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H.474

Introduced by Committee on Government Operations and Military Affairs

Date:

Subject: Elections; ranked-choice voting; nominations; electronic ballot return;
write-in candidates; campaign finance; recounts

Statement of purpose of bill as introduced: This bill proposes to require the Secretary of State to report on the feasibility of permanently instituting ranked-choice voting for presidential primary elections. It proposes to prohibit a major political party from nominating a candidate for a general election if that party failed to nominate a candidate during the primary election. This bill proposes to prohibit a candidate who loses a major party primary for any office from appearing on the general election ballot for the same office for which the candidate lost in the primary election as an independent candidate or representing any other party. It proposes to require the Secretary of State to report on the feasibility of permitting electronic ballot return for voters who are ill, injured, or have a disability; military and overseas voters; and voters who participate in the Secretary of State's Address Confidentiality Program. This bill proposes to permit candidates to provide additional demographic information. It proposes to require write-in candidates to file consent of candidacy forms in advance of an election and to increase the minimum thresholds for write-in candidates in primary elections. This bill proposes to

1 make various modifications to campaign finance reporting and requirements.
2 It proposes to require town clerks and boards of civil authority to perform
3 audits to voter checklists for Representative districts and Senatorial districts
4 that split municipal boundaries. This bill proposes to, in the event of a
5 contested election and recount, require candidates to nominate disinterested
6 parties to a recount committee and prohibit the Superior Court from appointing
7 nominees to the recount committee if they are an interested party. It also
8 proposes to modify deadlines for various State and local election procedures.

9 An act relating to miscellaneous changes to election law

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

11 * * * Ranked-Choice Voting Report * * *

12 Sec. 1. REPORT

13 On or before January 15, 2026, the Secretary of State shall submit a written
14 report to the House Committee on Government Operations and Military
15 Affairs and the Senate Committee on Government Operations regarding the
16 feasibility and associated costs of permanently instituting ranked-choice voting
17 for presidential primary elections in the State.

18 * * * Failure of a Major Political Party to Nominate a Candidate by Primary

19 * * *

1 Sec. 2. 17 V.S.A. § 2381 is amended to read:

2 § 2381. APPLICABILITY OF SUBCHAPTER

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

6 (1) ~~In~~ in case of a vacancy on the general election ballot occasioned by
7 death, removal, or withdrawal of a candidate, ~~or~~ but not for the failure of a
8 major political party to nominate a candidate by primary;

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

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

15 * * *

16 Sec. 3. 17 V.S.A. § 2386 is amended to read:

17 § 2386. TIME FOR FILING STATEMENTS

18 (a) ~~In the case of the failure of a major political party to nominate a~~
19 ~~candidate by primary, a statement shall be filed not later than 5:00 p.m. on the~~
20 ~~sixth day following the primary. [Repealed.]~~

21 * * *

1 (B) On that day the town clerk shall complete any reporting
2 requirements and any other responsibilities regarding the mailing of early voter
3 absentee ballots to military or overseas voters, as directed by the Secretary of
4 State.

5 (3) As used in this section, “overseas voters” means a person who was
6 last domiciled in Vermont before leaving the United States and now resides
7 outside the United States.

8 (d) Voters who participate in the Secretary of State’s Address
9 Confidentiality Program. In the case of persons who participate in the address
10 confidentiality program administered by the Secretary of State set forth in 15
11 V.S.A. § 1152, if the voter or authorized person requests in the application or
12 otherwise that early voter absentee ballots be mailed or electronically
13 delivered, the town clerk shall mail or electronically deliver the ballots.

14 * * * Candidate Demographic Information * * *

15 Sec. 8. 17 V.S.A. § 2665 is amended to read:

16 § 2665. NOTIFICATION TO SECRETARY OF STATE

17 (a) The town clerk shall file with the Secretary of State a list of ~~the names~~
18 ~~and addresses of the selectboard members elected and candidates that includes~~
19 the candidates’ street addresses, email addresses, sought office, and the end
20 date of the term of office of each selectboard member, city councilor, village

1 trustee, and mayor elected. The town clerk shall notify the Secretary of State
2 of any changes in the list as filed.

3 (b) A candidate may voluntarily provide information about the candidate's
4 gender, age, or race or ethnicity in the format provided by the Secretary of
5 State. A candidate who does not provide information pertaining to gender,
6 age, or race or ethnicity may still appear on the ballot if all other requirements
7 are met.

8 (c) Information about a candidate's gender, age, or race or ethnicity
9 collected pursuant to this subsection is exempt from public inspection and
10 copying under the Public Records Act and shall be kept confidential, except
11 that the Secretary of State may publish information pertaining to candidates'
12 gender, age, or race or ethnicity in aggregate form.

13 * * * Write-in Candidate Registration and Minimum Thresholds in Primary

14 Elections * * *

15 Sec. 9. 17 V.S.A. § 2370 is amended to read:

16 § 2370. WRITE-IN CANDIDATES

17 (a) In order to have votes listed for a write-in candidate under subdivision
18 2587(e)(3) of this title, not later than 5:00 p.m. on the second Friday preceding
19 the primary election, a write-in candidate for the General Assembly, any
20 county office, any State office, or any federal office shall file with the
21 Secretary of State a form consenting to candidacy for office as set forth in

1 subsection 2587(e) of this title. The Secretary of State shall notify the town
2 clerks of any filings made in accordance with this subsection not later than the
3 Friday before the election.

4 (b) A write-in candidate shall not qualify as a primary winner unless ~~he or~~
5 ~~she~~ the candidate receives ~~at least one half~~ the same number of votes as the
6 number of signatures required for ~~his or her~~ the candidate's office on a primary
7 petition, except that if a write-in candidate receives more votes than a
8 candidate whose name is printed on the ballot, ~~he or she may~~ the write-in
9 candidate shall qualify as a primary winner.

10 ~~(b)~~(c) The write-in candidate who qualifies as a primary winner under this
11 section must still be determined a winner under section 2369 of this chapter
12 before ~~he or she~~ the candidate becomes the party's candidate in the general
13 election.

14 Sec. 10. 17 V.S.A. § 2472 is amended to read:

15 § 2472. CONTENTS

16 * * *

17 (b)(1) Each office to be voted upon shall be separately indicated and
18 preceded by the word "For," as: "For United States Senator." Beneath the
19 office to be voted upon shall appear the instructions: "Vote for not more than
20 (the number of candidates to be elected)."

21 * * *

1 for the general election, and subsection 2703(f) of this title for the presidential
2 primary. The consent form shall set forth the name of the candidate, the name
3 of the office for which the candidate consents to be a candidate, the candidate's
4 town of residence, and the candidate's correct mailing address. The clerk shall
5 record the name and vote totals of a write-in candidate who has filed in
6 accordance with section 2370 of this title in the primary election, subsection
7 2472(b) of this title for the general election, and subsection 2703(f) of this title
8 for the presidential primary.

9 (B) The Secretary of State shall prepare and furnish forms for
10 candidate consent purposes.

11 (3) The election officials counting ballots and tallying results shall only
12 list every person who receives a "write-in" vote and the number of votes
13 received the names and votes received of those write-in candidates who
14 consented to candidacy for the office pursuant to section 2370 of this title in
15 the primary election, subsection 2472(b) of this title for the general election,
16 and subsection 2703(f) of this title for the presidential primary. Any write-in
17 votes for candidates who have not consented to the write-in candidacy shall be
18 listed as "other write-ins."

19 (A) On each tally sheet, the counters shall add together the names of
20 candidates that are clearly the same person, even though a nickname or last
21 name is used.

1 (B) Names of ~~fictitious or deceased~~ persons who are not registered
2 write-in candidates shall not be listed individually and shall be recorded on the
3 tally sheet as a blank vote in the aggregate as “other write-ins.”

4 (f) When the same number of persons are nominated for the position of
5 justice of the peace as there are positions to be filled, the presiding officer may
6 declare the whole slate of candidates elected without making individual tallies,
7 providing each person on the slate has more votes than the largest number of
8 write-in votes for any one registered write-in candidate.

9 Sec. 12. 17 V.S.A. § 2702 is amended to read:

10 § 2702. NOMINATING PETITION

11 (a) The name of any person shall be printed upon the primary ballot as a
12 candidate for nomination by any major political party if petitions signed by at
13 least 1,000 voters in accordance with sections 2353, 2354, and 2358 of this
14 title are filed with the Secretary of State, together with the written consent of
15 the person to the printing of the person’s name on the ballot.

16 (b) Petitions shall be filed not later than 5:00 p.m. on the 15th day of
17 December preceding the primary election.

18 (c) The petition shall be in a form prescribed by the Secretary of State.

19 (d) A person’s name shall not be listed as a candidate on the primary ballot
20 of more than one party in the same election.

1 (e) Each petition shall be accompanied by a filing fee of \$2,000.00 to be
2 paid to the Secretary of State. However, if the petition of a candidate is
3 accompanied by the affidavit of the candidate, which shall be available for
4 public inspection, that the candidate and the candidate's campaign committee
5 are without sufficient funds to pay the filing fee, the Secretary of State shall
6 waive all but \$300.00 of the payment of the filing fee by that candidate.

7 (f) In order to have votes counted for a write-in candidate under section
8 2587 of this title, not later than 5:00 p.m. on the second Friday preceding the
9 presidential primary election, a write-in candidate for nomination by any major
10 political party shall file with the Secretary of State a form consenting to
11 candidacy for office as set forth in subsection 2361(b) of this title. The
12 Secretary of State shall notify the town clerks of any filings made in
13 accordance with this subsection not later than the Friday before the election.

14 * * * Campaign Finance * * *

15 Sec. 13. 17 V.S.A. § 2921 is amended to read:

16 § 2921. CANDIDATES; REGISTRATION; CHECKING ACCOUNT;
17 TREASURER

18 (a) Each candidate who ~~has made expenditures or accepted contributions of~~
19 ~~\$500.00 or more in an election cycle~~ files a consent to the printing of the
20 candidate's name on the ballot, as provided in section 2361 of this title, shall
21 register with the Secretary of State ~~within 10 days of reaching the \$500.00~~

1 ~~threshold or on the date that the next report is required of the candidate under~~
2 ~~this chapter, whichever occurs first, prior to filing the consent~~ stating ~~his or her~~
3 the candidate's full name and address; the office the candidate is seeking; the
4 name and address of the bank in which the candidate maintains ~~his or her~~ the
5 campaign checking account; if raising or spending any campaign funds, and
6 the name and address of the treasurer responsible for maintaining the checking
7 account. A candidate's treasurer may be the candidate or ~~his or her~~ the
8 candidate's spouse.

9 * * *

10 Sec. 14. 17 V.S.A. § 2964 is amended to read:

11 § 2964. CAMPAIGN REPORTS; CANDIDATES FOR STATE OFFICE,
12 THE GENERAL ASSEMBLY, AND COUNTY OFFICE;
13 POLITICAL COMMITTEES; POLITICAL PARTIES

14 (a)(1) Each candidate for State office, the General Assembly, or a two-
15 year-term county office ~~who has rolled over any amount of surplus into his or~~
16 ~~her new campaign or who has made expenditures or accepted contributions of~~
17 ~~\$500.00 or more during the two-year general election cycle and, except as~~
18 ~~provided in subsection (b) of this section, each political committee that has not~~
19 ~~filed a final report pursuant to subsection 2965(b) of this chapter,~~ and each
20 political party required to register under section 2923 of this chapter shall file
21 with the Secretary of State campaign finance reports as follows:

1

* * *

2

(2) Each candidate for a four-year-term county office ~~who has rolled over any amount of surplus into his or her new campaign or who has made expenditures or accepted contributions of \$500.00 or more during the four-year general election cycle~~ shall file with the Secretary of State campaign finance reports as follows:

3

4

* * *

5

Sec. 15. 17 V.S.A. § 2901 is amended to read:

6

§ 2901. DEFINITIONS

7

As used in this chapter:

8

* * *

9

(10) ~~“Independent expenditure only political committee” means a political committee that conducts its activities entirely independent of candidates; does not give contributions to candidates, political committees, or political parties; does not make related expenditures; and is not closely related to a political party or to a political committee that makes contributions to candidates or makes related expenditures.~~

10

(11) “Mass media activity” means a television commercial, radio commercial, ~~Internet~~ internet advertisement, mass mailing, mass electronic or digital communication, literature drop, newspaper or periodical advertisement,

11

1 robotic phone call, or telephone bank, that includes the name or likeness of a
2 clearly identified candidate for office.

3 ~~(12)~~(11) “Party candidate listing” means any communication by a
4 political party that:

5 * * *

6 ~~(13)~~(12) “Political committee” or “political action committee” means
7 any formal or informal committee of ~~two~~ one or more individuals or a
8 corporation, labor organization, public interest group, or other entity, not
9 including a political party, that accepts contributions of \$1,000.00 or more ~~and~~
10 or makes expenditures of \$1,000.00 or more in any two-year general election
11 cycle for the purpose of supporting or opposing one or more candidates,
12 influencing an election, or advocating a position on a public question in any
13 election, and includes ~~an independent expenditure only political committee a~~
14 public question campaign and a legislative leadership political committee.

15 ~~(14)~~(13) “Political party” means a political party organized under
16 chapter 45 of this title and any committee established, financed, maintained, or
17 controlled by the party, including any subsidiary, branch, or local unit thereof,
18 and shall be considered a single, unified political party. The national affiliate
19 of the political party shall be considered a separate political party.

20 ~~(15)~~(14) “Public question” means an issue that is before the voters for a
21 binding decision.

1 report with the Secretary of State and send a copy of the report to each
2 candidate whose name or likeness is included in the activity without that
3 candidate's knowledge.

4 * * *

5 Sec. 17. REPEAL

6 17 V.S.A. § 2970 (campaign reports; other entities; public questions) is
7 repealed.

8 * * * Audits of Voter Checklists and District Boundaries* * *

9 Sec. 18. AUDITS OF VOTER CHECKLISTS AND DISTRICT

10 BOUNDARIES

11 (a) On or before September 15, 2025, local boards of civil authority and
12 town clerks whose municipal boundaries are divided for the purpose of
13 Representative districts and Senatorial districts shall audit their voter checklists
14 to ensure that those checklists accurately correspond to the prescribed district
15 boundaries.

16 (b) On or before October 1, 2025, each town clerk described in subsection
17 (a) of this section shall provide a written summary of the audit to the Elections
18 Division of the Secretary of State's office.

19 (c) On or before November 15, 2025, the Secretary shall submit a written
20 report to the House Committee on Government Operations and Military

1 Affairs and the Senate Committee on Government Operations with the findings
2 of the audits.

3 (d) Within two weeks after passage of this act, the Elections Division of the
4 Secretary of State's office shall notify each town clerk and board of civil
5 authority described in subsection (a) of this section that they must perform the
6 audits.

7 (e) The Elections Division of the Secretary of State's Office shall provide
8 support and training to each town clerk and board of civil authority described
9 in subsection (a) of this section.

10 * * * Prohibiting Appointment of Interested Parties to a Recount
11 Committee * * *

12 Sec. 19. 17 V.S.A. § 2602a is amended to read:

13 § 2602a. APPOINTMENT OF RECOUNT COMMITTEE

14 (a)(1) Upon receipt of a petition, the county clerk shall notify all candidates
15 for the office that is the subject of the recount, advising them to each submit
16 immediately a list of a minimum of 10 nominees for disinterested individuals
17 to serve on a recount committee.

18 (2)(A) If a list of nominees is not delivered to the county clerk within
19 two business days, the clerk shall notify the appropriate candidates that they
20 have 24 hours to submit lists of nominees for disinterested individuals to serve
21 on the recount committee.

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* * *

(b)(1) The Superior Court shall make a minimum of 12 appointments to the recount committee from among those nominated under this section, with the number of appointments based on the number of votes to be recounted and a goal of completing the recount within one day.

(2) In making these appointments, the court shall appoint an equal number of ~~persons~~ disinterested individuals representing each candidate, to the extent practicable.

(c) As used in this section, “disinterested individual” means an individual who is not a relative of or subordinate to the candidates and who shares no direct pecuniary interest with the candidates.

* * * Deadline Modifications and Miscellaneous Clarifications * * *

Sec. 20. 17 V.S.A. § 1971 is amended to read:

§ 1971. CASTING MORE THAN ONE BALLOT

A legal voter who knowingly ~~casts more than one ballot at any one time of~~ balloting votes more than once in any election held in this State, or who votes in both this State and another state or territory in the same or equivalent election for the same office shall be fined not more than \$1,000.00 if the offense is committed at a primary or general election, and not more than \$100.00 if committed at a local election.

1 Sec. 21. REPEAL

2 17 V.S.A. § 1973 (voting in more than one place) is repealed.

3 Sec. 22. 17 V.S.A. § 2103 is amended to read:

4 § 2103. DEFINITIONS

5 As used in this title, unless the context or a specific definition requires a
6 different reading:

7 * * *

8 (6) “Campaign” means any organized or coordinated activity undertaken
9 by ~~two~~ one or more persons, any part of which is designed to influence the
10 nomination, election, or defeat of any candidate or the passage, defeat, or
11 modification of any public question.

12 * * *

13 Sec. 23. 17 V.S.A. § 2358 is amended to read:

14 § 2358. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

15 * * *

16 (b) If found not to conform, ~~he or she~~ the officer shall state in writing on a
17 particular petition why it cannot be accepted, and within ~~72 hours~~ two business
18 days from receipt, ~~he or she~~ the officer shall return it to the candidate in whose
19 behalf it was filed. In such case, supplementary petitions may be filed not later
20 than 10 days after the date for filing petitions. However, supplementary

1 petitions shall not be accepted if petitions with signatures of different persons
2 totaling at least the required number were not received by the filing deadline.

3 * * *

4 Sec. 24. 17 V.S.A. § 2313 is amended to read:

5 § 2313. FILING OF CERTIFICATE OF ORGANIZATION

6 * * *

7 (f) At the same time of filing the certificate of organization, the chair and
8 secretary shall file with the Secretary of State a single machine-readable
9 electronic document containing a list of the names and contact information, in
10 a format specified by the Secretary of State, of the town and county committee
11 members from those towns and counties who have organized pursuant to this
12 chapter.

13 (g) A committee is not considered organized until the material required by
14 this section has been filed and accepted.

15 Sec. 25. 17 V.S.A. § 2413 is amended to read:

16 § 2413. NOMINATION OF JUSTICES OF THE PEACE

17 (a)(1) The party members in each town, on or before the third Monday in
18 July before each primary election, upon the call of the town committee, may
19 meet in caucus and nominate candidates for justice of the peace.

20 * * *

1 (e) For any nomination made under this section, the chair and secretary of
2 the committee or caucus shall file the statement required by section 2385 of
3 this title by 5:00 p.m. on the ~~third day following~~ fourth Monday in July before
4 the primary election.

5 Sec. 26. 17 V.S.A. § 2493 is amended to read:

6 § 2493. RULES FOR USE OF VOTE TABULATORS; AUDITS

7 (a) The Secretary of State shall adopt rules governing the use and the
8 selection of any vote tabulator in the State. These rules shall include
9 requirements that:

10 * * *

11 (3)(A) The Secretary of State shall conduct a ~~random~~ postelection audit
12 of any polling place election results for a general election within 30 days of the
13 election.

14 (B) If the Secretary determines that a ~~random~~ an audit shall be
15 conducted of the election results in a town or city, the town clerk shall direct
16 two members of the board of civil authority to transport the ballot bags to the
17 office of the Secretary not later than 10:00 a.m. on the morning when the
18 Secretary has scheduled the audit.

19 * * *

1 Sec. 27. 17 V.S.A. § 2546 is amended to read:

2 § 2546. RECEIPT OF BALLOTS BY CLERK; VOTER STATUS;

3 OPPORTUNITY TO CURE; PROCESSING ABSENTEE BALLOTS

4 (a) Town clerk; process generally. Beginning ~~30~~ 45 days before the
5 opening of the polls on election day, upon receipt of a mailing envelope
6 containing ballots returned by a voter, the town clerk shall, within three
7 business days or on the next day the office is open for business, whichever is
8 later, direct two election officials working together to do all of the following:

9 * * *

10 Sec. 28. 17 V.S.A. § 2703 is amended to read:

11 § 2703. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

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

1 time as it elects and may transact at that time any business not involving voting
2 by Australian ballot or voting required by law to be by ballot and to be held on
3 the first Tuesday in March. A meeting so started shall be adjourned until the
4 first Tuesday in March.

5 * * *

6 (3) The affirmative vote of a town pursuant to subsection (a) of this
7 section shall remain in effect until rescinded by a majority vote of the voters at
8 an annual or special meeting duly warned for that purpose.

9 * * *

10 § 2642. WARNING AND NOTICE CONTENTS

11 (a)(1) The warning shall include the date and time of the election, location
12 of the polling place or places, and the nature of the meeting or election.

13 * * *

14 (3)(A) The warning shall also contain any article or articles requested by
15 a petition signed by at least five percent of the voters of the municipality and
16 filed with the municipal clerk not less than 47 days before the day of the
17 meeting.

18 * * *

19 (D) A voter may withdraw ~~his or her~~ the voter's name from a
20 petitioned article at any time prior to the signing of the warning by a majority
21 of the legislative body. The voter acting as the lead petitioner may withdraw

1 the petitioned article in its entirety prior to the signing of the warning by a
2 majority of the legislative body.

3 * * *

4 § 2645. CHARTERS; ADOPTION, REPEAL, OR AMENDMENT;
5 PROCEDURE

6 (a) A municipality may propose to the General Assembly to adopt, repeal,
7 or amend its charter by majority vote of the legal voters of the municipality
8 present and voting at any annual or special meeting warned for that purpose in
9 accordance with the following procedure:

10 * * *

11 (6)(A) Notice of ~~each public hearing and of~~ the annual or special
12 meeting shall be given in accordance with section 2641 of this chapter. Notice
13 of each public hearing shall be given 10 days preceding the hearing and in the
14 same locations and manner as required by section 2641 of this chapter.

15 * * *

16 § 2651a. CONSTABLES; APPOINTMENT; REMOVAL; ELIMINATION
17 OF OFFICE

18 (a)(1) A town may vote ~~by Australian ballot~~ at an annual or special meeting
19 to authorize the selectboard to appoint a first constable, and if needed a second
20 constable, in which case at least a first constable shall be appointed.

21 * * *

1 § 2651e. MUNICIPAL CLERK; APPOINTMENT; REMOVAL

2 (a)(1) A municipality may vote at an annual meeting to authorize the
3 legislative body to appoint the municipal clerk.

4 (2) ~~A municipal clerk so appointed may be removed by the legislative~~
5 ~~body for just cause after notice and hearing~~ The appointment of a municipal
6 clerk shall be for a one-year term.

7 * * *

8 § 2651f. MUNICIPAL TREASURER; APPOINTMENT; REMOVAL

9 (a)(1) A municipality may vote at an annual meeting to authorize the
10 legislative body to appoint the municipal treasurer.

11 (2) ~~A treasurer so appointed may be removed by the legislative body for~~
12 ~~just cause after notice and hearing~~ The appointment of a municipal treasurer
13 shall be for a one-year term.

14 * * *

15 § 2662. VALIDATION OF MUNICIPAL MEETINGS

16 When any of the requirements as to notice or warning of an annual or
17 special municipal meeting have been omitted or not complied with, the
18 omission or noncompliance, if the meeting and the business transacted at it is
19 otherwise legal and within the scope of the municipal powers, may be
20 corrected and legalized by vote at a regular meeting or special meeting of the
21 municipality called and duly warned for that purpose. The question to be

1 voted upon shall substantially be, “Shall the action taken at the meeting of this
2 town (or city, village or district) held on (state date) in spite of the fact that
3 (state the error or omission), and any act or action of the municipal officers or
4 agents pursuant thereto be readopted, ratified, and confirmed.” Errors or
5 omissions in the conduct of an original meeting that are not the result of an
6 unlawful notice or warning or noncompliance within the scope of the warning,
7 including technical errors within the content of a ballot, may be cured by a
8 resolution of the legislative body of the municipality by a vote of two-thirds of
9 all its members at a regular meeting or a special meeting called for that
10 purpose, stating that the defect was the result of oversight, inadvertence, or
11 mistake. When an error or omission of this nature has been ~~thus~~ corrected by
12 resolution, all business within the terms of the action of the qualified voters
13 shall be as valid as if the requirements had been initially complied with,
14 condition, however, that the original action ~~thereby~~ corrected by the legislative
15 body was in compliance with the legal exercise of its corporate powers.

16 * * *

17 * * * Local Elections; Australian Ballot System * * *

18 Sec. 32. 17 V.S.A. chapter 55, subchapter 3 is amended to read:

19 Subchapter 3. Local Elections Using the Australian Ballot System

20 § 2680. AUSTRALIAN BALLOT SYSTEM; GENERAL

21 * * *

1 (h) Hearing.

2 (1) Whenever a municipality has voted to adopt the Australian ballot
3 system of voting on any public question or budget, except the budget revote as
4 provided in subsection (c) of this section or as otherwise specified in State law
5 requiring the use of Australian ballot of system of voting but not expressly
6 requiring an informational hearing, the legislative body shall hold a public
7 informational hearing on the question by posting warnings at least 10 days in
8 advance of the hearing in at least two public places within the municipality and
9 in the town clerk's office.

10 * * *

11 § 2681. NOMINATIONS; PETITIONS; CONSENTS

12 (a)(1)(A) Nominations of the municipal officers shall be by petition. The
13 petition shall be filed with the municipal clerk, together with the endorsement,
14 if any, of any party or parties in accordance with the provisions of this title, not
15 later than 5:00 p.m. on the ~~sixth~~ fifth Monday preceding the day of the
16 election, which shall be the filing deadline.

17 (B) A candidate shall be registered to vote in the town ~~he or she~~ the
18 candidate is seeking office at or before the time of filing the petition.

19 * * *

1 meeting. The officers shall be elected by ballot if demanded by a voter and
2 confirmed by a majority vote.

3 * * * Local Elections; Vacancies in Town Offices * * *

4 Sec. 34. 24 V.S.A. chapter 33, subchapter 6 is amended to read:

5 Subchapter 6. Vacancies in Town Offices

6 § 961. VACANCY OR SUSPENSION OF OFFICER'S DUTIES

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

14 * * *

15 § 962. SPECIAL MUNICIPAL MEETING

16 A ~~town~~ municipality at a special municipal meeting may fill a vacancy in a
17 ~~town~~ municipal office.

18 § 963. DUTIES OF SELECTBOARD; SPECIAL MEETING

19 (a) When a vacancy occurs in any town office, the selectboard forthwith by
20 appointment in writing shall fill ~~such~~ the vacancy until an election is had;
21 except that in the event of vacancies in a majority of the selectboard at the

1 same time, ~~such~~ the vacancies shall be filled by a special ~~town~~ municipal
2 meeting called for that purpose. Notwithstanding the provisions of this
3 subsection, the selectboard shall not be required to fill a vacancy that occurs
4 within 90 days before the date of the municipality's annual meeting.

5 (b) The selectboard shall file an appointment made under this section in the
6 office of the ~~town~~ municipal clerk and the ~~town~~ clerk shall duly record it in the
7 book of ~~town~~ municipal records.

8 (c) If there are no selectboard members in office, the Secretary of State
9 shall call a special election to fill any vacancies and for that interim shall
10 appoint and authorize the ~~town~~ municipal clerk or another qualified person to
11 draw orders for payment of continuing obligations and necessary expenses
12 until the vacancies are filled.

13 * * * Local Elections; Authority of Constables * * *

14 Sec. 35. 24 V.S.A. § 1529 is amended to read:

15 § 1529. FIRST CONSTABLE AS COLLECTOR

16 The first constable, if elected, shall be collector of State, county, town, and
17 town school district taxes when a collector of taxes is not appointed or elected
18 at the annual town meeting, and shall pay over the taxes collected agreeably to
19 the warrants for their collection.

