary~~

1       ~~(b) The statement of nomination shall be signed by the chair or acting chair~~  
2       ~~and secretary or acting secretary of the committee making the nomination.~~  
3       ~~They shall swear in their statement of nomination that the notice requirements~~  
4       ~~of section 2383 of this title and procedural requirements of section 2384 of this~~  
5       ~~title were complied with and that the persons listed as candidates were~~  
6       ~~nominated at the meeting.~~

7       ~~(c) A copy of the notice that was sent to all committee members pursuant to~~  
8       ~~section 2383 of this title shall be filed along with the statement of nomination.~~

9       ~~(d) Except in the case of nominations for justice of the peace, the candidate~~  
10       ~~named in the statement shall file a consent to having the candidate's name~~  
11       ~~printed on the ballot, similar in form to the consent required in section 2361 of~~  
12       ~~this title before the last day for filing statements of nomination. It shall be~~  
13       ~~sufficient for meeting this requirement if the candidate signs the statement of~~  
14       ~~nomination with a statement in substantially the following form:~~

15       ~~"I consent to having my name printed on the general election ballot for the~~  
16       ~~office of \_\_\_\_\_.~~

17       ~~\_\_\_\_\_ (office for which nomination was made)~~

18       ~~My name (as I wish it to appear on the ballot), town or city of residence, and~~  
19       ~~party are as follows:~~

20       ~~\_\_\_\_\_~~

21       ~~\_\_\_\_\_~~

1 Name (please print) \_\_\_\_\_ Town of residence (please print) Party (please  
2 print)

3 \_\_\_\_\_

4 ~~Date~~ \_\_\_\_\_ ~~Signature of Candidate~~

5 \_\_\_\_\_”

6 \_\_\_\_\_ Mailing Address

7 (e) ~~In the case of nominations by town committee or caucus for the office~~  
8 ~~of justice of the peace, before filing the statement of nomination the chair,~~  
9 ~~acting chair, secretary, or acting secretary shall check with each nominee and~~  
10 ~~confirm that he or she consents to have his or her name printed on the ballot as~~  
11 ~~a candidate for that position and to serve if elected. [Repealed.]~~

12 § 2386. TIME FOR FILING STATEMENTS

13 (a) ~~In the case of the failure of a major political party to nominate a~~  
14 ~~candidate by primary, a statement shall be filed not later than 5:00 p.m. on the~~  
15 ~~sixth day following the primary.~~

16 (b) ~~In the case of the death or withdrawal of a candidate after the primary~~  
17 ~~election, the party committee shall have seven days from the date of the death~~  
18 ~~or withdrawal to nominate a candidate. In no event shall a statement be filed~~  
19 ~~later than 60 days prior to the general election.~~

20 (c)(1) ~~In the case of a nomination by a minor political party, a statement~~  
21 ~~shall be filed not earlier than the fourth Monday in April and not later than~~  
22 ~~5:00 p.m. on the Thursday preceding the primary election described in section~~

1 ~~2351 of this chapter and not later than 5:00 p.m. on the third day prior to the~~  
2 ~~day of a special primary election.~~

3 ~~(2) A statement shall apply only to the election cycle in which the~~  
4 ~~statement is filed.~~

5 ~~(d) In the case of a nomination for the office of justice of the peace, a~~  
6 ~~statement shall be filed as set forth in section 2413 of this chapter. [Repealed.]~~

7 § 2387. PLACE FOR FILING STATEMENTS

8 ~~Statements for the office of justice of the peace shall be filed with the town~~  
9 ~~clerk. All other statements and consents shall be filed with the Secretary of~~  
10 ~~State. [Repealed.]~~

11 ~~Subchapter 3. Independent Candidates~~

12 § 2401. APPLICABILITY OF SUBCHAPTER

13 ~~A person may be nominated and have his or her name printed on the general~~  
14 ~~election ballot for any office by filing a consent similar in form to the consent~~  
15 ~~prescribed by section 2361 of this title and a statement of nomination with the~~  
16 ~~Secretary of State. In the case of a nomination for justice of the peace, the~~  
17 ~~consent form and statement of nomination shall be filed with the town clerk.~~  
18 ~~[Repealed.]~~

19 § 2402. REQUISITES OF STATEMENT

20 ~~(a) A statement of nomination shall contain:~~

21 ~~(1) The name of the office for which the nomination is made.~~

22 ~~(2) The candidate's name and residence.~~

1           ~~(3) If desired, a name, or other identification (in not more than three~~  
2           ~~words) to be printed on the ballot following the candidate's name.~~

3           ~~(4) In the case of nomination for President or Vice President of the~~  
4           ~~United States:~~

5           ~~(A) The name and state of residence of each candidate for such~~  
6           ~~office, together with the name, town of residence, and correct mailing address~~  
7           ~~of each nominee for the office of elector.~~

8           ~~(B)(i) The original statement of nomination shall include a~~  
9           ~~certification by the town clerk of each town where the signers appear to be~~  
10          ~~voters that the persons whose names appear as signers of the statement are~~  
11          ~~registered voters in the town and of the total number of valid signers from the~~  
12          ~~town.~~

13          ~~(ii) Only the number of signers certified as registered voters by~~  
14          ~~each town clerk on the original statement of nomination forms shall count~~  
15          ~~toward the required number of signatures.~~

16          ~~(C) The statement shall also be accompanied by a consent form from~~  
17          ~~each nominee for elector. The consent form shall be similar to the consent~~  
18          ~~form prescribed in section 2361 of this title.~~

19          ~~(b)(1) To constitute a valid nomination, a statement shall contain signatures~~  
20          ~~of voters qualified to vote in an election for the office in question, equal in~~  
21          ~~number to at least:~~

22                 ~~(A) for presidential and vice presidential offices, 1,000;~~



1           ~~(B) for State and congressional offices, 500;~~

2           ~~(C) for county officers or State Senators, 100;~~

3           ~~(D) for Representative to the General Assembly, 50;~~

4           ~~(E) for justice of the peace, 30 or one percent of the legal voters of~~  
5 ~~the municipality, whichever is less.~~

6           ~~(2) Signatures need not all be contained on one paper.~~

7           ~~(e) A statement shall state that each signer is qualified to vote in an election~~  
8 ~~for the office in question and that the voter's residence is as set forth next to~~  
9 ~~the voter's name.~~

10          ~~(d)(1) A statement of nomination and a completed and signed consent form~~  
11 ~~shall be filed:~~

12           ~~(A) in the case of nomination for President or Vice President of the~~  
13 ~~United States, not earlier than the fourth Monday in April and not later than~~  
14 ~~5:00 p.m. on the August 1 preceding the presidential general election;~~

15           ~~(B) in the case of nomination for justice of the peace, not earlier than~~  
16 ~~the fourth Monday in April and not later than 5:00 p.m. on the third day~~  
17 ~~following the primary election; or~~

18           ~~(C) in the case of any other independent candidate, not earlier than~~  
19 ~~the fourth Monday in April and not later than 5:00 p.m. on the Thursday~~  
20 ~~preceding the primary election prescribed by section 2351 of this chapter, and~~  
21 ~~not later than 5:00 p.m. of the third day prior to the day of a special primary~~  
22 ~~election.~~

1           ~~(2) A public official receiving nominations shall not accept a petition~~  
2           ~~unless a completed and signed consent form is filed at the same time.~~

3           ~~(3) A statement of nomination shall apply only to the election cycle in~~  
4           ~~which the statement of nomination is filed.~~

5           ~~(e) The Secretary of State shall prescribe and furnish forms for a statement~~  
6           ~~of nomination.~~

7           ~~(f) In the event that an independent vice presidential candidate withdraws~~  
8           ~~in accordance with section 2412 of this chapter, the presidential candidate may~~  
9           ~~submit to the Secretary of State on or before the ballot printing deadline a new~~  
10          ~~consent form signed by the presidential candidate and his or her new vice~~  
11          ~~presidential candidate. [Repealed.]~~

12          § 2403. ~~NUMBER OF CANDIDATES; PARTY NAMES~~

13          ~~(a)(1) A statement of nomination shall contain the name of only one~~  
14          ~~candidate, except in the case of presidential and vice presidential candidates,~~  
15          ~~who may be nominated by means of the same statement of nomination.~~

16          ~~(2) A single statement of nomination shall contain only one office for~~  
17          ~~which a person seeks to be a candidate.~~

18          ~~(b)(1) The political or other name on a statement of nomination shall be~~  
19          ~~substantially different from the name of any organized political party. It shall~~  
20          ~~also be substantially different from the political or other name already~~  
21          ~~appearing on any other statement of nomination for the same office then on file~~  
22          ~~with the same officer for the same election.~~

1           ~~(2) If the Secretary of State determines that it is not substantially~~  
2           ~~different, the candidate named on the statement shall select a different political~~  
3           ~~or other name; otherwise the Secretary shall print the word “Independent” on~~  
4           ~~the ballot for that candidate.~~

5           ~~(c)(1) Except in the case of presidential and vice presidential candidates,~~  
6           ~~the word “independent” may not be used as part of a party name.~~

7           ~~(2) If no party is indicated, the word “Independent” shall be printed on~~  
8           ~~the ballot.~~

9           ~~(3) A candidate appearing on the ballot as a candidate of a political party~~  
10          ~~shall not also appear on the ballot as an “Independent.” [Repealed.]~~

11          § 2404. ~~PRESERVATION OF STATEMENTS~~

12          ~~The Secretary of State shall preserve all statements until three months after~~  
13          ~~the general election, after which they may be destroyed. [Repealed.]~~

14   ~~Subchapter 4. Miscellaneous Provisions~~

15          § 2411. APPLICABILITY OF OTHER LAW

16          Except as specifically provided in this chapter, all other provisions of this  
17          title shall govern the several procedures specified in this chapter for the  
18          ~~making of nominations~~ conduct of primary elections.

19          § 2412. ~~WITHDRAWAL OF CANDIDACY~~

20          ~~(a)(1) A candidate who has been validly nominated by one of the methods~~  
21          ~~prescribed in this chapter shall have a right to withdraw his or her candidacy~~  
22          ~~up until 5:00 p.m. on the tenth day following the primary by filing a written~~

1 ~~notice of withdrawal with the town clerk in the case of a candidate for justice~~  
2 ~~of the peace, and with the Secretary of State in the case of all other offices.~~

3 ~~(2) The name of a candidate who has withdrawn in accordance with the~~  
4 ~~provisions of this subsection shall not be printed on the ballot.~~

5 ~~(b) After the date described in subdivision (a)(1) of this section, if the~~  
6 ~~candidate has filed a written notice of withdrawal, the town clerk or Secretary~~  
7 ~~of State may still remove the candidate's name from the ballot up until the~~  
8 ~~printing deadline. [Repealed.]~~

9 ~~§ 2413. NOMINATION OF JUSTICES OF THE PEACE~~

10 ~~(a)(1) The party members in each town, on or before each primary election,~~  
11 ~~upon the call of the town committee, may meet in caucus and nominate~~  
12 ~~candidates for justice of the peace.~~

13 ~~(2)(A) The committee shall give notice of the caucus by posting notice~~  
14 ~~at the office of the town clerk and two other public places in the town at least~~  
15 ~~five days prior to the caucus.~~

16 ~~(B) In addition, for towns with over 3,000 voters, the committee shall~~  
17 ~~post this notice at least one day prior to the caucus:~~

18 ~~(i)(I) in a newspaper of general circulation within the town; or~~

19 ~~(II) on a nonpartisan electronic news media website that~~  
20 ~~specializes in news of the State or the community; and~~

21 ~~(ii) on the municipality's website, if the municipality actively~~  
22 ~~updates its website on a regular basis.~~

1           ~~(3) [Repealed.]~~

2           ~~(b) If it does not hold a caucus as provided in subsection (a) of this section,~~  
3           ~~the town committee shall meet and nominate candidates for justices of the~~  
4           ~~peace as provided in sections 2381 through 2385 of this title. At least three~~  
5           ~~days prior to this meeting, the town committee shall provide notice of the~~  
6           ~~meeting by e-mailing or mailing committee members and by posting notice of~~  
7           ~~the meeting in the office of the town clerk and in two other public places in the~~  
8           ~~town.~~

9           ~~(c) In any town in which a political party has not formally organized, any~~  
10          ~~three members of the party who are voters in the town may call a caucus to~~  
11          ~~nominate candidates for justice of the peace by giving notice as required in~~  
12          ~~subsection (a) of this section. Upon meeting, the caucus shall first elect a chair~~  
13          ~~and a secretary. Thereafter the caucus shall nominate its candidates for justice~~  
14          ~~of the peace.~~

15          ~~(d) [Repealed.]~~

16          ~~(e) For any nomination made under this section, the chair and secretary of~~  
17          ~~the committee or caucus shall file the statement required by section 2385 of~~  
18          ~~this title by 5:00 p.m. on the third day following the primary election.~~

19          ~~[Repealed.]~~

20   \* \* \*

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

22   Subchapter 2. Ballots

1 \* \* \*

2 § 2472. CONTENTS

3 \* \* \*

4 (b)(1) Each office to be voted upon shall be separately indicated and  
5 preceded by the word “For,” as: “For United States Senator.” Beneath the  
6 office to be voted upon shall appear the instructions: “Vote for not more than  
7 (the number of candidates to be elected).”

8 (2) The names of the candidates for each office shall be listed in  
9 alphabetical order by surname, followed by the candidate’s town of residence,  
10 ~~and the party or parties by which the candidate has been nominated, or in the~~  
11 ~~case of independent candidates who have not chosen some other name or~~  
12 ~~identification, by the word “Independent.” The word “party” shall not be~~  
13 ~~printed on the ballot following a candidate’s party name.~~

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

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

18 \* \* \*

19 § 2474. ~~CHOICE OF PARTY~~

20 ~~(a)(1) A person nominated by any means for the same office by more than~~  
21 ~~one political party may elect, not later than 5:00 p.m. on the tenth day~~  
22 ~~following the primary election, the party or parties in which the nominee will~~

1 ~~be a candidate. The nominee shall notify in writing the Secretary of State or~~  
2 ~~town clerk, as the case may be, of such choice by that deadline, and only the~~  
3 ~~party or parties that the nominee so elects shall be printed next to the~~  
4 ~~nominee's name on the ballot.~~

5 ~~(2) If the nominee does not notify the Secretary of State or the town~~  
6 ~~clerk of his or her choice of party, the Secretary of State shall print on the~~  
7 ~~ballot those parties next to the nominee's name by listing in this order:~~

8 ~~(A) the major political party for which the nominee had his or her~~  
9 ~~name printed on the ballot in the primary;~~

10 ~~(B) any major political parties that nominated the nominee by the~~  
11 ~~party committee, in the order in which the nominations were submitted to the~~  
12 ~~Secretary of State;~~

13 ~~(C) any major political parties for which the nominee received write-~~  
14 ~~in votes, in an order from highest to lowest vote counts; and~~

15 ~~(D) any minor political parties that nominated the nominee by party~~  
16 ~~committee, in the order in which the nominations were submitted to the~~  
17 ~~Secretary of State.~~

18 ~~(b)(1) A candidate for State office who is the nominee of two or more~~  
19 ~~political parties shall file with the Secretary of State, not later than 5:00 p.m.~~  
20 ~~the tenth day following the primary election, a statement designating for which~~  
21 ~~party the votes cast for him or her shall be counted for the purposes of~~  
22 ~~determining whether his or her designated party shall be a major political~~

1 ~~party. The party so designated shall be the first party to be printed~~  
2 ~~immediately after the candidate's name on the ballot.~~

3 ~~(2) If a candidate does not file the statement by that deadline, the~~  
4 ~~Secretary of State shall designate the party for which the votes cast shall be~~  
5 ~~counted as provided in subdivision (a)(2) of this section. [Repealed.]~~

6 § 2475. DEATH OR WITHDRAWAL OF CANDIDATE

7 ~~(a) When a candidate dies or withdraws and the vacancy is filled as~~  
8 ~~provided in chapter 49 of this title, the name supplied for the vacancy shall be~~  
9 ~~inserted instead of the original nomination Withdrawal. A candidate who wins~~  
10 ~~a primary election pursuant to section 2369 of this title shall have a right to~~  
11 ~~withdraw up until 5:00 p.m. on the 10th day following a primary election by~~  
12 ~~filing a written notice of withdrawal with the town clerk in the case of a~~  
13 ~~candidate for justice of the peace, and with the Secretary of State in the case of~~  
14 ~~all other offices.~~

15 ~~(b) Replacement of withdrawn or deceased primary candidates. A winning~~  
16 ~~primary candidate who withdraws pursuant to subsection (a) of this section or~~  
17 ~~who dies between a primary election and the 10th day following a primary~~  
18 ~~election shall be replaced on the general election ballot by the primary~~  
19 ~~candidate who received the next greatest number of votes for that office in the~~  
20 ~~primary election after any other winners of the primary election.~~

21 ~~(c) Printing. After the 10th day following a primary election, if a winning~~  
22 ~~primary candidate withdraws or dies, the town clerk or Secretary of State may~~



1 still remove the candidate's name from the ballot up until the printing deadline.

2 If the ballots have already been printed, the officer who furnished them shall  
3 prepare and furnish new ballots. The town clerk in each town shall, upon  
4 delivery of the new ballots, immediately destroy all original ballots except  
5 those already supplied to or used by early or absentee voters. Such early or  
6 absentee voter ballots shall be acceptable and counted with the other ballots.

7 \* \* \*

8 \* \* \* Miscellaneous Cross-References \* \* \*

9 Sec. 4. 17 V.S.A. § 1881a is amended to read:

10 § 1881a. SENATORIAL DISTRICTS; ~~NOMINATIONS AND ELECTION~~

11 \* \* \*

12 (c)(1) Petitions for ~~nominating~~ candidates for Senator in the General  
13 Assembly by primary ~~or by certificates of nomination of candidates for that~~  
14 ~~office by convention, caucus, committee, or voters~~ election under chapter 49 of  
15 this title may be filed in the office of any county clerk in a senatorial district.

16 (2)(A) On the day after the last day for filing those petitions ~~or~~  
17 ~~certificates~~ for that office, the other county clerk shall notify the senatorial  
18 district clerk of the facts concerning those petitions ~~or certificates~~.

19 (B) The senatorial district clerk shall be responsible for determining  
20 the names of candidates and other facts required by law to appear on the ballot  
21 for the office of Senator and for obtaining and distributing the ballots to the  
22 other clerks in the district.

1 (d) The clerk of the less populous county in a senatorial district shall report  
2 the results of voting in ~~his or her~~ the clerk's county immediately after they are  
3 determined to the senatorial district clerk, who shall issue the certificates of  
4 ~~nomination~~ advancement or election required by law as to the office of  
5 Senator.

6 \* \* \*

7 Sec. 5. 17 V.S.A. § 2721 is amended to read:

8 § 2721. NOMINATION OF PRESIDENTIAL ELECTORS

9 (a) In presidential election years, presidential electors for major political  
10 parties shall be nominated at the party platform convention held pursuant to  
11 this title.

12 (b) Electors for all other presidential candidates shall be nominated  
13 ~~pursuant to chapter 49, subchapter 3 of this title.~~ as follows:

14 (1) Requisites of statement.

15 (A) A statement of nomination shall contain the name and state of  
16 residence of each candidate for such office, together with the name, town of  
17 residence, and correct mailing address of each nominee for the office of  
18 elector.

19 (B)(i) The original statement of nomination shall include a  
20 certification by the town clerk of each town where the signers appear to be  
21 voters that the persons whose names appear as signers of the statement are

1 registered voters in the town and of the total number of valid signers from the  
2 town.

3 (ii) Only the number of signers certified as registered voters by  
4 each town clerk on the original statement of nomination forms shall count  
5 toward the required number of signatures.

6 (C) The statement shall also be accompanied by a consent form from  
7 each nominee for elector. The consent form shall be similar to the consent  
8 form prescribed in section 2361 of this title.

9 (D)(i) To constitute a valid nomination for presidential and vice  
10 presidential offices, a statement shall contain signatures of voters qualified to  
11 vote in an election for the office in question, equal in number to at least 1,000.

12 (ii) Signatures need not all be contained on one paper.

13 (E) A statement shall state that each signer is qualified to vote in an  
14 election for the office in question and that the voter's residence is as set forth  
15 next to the voter's name.

16 (F)(i) In the case of nomination for President or Vice President of the  
17 United States, a statement of nomination and a completed and signed consent  
18 form shall be filed not earlier than the fourth Monday in April and not later  
19 than 5:00 p.m. on the August 1 preceding the presidential general election.

20 (ii) A public official receiving nominations shall not accept a  
21 petition unless a completed and signed consent form is filed at the same time.

1                   (iii) A statement of nomination shall apply only to the election  
2 cycle in which the statement of nomination is filed.

3                   (G) The Secretary of State shall prescribe and furnish forms for a  
4 statement of nomination.

5                   (H) In the event that an independent vice presidential candidate  
6 withdraws in accordance with section 2412 of this chapter, the presidential  
7 candidate may submit to the Secretary of State on or before the ballot printing  
8 deadline a new consent form signed by the presidential candidate and the  
9 presidential candidate's new vice presidential candidate.

10                  (2) Number of candidates; party names.

11                  (A)(i) Presidential and vice presidential candidates may be nominated  
12 by means of the same statement of nomination.

13                  (ii) A single statement of nomination shall contain only one office  
14 for which a person seeks to be a candidate.

15                  (B)(i) The political or other name on a statement of nomination shall  
16 be substantially different from the name of any organized political party. It  
17 shall also be substantially different from the political or other name already  
18 appearing on any other statement of nomination for the same office then on file  
19 with the same officer for the same election.

20                  (ii) If the Secretary of State determines that it is not substantially  
21 different, the candidate named on the statement shall select a different political

1 or other name; otherwise the Secretary shall print the word “Independent” on  
2 the ballot for that candidate.

3 (3) Preservation of statements. The Secretary of State shall preserve all  
4 statements until three months after the general election, after which they may  
5 be destroyed.

6 \* \* \* Effective Date \* \* \*

7 Sec. 6. EFFECTIVE DATE

8 This act shall take effect on January 1, 2026.