

## Senate proposal of amendment

### H. 474

An act relating to miscellaneous changes to election law

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

Sec. 1. [Deleted.]

Sec. 2. [Deleted.]

Sec. 3. [Deleted.]

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

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

§ 2381. APPLICABILITY OF SUBCHAPTER

\* \* \*

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

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

§ 2401. APPLICABILITY OF SUBCHAPTER

(a) A person may be nominated and have his or her the person's name printed on the general election ballot for any office by filing a consent similar in form to the consent prescribed by section 2361 of this title and a statement of nomination with the Secretary of State. In the case of a nomination for justice of the peace, the consent form and statement of nomination shall be filed with the town clerk.

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

Sec. 6. [Deleted.]

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

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

§ 2539. DELIVERY OF EARLY VOTER ABSENTEE BALLOTS

\* \* \*

(c) Military or overseas voters.

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

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

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

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

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

Sec. 8. [Deleted.]

\* \* \* Write-in Candidate Registration and Minimum Thresholds in Primary Elections \* \* \*

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

§ 2370. WRITE-IN CANDIDATES

(a)(1) In order to have votes listed for a write-in candidate under section 2587 of this title, not later than 5:00 p.m. on the Thursday preceding the primary election, a write-in candidate for the General Assembly, any State office, or any federal office shall complete a form of the Secretary of State's design affirming that the candidate wants to have received votes listed under subdivision 2587(e)(3) of this title. The candidate shall file the form with either all town clerks within the candidate's applicable district or the Secretary of State's office in an electronic manner approved by the Secretary. The Secretary of State shall notify the appropriate town clerks of any filings made in accordance with this subsection as soon as practicable.

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

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

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

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

~~(b)~~(c) The ~~Before becoming the party's candidate in the general election,~~ the write-in candidate who qualifies as a primary winner under this section must:

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

(2) file a consent similar in form to the consent prescribed by sections 2361, 2385, and 2402 of this title with the Secretary of State.

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

§ 2472. CONTENTS

\* \* \*

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

\* \* \*

(5)(A) In order to have votes listed for a write-in candidate under section 2587 of this title, not later than 5:00 p.m. on the Thursday preceding the election, a write-in candidate for the General Assembly, any State office, or any federal office shall complete a form of the Secretary of State's design affirming that the candidate wants to have received votes listed under subdivision 2587(e)(3) of this title. The candidate shall file the form with either all town clerks within the candidate's applicable district or the Secretary of State's office in an electronic manner approved by the Secretary. The Secretary of State shall notify the appropriate town clerks of any filings made in accordance with this subsection (b) as soon as practicable.

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

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

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

\* \* \*

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

§ 2587. RULES FOR COUNTING VOTES

\* \* \*

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

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

(A) count write-in votes:

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

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

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

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

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

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

\* \* \*

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

§ 2702. NOMINATING PETITION

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

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

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

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

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

(f)(1) In order to have votes listed for a write-in candidate under section 2587 of this title, not later than 5:00 p.m. on the Thursday preceding the election, a write-in candidate for nomination shall complete a form of the Secretary of State’s design affirming that the candidate wants to have received votes for that office in every major political party’s primary results listed under subdivision 2587(e)(3) of this title. The candidate shall file the form with either all town clerks within the candidate’s applicable district or the

Secretary of State's office in an electronic manner approved by the Secretary. The Secretary of State shall notify the appropriate town clerks of any filings made in accordance with this subsection as soon as practicable.

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

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

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

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

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

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

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

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

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

\* \* \*

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

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

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

\* \* \*

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

(c) A political committee or an independent expenditure-only political committee whose principal place of business or whose treasurer is not located in this State shall file a statement with the Secretary of State designating a person who resides in this State upon whom may be served any process, notice, or demand required or permitted by law to be served upon the ~~political~~ committee. This statement shall be filed at the same time as the registration required in subsection (a) of this section.

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

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

(a)(1) Each candidate for State office, the General Assembly, or a two-year-term county office who has rolled over any amount of surplus into ~~his or her~~ the candidate's new campaign or who has made expenditures or accepted contributions of \$500.00 or more during the two-year general election cycle and, except as provided in subsection (b) of this section, each political committee and independent expenditure-only political committee that has not filed a final report pursuant to subsection 2965(b) of this chapter, and each

political party required to register under section 2923 of this chapter shall file with the Secretary of State campaign finance reports as follows:

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

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

(i) on March 15;

(ii) on July 1 and August 1;

(iii) on September 1;

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

(v) two weeks after the general election.

(2) Each candidate for a four-year-term county office who has rolled over any amount of surplus into ~~his or her~~ the candidate's 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:

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

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

(i) on March 15;

(ii) on July 1 and August 1;

(iii) on September 1;

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

(v) two weeks after the general election.

(b)(1) A political committee, independent expenditure-only political committee, or a political party that has accepted contributions or made expenditures of ~~\$1,000.00~~ \$500.00 or more during the local election cycle for the purpose of influencing a local election or supporting or opposing one or more candidates in a local election shall file with the Secretary of State campaign finance reports regarding that local election 30 days before, 10 days before, and two weeks after the local election.

\* \* \*

(c) ~~The failure of a candidate, political committee, or political party to file a report under this section shall be deemed an affirmative statement that a report is not required of the candidate, political committee, or political party~~



~~under this section~~ A candidate, political committee, independent expenditure-only committee, or political party that is not otherwise required to file a report pursuant to this section shall file with the Secretary of State a report and affirmative statement that the candidate, political committee, independent expenditure-only committee, or political party has not either rolled over any amount of surplus into a new campaign or made expenditures or accepted contributions in the amounts specified in this section.

Sec. 16. REPEAL

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

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

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

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

\* \* \*

\* \* \* Campaign Finance; Independent Expenditure-Only  
Political Committees \* \* \*

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

§ 2901. DEFINITIONS

As used in this chapter:

\* \* \*

(10) “Independent expenditure-only political committee” means ~~a political committee that any one or more individuals, or any corporation, labor organization, public interest group, or other entity, excluding a political party, that accepts contributions or makes expenditures in any amounts within any two-year general election cycle for the purpose of supporting or opposing candidates, influencing an election, or advocating for or against a public question; 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. “Independent expenditure-only political committee” includes any “self-funded individual,” meaning an individual who receives no contributions from any other source for the purpose of supporting or opposing candidates, influencing an election, or advocating for or against a public question.

\* \* \*

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

\* \* \*

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

§ 2925. POLITICAL COMMITTEES; SURPLUS CAMPAIGN FUNDS

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

\* \* \*

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

§ 2945. ACCEPTING CONTRIBUTIONS

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

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

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

§ 2962. REPORTS; GENERAL PROVISIONS

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

\* \* \*

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

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

\* \* \*

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

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

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

§ 2972. IDENTIFICATION IN ELECTIONEERING COMMUNICATIONS

(a) An electioneering communication shall contain the name and mailing address of the person, candidate, political committee, independent expenditure-only political committee, or political party that paid for the communication. The name and address shall appear prominently and in a manner such that a reasonable person would clearly understand by whom the expenditure has been made, except that:

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

(2) An electioneering communication paid for by a person acting as an agent or consultant on behalf of another person, candidate, political committee, independent expenditure-only political committee, or political party shall clearly designate the name and mailing address of the person, candidate,

political committee, independent expenditure-only political committee, or political party on whose behalf the communication is published or broadcast.

\* \* \*

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

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

\* \* \*

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

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

(a) In addition to the identification requirements set forth in section 2972 of this subchapter, a person, candidate, political committee, independent expenditure-only political committee, or political party that makes an expenditure for an electioneering communication shall include in any communication that is transmitted through radio, television, or online video, in a clearly spoken manner, an audio statement of the name and title of the person who paid for the communication and that the person paid for the communication.

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

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

Sec. 18. AUDITS OF VOTER CHECKLISTS AND DISTRICT  
BOUNDARIES

(a) On or before September 15, 2025, local boards of civil authority and town clerks whose municipal boundaries are divided for the purpose of Representative districts and Senatorial districts shall audit their voter checklists

to ensure that those checklists accurately correspond to the prescribed district boundaries.

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

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

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

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

\* \* \* 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.

Sec. 21. REPEAL

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

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

#### § 2103. DEFINITIONS

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

\* \* \*

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

\* \* \*

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

§ 2358. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

\* \* \*

(b) If found not to conform, ~~he or she~~ the officer shall state in writing on a particular petition why it cannot be accepted, and within ~~72 hours~~ two business days from receipt, ~~he or she~~ the officer shall return it to the candidate in whose behalf it was filed. In such case, supplementary petitions may be filed not later than 10 days after the date for filing petitions. However, supplementary petitions shall not be accepted if petitions with signatures of different persons totaling at least the required number were not received by the filing deadline.

\* \* \*

Sec. 24. [Deleted.]

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

§ 2413. NOMINATION OF JUSTICES OF THE PEACE

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

\* \* \*

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

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

§ 2402. REQUISITES OF STATEMENT

\* \* \*

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

\* \* \*

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

\* \* \*

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

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

## BALLOTS

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

\* \* \*

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

### § 2703. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

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

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

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

### § 310. DEFINITIONS

As used in this subchapter:

\* \* \*

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

\* \* \*

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

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

foregoing boards, councils, or commissions, except that “public body” does not include:

(A) councils or similar groups established by the Governor for the sole purpose of advising the Governor with respect to policy; or

(B) the voters of a municipality at an annual or special municipal meeting.

\* \* \*

Sec. 30. [Deleted.]

Sec. 31. [Deleted.]

Sec. 32. [Deleted.]

Sec. 33. [Deleted.]

Sec. 34. [Deleted.]

Sec. 35. [Deleted.]

Sec. 36. [Deleted.]

\* \* \* Automatic Voter Registration \* \* \*

Sec. 37. 17 V.S.A. § 2145a is amended to read:

§ 2145a. REGISTRATIONS AT THE DEPARTMENT OF MOTOR  
VEHICLES

(a) An application for, or renewal of, a motor vehicle driver’s license or nondriver identification card shall serve as a simultaneous application to register to vote if the applicant attests to U.S. citizenship or the Department has proof of U.S. citizenship unless the applicant checks the box on the application designating that ~~he or she~~ the applicant declines to use the application as a voter registration application.

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

(A) The applicant’s citizenship.

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

(C) The applicant’s town of legal residence.

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



(E) The voter's oath.

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

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(d)(1) The Department of Motor Vehicles shall transmit motor vehicle driver's license and nondriver identification card applications received under this section to the Secretary of State not later than five days after the date the application was accepted by the Department, or before the date of any primary or general election, whichever is sooner.

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

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

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Sec. 38. [Deleted.]

Sec. 39. [Deleted.]

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

Sec. 40. EFFECTIVE DATE

This act shall take effect on passage.