

1 H.474

2 An act relating to miscellaneous changes to election law

3 The Senate proposes to the House to amend the bill by striking out all after  
4 the enacting clause and inserting in lieu thereof the following:

5 Sec. 1. [Deleted.]

6 Sec. 2. [Deleted.]

7 Sec. 3. [Deleted.]

8 \* \* \* One-Bite Candidacy \* \* \*

9 Sec. 4. 17 V.S.A. § 2381 is amended to read:

10 § 2381. APPLICABILITY OF SUBCHAPTER

11 \* \* \*

12 (c) In no event shall a candidate who loses a major party primary be  
13 nominated to appear on the general election ballot pursuant to this subchapter  
14 by a committee of any party other than the party for which the candidate  
15 appeared on the primary ballot.

16 Sec. 5. 17 V.S.A. § 2401 is amended to read:

17 § 2401. APPLICABILITY OF SUBCHAPTER

18 (a) A person may be nominated and have ~~his or her~~ the person's name  
19 printed on the general election ballot for any office by filing a consent similar  
20 in form to the consent prescribed by section 2361 of this title and a statement  
21 of nomination with the Secretary of State. In the case of a nomination for

1 justice of the peace, the consent form and statement of nomination shall be  
2 filed with the town clerk.

3 (b) A candidate who loses a major party primary for any office shall not  
4 appear on the general election ballot as an independent candidate for the same  
5 office for which the candidate lost in the primary election.

6 Sec. 6. [Deleted.]

7 \* \* \* Miscellaneous Changes to Electronic Ballot Delivery Law \* \* \*

8 Sec. 7. 17 V.S.A. § 2539 is amended to read:

9 § 2539. DELIVERY OF EARLY VOTER ABSENTEE BALLOTS

10 \* \* \*

11 (c) Military or overseas voters.

12 (1) Early voter absentee ballots for military or overseas voters shall be  
13 sent air mail, first class, postpaid when such service is available, or they may  
14 be electronically delivered when requested by the voter.

15 (2)(A) The town clerk's office shall be open on the 46th day before any  
16 election that includes a federal office and the town clerk shall send on or  
17 before that day all absentee ballots to any military or overseas voter who  
18 requested an early voter absentee ballot on or before that day.

19 (B) On that day the town clerk shall complete any reporting  
20 requirements and any other responsibilities regarding the mailing of early voter

1 absentee ballots to military or overseas voters, as directed by the Secretary of  
2 State.

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

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

12 Sec. 8. [Deleted.]

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)(1) In order to have votes listed for a write-in candidate under section  
18 2587 of this title, not later than 5:00 p.m. on the Thursday preceding the  
19 primary election, a write-in candidate for the General Assembly, any State  
20 office, or any federal office shall complete a form of the Secretary of State’s  
21 design affirming that the candidate wants to have received votes listed under

1 subdivision 2587(e)(3) of this title. The candidate shall file the form with  
2 either all town clerks within the candidate's applicable district or the Secretary  
3 of State's office in an electronic manner approved by the Secretary. The  
4 Secretary of State shall notify the appropriate town clerks of any filings made  
5 in accordance with this subsection as soon as practicable.

6 (2) Notwithstanding subdivision (1) of this subsection, a write-in  
7 candidate is not required to file if:

8 (A) the candidate has already filed a consent to the printing of the  
9 candidate's name on the ballot for a major political party, as provided in  
10 section 2361, 2385, or 2402 of this title; or

11 (B) no candidate is printed on the ballot, or if a candidate whose  
12 name is printed on the ballot dies or is otherwise disqualified prior to 7:00 p.m.  
13 on the election day.

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

4           (1) still be determined a winner under section 2369 of this chapter  
5   ~~before he or she becomes the party's candidate in the general election; and~~

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

10 \* \* \*

15 \* \* \*

VT LEG #384260 v.1

1 either all town clerks within the candidate's applicable district or the Secretary  
2 of State's office in an electronic manner approved by the Secretary. The  
3 Secretary of State shall notify the appropriate town clerks of any filings made  
4 in accordance with this subsection (b) as soon as practicable.

5 (B) Notwithstanding subdivision (A) of this subdivision (b)(5), a  
6 write-in candidate is not required to file if:

7 (i) the candidate has already filed a consent to the printing of  
8 the candidate's name on the ballot for a major political party, as provided in  
9 section 2361, 2385, or 2402 of this title; or

10 (ii) no candidate is printed on the ballot, or if a candidate  
11 whose name is printed on the ballot dies or is otherwise disqualified prior to  
12 7:00 p.m. on the election day.

13 \* \* \*

14 Sec. 11. 17 V.S.A. § 2587 is amended to read:

15 § 2587. RULES FOR COUNTING VOTES

16 \* \* \*

17 (e)(1) In the case of "write-in" votes, the act of writing in the name of a  
18 candidate; or pasting a label containing a candidate's name upon the ballot,  
19 without other indications of the voter's intent, shall constitute a vote for that  
20 candidate, even though the voter did not fill in the square or oval after the  
21 name.

1           (2) The election officials counting ballots and tallying results shall list  
2 ~~every person who receives a “write-in” vote and the number of votes received.;~~

3           (A) count write-in votes:

4                 (i) for candidates who have filed in compliance with section 2370,  
5 2472, or 2702 of this title or who have filed a consent to the printing of the  
6 candidate’s name on the ballot for a major political party, as provided in  
7 section 2361, 2385, or 2402 of this title; or

8                 (ii) for all candidates if no candidate is printed on the ballot, or if a  
9 candidate whose name is printed on the ballot dies or is otherwise disqualified  
10 prior to 7:00 p.m. on election day;

11           (B) ~~On each tally sheet, the counters shall~~ add together the names of  
12 candidates counted under subdivision (A) of this subdivision (e)(2) that are  
13 clearly the same person, even though a nickname or last name is used; and

14           (B) ~~Names of fictitious or deceased persons shall not be listed and~~  
15 ~~shall be recorded on the tally sheet as a blank vote.~~

16           (C) record the name and vote totals on the tally sheet only of a write-  
17 in candidate having votes counted pursuant to subdivision (A) of this  
18 subdivision (e)(2) and list those candidates individually, and record all other  
19 write-in votes on the tally sheet as in aggregate as “other write-ins.”

20           (3) Notwithstanding any contrary provisions in subdivision (2)(A) of  
21 this subsection, if the number of “other write-ins” for the same nomination or

1 office equals or exceeds the number of votes cast for any candidate for the  
2 same nomination or office who appears to have been nominated or elected,  
3 election officials shall record the name and vote totals on the tally sheet for all  
4 candidates for that nomination or office. If this result occurs in a multiple-  
5 municipality district, but one or more municipalities did not record the name  
6 and vote totals for all candidates, the Secretary of State, on the day after the  
7 election, shall order the town clerk to reconvene the board of civil authority.  
8 In the presence of at least two other election officials who are not members of  
9 the same political party, the clerk shall open the ballot containers, list all write-  
10 ins for this nomination or office individually, and record write-in votes for all  
11 candidates. The clerk shall then place the entire contents in containers, affix  
12 new seals, and transmit the new seal numbers.

13 \* \* \*

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

15 § 2702. NOMINATING PETITION

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



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

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

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

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

12 (f)(1) In order to have votes listed for a write-in candidate under section  
13 2587 of this title, not later than 5:00 p.m. on the Thursday preceding the  
14 election, a write-in candidate for nomination shall complete a form of the  
15 Secretary of State's design affirming that the candidate wants to have received  
16 votes for that office in every major political party's primary results listed under  
17 subdivision 2587(e)(3) of this title. The candidate shall file the form with  
18 either all town clerks within the candidate's applicable district or the Secretary  
19 of State's office in an electronic manner approved by the Secretary. The  
20 Secretary of State shall notify the appropriate town clerks of any filings made  
21 in accordance with this subsection as soon as practicable.

1       (2) Notwithstanding subdivision (1) of this subsection, a write-in  
2       candidate is not required to file if:

3               (A) the candidate has already filed a consent to the printing of the  
4       candidate's name on the ballot for a major political party, as provided in  
5       section 2361, 2385, or 2402 of this title; or

6               (B) no candidate is printed on the ballot, or if a candidate whose  
7       name is printed on the ballot dies or is otherwise disqualified prior to 7:00 p.m.  
8       on the election day.

9                       \* \* \* Campaign Finance; Reporting Thresholds \* \* \*

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

11      § 2921. ~~CANDIDATES; REGISTRATION; CHECKING ACCOUNT;~~

12                   ~~TREASURER~~ CANDIDATES

13      (a)(1) Each candidate who ~~has made expenditures or accepted contributions~~  
14      ~~of \$500.00 or more in an election cycle~~ files a consent to the printing of the  
15      candidate's name on the ballot, as provided in section 2361, 2370, 2385, or  
16      2402 of this title, shall register with the Secretary of State ~~within 10 days of~~  
17      ~~reaching the \$500.00 threshold or on the date that the next report is required of~~  
18      ~~the candidate under this chapter, whichever occurs first,~~ prior to filing the  
19      consent stating ~~his or her~~ the candidate's full name and address; ~~the office the~~  
20      candidate is seeking; ~~the name and address of the bank in which the candidate~~  
21      ~~maintains his or her campaign checking account;~~ and the name and address of

1 the treasurer responsible for maintaining the checking account. A candidate's  
2 treasurer may be the candidate or ~~his or her~~ the candidate's spouse.

3 (2) A candidate's consent, subsequently filed in accordance with section  
4 2361, 2385, or 2402 of this title, shall state the candidate's name the same as it  
5 appears on this registration.

6 (3) Each candidate who makes an expenditure shall file with the  
7 Secretary of State, at the time of making the first expenditure, the name and  
8 address of the bank in which the candidate maintains the campaign checking  
9 account.

10 \* \* \*

11 Sec. 14. 17 V.S.A. § 2922 is amended to read:

12 § 2922. REGISTRATION; POLITICAL COMMITTEES; REGISTRATION;  
13 CHECKING ACCOUNT; TREASURER INDEPENDENT  
14 EXPENDITURE-ONLY POLITICAL COMMITTEES

15 (a)(1) Each political committee or independent expenditure-only political  
16 committee shall register with the Secretary of State within 10 days ~~of~~ after  
17 making expenditures of ~~\$1,000.00~~ \$500.00 or more ~~and~~ or accepting  
18 contributions of ~~\$1,000.00~~ \$500.00 or more, stating its full name and address;  
19 Committees that are not self-funded individuals shall also state the name and  
20 address of the bank in which it maintains its campaign checking account; and

1 the name and address of the treasurer responsible for maintaining the checking  
2 account.

3 \* \* \*

4 (b) All expenditures by a political committee or an independent  
5 expenditure-only political committee shall be paid by either a credit card or a  
6 debit card, check, or other electronic transfer from the single campaign  
7 checking account in the bank designated by the ~~political~~ committee under  
8 subsection (a) of this section, or, if under \$250.00, the ~~political~~ committee may  
9 make the expenditure from cash from that campaign checking account if  
10 accompanied by a receipt, a copy of which shall be maintained by the ~~political~~  
11 committee for at least two years from the end of the two-year general election  
12 cycle in which the expenditure was made. A self-funded individual need not  
13 utilize a campaign checking account, but shall otherwise comply with this  
14 section. Nothing in this subsection shall be construed to prohibit the payment  
15 of fees required to be made from a separately held online account designated  
16 solely to collect campaign contributions made to the ~~political~~ committee.

17 (c) A political committee or an independent expenditure-only political  
18 committee whose principal place of business or whose treasurer is not located  
19 in this State shall file a statement with the Secretary of State designating a  
20 person who resides in this State upon whom may be served any process, notice,  
21 or demand required or permitted by law to be served upon the ~~political~~

1 committee. This statement shall be filed at the same time as the registration  
2 required in subsection (a) of this section.

3 Sec. 15. 17 V.S.A. § 2964 is amended to read:

4 § 2964. CAMPAIGN REPORTS; CANDIDATES FOR STATE OFFICE,  
5 THE GENERAL ASSEMBLY, AND COUNTY OFFICE;  
6 POLITICAL COMMITTEES; INDEPENDENT EXPENDITURE-  
7 ONLY POLITICAL COMMITTEES; POLITICAL PARTIES

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

17 (A) in the first year of the two-year general election cycle, on July 1;  
18 and

19 (B) in the second year of the two-year general election cycle:

20 (i) on March 15;

21 (ii) on July 1 and August 1;

1 (iii) on September 1;

2 (iv) on October 1, October 15, and the Friday before the general  
3 election; and

4 (v) two weeks after the general election.

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

10 (A) in the first three years of the four-year general election cycle, on  
11 July 1; and

12 (B) in the fourth year of the four-year general election cycle:

13 (i) on March 15;

14 (ii) on July 1 and August 1;

15 (iii) on September 1;

16 (iv) on October 1, October 15, and the Friday before the general  
17 election; and

18 (v) two weeks after the general election.

19 (b)(1) A political committee, independent expenditure-only political

20 committee, or a political party that has accepted contributions or made

21 expenditures of ~~\$1,000.00~~ \$500.00 or more during the local election cycle for

1 the purpose of influencing a local election or supporting or opposing one or  
2 more candidates in a local election shall file with the Secretary of State  
3 campaign finance reports regarding that local election 30 days before, 10 days  
4 before, and two weeks after the local election.

5 \* \* \*

6 (c) ~~The failure of a candidate, political committee, or political party to file a~~  
7 ~~report under this section shall be deemed an affirmative statement that a report~~  
8 ~~is not required of the candidate, political committee, or political party under~~  
9 ~~this section~~ A candidate, political committee, independent expenditure-only  
10 committee, or political party that is not otherwise required to file a report  
11 pursuant to this section shall file with the Secretary of State a report and  
12 affirmative statement that the candidate, political committee, independent  
13 expenditure-only committee, or political party has not either rolled over any  
14 amount of surplus into a new campaign or made expenditures or accepted  
15 contributions in the amounts specified in this section.

16 Sec. 16. REPEAL

17 17 V.S.A. § 2966 (reports by candidates not reaching monetary reporting  
18 threshold) is repealed.

1 Sec. 17. 17 V.S.A. § 2970 is amended to read:

2 § 2970. CAMPAIGN REPORTS; ~~OTHER ENTITIES~~; PUBLIC

3 QUESTIONS

4 (a) Any formal or informal political action committee ~~of two or more~~  
5 ~~individuals or a corporation, labor organization, public interest group, or other~~  
6 ~~entity, not including a political party, or independent expenditure-only political~~  
7 committee that makes expenditures of ~~\$1,000.00~~ \$500.00 or more during the  
8 election cycle for the purpose of advocating a position on a public question or  
9 influencing an election in any election shall file a report of its expenditures 30  
10 days before, 10 days before, and two weeks after the election with the  
11 Secretary of State.

12 \* \* \*

13 \* \* \* Campaign Finance; Independent Expenditure-Only

14 Political Committees \* \* \*

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

16 § 2901. DEFINITIONS

17 As used in this chapter:

18 \* \* \*

19 (10) “Independent expenditure-only political committee” means ~~a political~~  
20 ~~committee that~~ any one or more individuals, or any corporation, labor  
21 organization, public interest group, or other entity, excluding a political party,



1 that accepts contributions or makes expenditures in any amounts within any  
2 two-year general election cycle for the purpose of supporting or opposing  
3 candidates, influencing an election, or advocating for or against a public  
4 question; conducts its activities entirely independent of candidates; does not  
5 give contributions to candidates, political committees, or political parties; does  
6 not make related expenditures; and is not closely related to a political party or  
7 to a political committee that makes contributions to candidates or makes  
8 related expenditures. “Independent expenditure-only political committee”  
9 includes any “self-funded individual,” meaning an individual who receives no  
10 contributions from any other source for the purpose of supporting or opposing  
11 candidates, influencing an election, or advocating for or against a public  
12 question.

13 \* \* \*

14 (13) “Political committee” or “political action committee” means any  
15 formal or informal committee of ~~two~~ one or more individuals or a corporation,  
16 labor organization, public interest group, or other entity, not including a  
17 political party, that accepts contributions ~~of \$1,000.00 or more and~~ makes  
18 expenditures ~~of \$1,000.00 or more~~ in any amounts in any two-year general  
19 election cycle for the purpose of supporting or opposing one or more  
20 candidates, influencing an election, or advocating a position on a public

1 question in any election, and includes ~~an independent expenditure-only~~  
2 ~~political committee~~ and a legislative leadership political committee.

3 \* \* \*

4 Sec. 17b. 17 V.S.A. § 2925 is amended to read:

5 § 2925. POLITICAL COMMITTEES; SURPLUS CAMPAIGN

6 FUNDS

7 (a) A member of a political committee or an independent expenditure-only  
8 political committee that has surplus funds after all campaign debts have been  
9 paid shall not convert the surplus to personal use.

10 \* \* \*

11 Sec. 17c. 17 V.S.A. § 2945 is amended to read:

12 § 2945. ACCEPTING CONTRIBUTIONS

13 (a) A candidate, political committee, independent expenditure-only  
14 political committee, or political party accepts a contribution when the  
15 contribution is deposited in the candidate's, committee's, or party's campaign  
16 account or five business days after the candidate, committee, or party receives  
17 it, whichever comes first.

18 (b) A candidate, political committee, independent expenditure-only  
19 political committee, or political party shall not accept a monetary contribution  
20 in excess of \$100.00 unless made by check, credit or debit card, or other  
21 electronic transfer.

1 Sec. 17d. 17 V.S.A. § 2962 is amended to read:

2 § 2962. REPORTS; GENERAL PROVISIONS

3 (a) Any report required to be submitted to the Secretary of State under this  
4 chapter shall contain the statement “I hereby certify that the information  
5 provided on all pages of this campaign finance disclosure report is true to the  
6 best of my knowledge, information, and belief” and places for the signature of  
7 the candidate or the treasurer of the candidate, political committee,  
8 independent expenditure-only political committee, or political party.

9 \* \* \*

10 Sec. 17e. 17 V.S.A. § 2965 is amended to read:

11 § 2965. FINAL REPORTS; ~~CANDIDATES FOR STATE OFFICE, THE~~  
12 ~~GENERAL ASSEMBLY, AND COUNTY OFFICE; POLITICAL~~  
13 ~~COMMITTEES; POLITICAL PARTIES; END-OF-~~  
14 ~~CYCLE REPORTS FOR POLITICAL COMMITTEES AND~~  
15 ~~POLITICAL PARTIES~~

16 \* \* \*

17 (b)(1) At any time, but not later than December 15 following the general  
18 election, each political committee, independent expenditure-only political  
19 committee, or political party that has not filed a final report as set forth in  
20 subdivision (2) of this subsection shall file an end-of-cycle report that lists a  
21 complete accounting of all contributions and expenditures since the last report.

1           (2) At any time, a political committee, independent expenditure-only  
2 political committee, or a political party may file a “final report” that lists a  
3 complete accounting of all contributions and expenditures since the last report  
4 and liquidation of surplus and that shall constitute the termination of its  
5 campaign activities.

6 Sec. 17f. 17 V.S.A. § 2972 is amended to read:

7 § 2972. IDENTIFICATION IN ELECTIONEERING COMMUNICATIONS

8           (a) An electioneering communication shall contain the name and mailing  
9 address of the person, candidate, political committee, independent expenditure-  
10 only political committee, or political party that paid for the communication.

11 The name and address shall appear prominently and in a manner such that a  
12 reasonable person would clearly understand by whom the expenditure has been  
13 made, except that:

14           (1) An audio electioneering communication paid for by a candidate does  
15 not need to contain the candidate’s address.

16           (2) An electioneering communication paid for by a person acting as an  
17 agent or consultant on behalf of another person, candidate, political committee,  
18 independent expenditure-only political committee, or political party shall  
19 clearly designate the name and mailing address of the person, candidate,  
20 political committee, independent expenditure-only political committee, or  
21 political party on whose behalf the communication is published or broadcast.

1 \* \* \*

2 (c)(1) In addition to the identification requirements in subsections (a) and  
3 (b) of this section, an electioneering communication paid for by or on behalf of  
4 a political committee, independent expenditure-only political committee, or  
5 political party shall contain the name of any contributor who contributed more  
6 than 25 percent of all contributions and more than \$2,000.00 to that committee  
7 or party since the beginning of the two-year general election cycle in which the  
8 electioneering communication was made to the date on which the expenditure  
9 for the electioneering communication was made.

10 (2) For the purposes of this subsection, a ~~political~~ committee or political  
11 party shall be treated as having made an expenditure if the committee or party  
12 or person acting on behalf of the committee or party has executed a contract to  
13 make the expenditure.

14 \* \* \*

15 Sec. 17g. 17 V.S.A. § 2973 is amended to read:

16 § 2973. SPECIFIC IDENTIFICATION REQUIREMENTS FOR RADIO,  
17 TELEVISION, OR INTERNET COMMUNICATIONS

18 (a) In addition to the identification requirements set forth in section 2972 of  
19 this subchapter, a person, candidate, political committee, independent  
20 expenditure-only political committee, or political party that makes an  
21 expenditure for an electioneering communication shall include in any

1 communication that is transmitted through radio, television, or online video, in  
2 a clearly spoken manner, an audio statement of the name and title of the person  
3 who paid for the communication and that the person paid for the  
4 communication.

5 (b) If the person who paid for the communication is not an individual, the  
6 audio statement required by this section shall include the name of that person  
7 and the name and title of the treasurer in the case of a political committee,  
8 independent expenditure-only political committee, or political party or the  
9 principal officer in the case of any other person that is not an individual.

10 \* \* \* Audits of Voter Checklists and District Boundaries \* \* \*

11 Sec. 18. AUDITS OF VOTER CHECKLISTS AND DISTRICT  
12 BOUNDARIES

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

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

1       (c) On or before November 15, 2025, the Secretary shall submit a written  
2       report to the House Committee on Government Operations and Military  
3       Affairs and the Senate Committee on Government Operations with the findings  
4       of the audits.

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

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

12       \* \* \* Deadline Modifications and Miscellaneous Clarifications \* \* \*

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

14       § 1971. CASTING MORE THAN ONE BALLOT

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

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

6 § 2413. NOMINATION OF JUSTICES OF THE PEACE

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

10 \* \* \*

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

15 Sec. 26. 17 V.S.A. § 2402 is amended to read:

16 § 2402. REQUISITES OF STATEMENT

17 \* \* \*

18 (d)(1) A statement of nomination and a completed and signed consent form  
19 shall be filed:

20 \* \* \*

1 (B) in the case of nomination for justice of the peace, not earlier than  
2 the fourth Monday in April and not later than 5:00 p.m. on the third day  
3 ~~following the~~ Monday in July before each primary election; or

4 \* \* \*

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

6 § 2546. RECEIPT OF BALLOTS BY CLERK; VOTER STATUS;  
7 OPPORTUNITY TO CURE; PROCESSING ABSENTEE  
8 BALLOTS

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

14 \* \* \*

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

16 § 2703. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

17 The Secretary of State shall examine the petitions and ascertain whether  
18 they conform to the provisions of this chapter, and sections 2353, 2354, and  
19 2358 of this title. If found not to conform, ~~he or she~~ the Secretary shall state in  
20 writing why a particular petition cannot be accepted, and within ~~72 hours~~ two  
21 business days from receipt ~~he or she~~ the Secretary shall return it to the

1 candidate in whose behalf it was filed. In such case, supplementary petitions  
2 may be filed not later than 10 days after the deadline for filing petitions.  
3 However, supplementary petitions shall not be accepted if petitions with the  
4 signatures of at least 1,000 persons were not filed by the deadline for filing  
5 petitions set forth in section 2702 of this chapter.

6 \* \* \* Local Elections; Open Meeting Law Not Applicable to Annual  
7 Meetings \* \* \*

8 Sec. 29. 1 V.S.A. § 310 is amended to read:

9 § 310. DEFINITIONS

10 As used in this subchapter:

11 \* \* \*

12 (5)(A) “Meeting” means a gathering of a quorum of the members of a  
13 public body for the purpose of discussing the business of the public body or for  
14 the purpose of taking action.

15 \* \* \*

16 (E) “Meeting” does not mean a gathering of the voters of a  
17 municipality for purposes of conducting an annual or special municipal  
18 meeting.

19 (6) “Public body” means any board, council, or commission of the State  
20 or one or more of its political subdivisions, any board, council, or commission  
21 of any agency, authority, or instrumentality of the State or one or more of its



1 register to vote if the applicant attests to U.S. citizenship or the Department has  
2 proof of U.S. citizenship unless the applicant checks the box on the application  
3 designating that ~~he or she~~ the applicant declines to use the application as a  
4 voter registration application.

5 (b)(1) A motor vehicle driver's license or nondriver identification card  
6 application shall provide and request the following information and shall be in  
7 the form approved by the Secretary of State:

8 (A) The applicant's citizenship.

9 (B) The applicant's place and date of birth.

10 (C) The applicant's town of legal residence.

11 (D) The applicant's E-911 street address or a description of the  
12 physical location of the applicant's residence. The description must contain  
13 sufficient information so that the town clerk can determine whether the  
14 applicant is a resident of the town.

15 (E) The voter's oath.

16 (F) The applicant's ~~e-mail~~ email address and phone number, which  
17 shall be optional to provide.

18 \* \* \*

19 (d)(1) The Department of Motor Vehicles shall transmit motor vehicle  
20 driver's license and nondriver identification card applications received under  
21 this section to the Secretary of State not later than five days after the date the

1 application was accepted by the Department, or before the date of any primary  
2 or general election, whichever is sooner.

3 (2) The Department of Motor Vehicles shall not transmit motor vehicle  
4 driver's license and nondriver identification card applications when the  
5 Department does not have proof of U.S. citizenship for an applicant and the  
6 applicant has failed to attest to U.S. citizenship, or when the applicant has  
7 designated that ~~he or she~~ the applicant declines to be registered.

8 (3) The Department of Motor Vehicles shall ensure confidentiality of  
9 records as required by subdivision (b)(2)(A) of this section.

10 \* \* \*

11 Sec. 38. [Deleted.]

12 Sec. 39. [Deleted.]

13 \* \* \* Effective Date \* \* \*

14 Sec. 40. EFFECTIVE DATE

15 This act shall take effect on passage.