

1 Introduced by Committee on Government Operations and Military Affairs

2 Date:

3 Subject: Elections; ranked-choice voting; mail-in ballots; cross-nominations;  
4 remote voting; campaign finance; major parties

5 Statement of purpose of bill as introduced: This bill proposes to institute  
6 ranked-choice voting for the 2028 presidential primary election. It proposes to  
7 have mail-in ballots sent to voters for primary elections in addition to general  
8 elections. This bill proposes to prohibit candidates from receiving cross-  
9 nominations from multiple political parties. It proposes to enable voters who  
10 are ill, injured, or have a disability and overseas voters to return ballots  
11 electronically. This bill proposes to require candidates to provide additional  
12 demographic information. It proposes to require write-in candidates to file  
13 consent of candidacy forms in advance of an election and to increase the  
14 minimum thresholds for write-in candidate in primary elections. This bill  
15 proposes to make various modifications to campaign finance reporting and  
16 requirements. This bill proposes to require the Secretary of State to perform an  
17 audit of all voter checklists for Representative districts and Senatorial districts  
18 to ensure that those checklists accurately correspond to the prescribed district  
19 boundaries. It also proposes to modify deadlines for various State and local  
20 election procedures.

1 An act relating to miscellaneous changes to election law

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

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

4 Sec. 1. REDESIGNATION

5 17 V.S.A. §§ 2705 and 2706 are redesignated as 17 V.S.A. §§ 2711 and 2712.

6 Sec. 2. 17 V.S.A. chapter 57, subchapter 1 is amended to read:

7 Subchapter 1. Presidential Primary

8 § 2701. DEFINITIONS

9 As used in this subchapter:

10 (1) “Active candidate” means a candidate who has not been eliminated  
11 and who is not a withdrawn candidate as set forth in subdivision (12) of this  
12 section.

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

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

17 (4) “Inactive ballots” means ballots that do not count as votes for any  
18 candidate due to one or more of the reasons listed in subdivision 2707(c)(2) of  
19 this title.

20 (5) “Major political party” has the same meaning as in subdivision  
21 2103(23)(A) of this title.



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

8           § ~~2702~~ 2703. NOMINATING PETITION

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

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

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

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

19           (e) Each petition shall be accompanied by a filing fee of \$2,000.00 to be  
20 paid to the Secretary of State. However, if the petition of a candidate is  
21 accompanied by the affidavit of the candidate, which shall be available for

1 public inspection, that the candidate and the candidate’s campaign committee  
2 are without sufficient funds to pay the filing fee, the Secretary of State shall  
3 waive all but \$300.00 of the payment of the filing fee by that candidate.

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

11 § ~~2703~~ 2704. 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~~ 2703 of this chapter.

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

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

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

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

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

19        § 2706. TYPE OF RANKED-CHOICE VOTING

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

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

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

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

13       (c) At least 120 days before the date of the presidential primary election,  
14       the Secretary of State shall confirm with the State committee of each political  
15       party that the State is capable of implementing the party's preferences as  
16       declared under subsection (a) of this section or shall notify the State committee  
17       of any feasibility constraints that could prevent the State from implementing  
18       the party's preferences.

19       § 2707. RANKED-CHOICE VOTING TABULATION

20       (a) Tabulation rounds. In any presidential primary election for a major  
21       political party, each ballot shall count as one vote for the highest-ranked active

1 candidate on that ballot. Tabulation shall proceed in rounds. Each round  
2 proceeds sequentially as described in subsection (d) or (e) of this section, as  
3 applicable.

4 (b) Withdrawn candidates. Ranking orders containing withdrawn  
5 candidates shall be treated the same as ranking orders containing candidates  
6 who have been eliminated from tabulation.

7 (c) Inactive ballots and undervotes.

8 (1) In any round of tabulation, an inactive ballot does not count for any  
9 candidate and is not considered a vote for the purposes of determining either  
10 which active candidate has a majority of the active votes in the final round of  
11 tabulation pursuant to subsection (d) of this section or which active candidates  
12 possess a vote total above the threshold for receiving delegates pursuant to  
13 subsection (e) of this section.

14 (2) A ballot is an inactive ballot if any of the following is true:

15 (A) The ballot does not rank any active candidates and is not an  
16 undervote.

17 (B) The ballot has reached an overvote.

18 (C) The ballot has reached two consecutive skipped rankings.

19 (3) An undervote does not count as either an active or inactive ballot in  
20 any round of tabulation.



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

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

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

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

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

19        (e) Award of delegates on proportional basis. If a major political party  
20        awards the State’s delegates to multiple candidates on a proportional basis,  
21        tabulation shall proceed as follows:

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

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

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

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

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

1        § 2708. RANKED-CHOICE VOTING RESULTS REPORTING

2            (a) Unofficial preliminary round-by-round results shall be released as soon  
3            as feasible after the polls close and at regular intervals thereafter until the  
4            counting of ballots is complete. Unofficial preliminary round-by-round results  
5            shall be clearly labeled as preliminary and, to the extent feasible, shall include  
6            the percent of ballots counted to date.

7            (b) In addition to any other information required by law to be reported with  
8            final results, the following shall be made public:

9                    (1) the total number of votes each candidate received in each round  
10                  of the official tabulation, including votes for withdrawn candidates; and

11                    (2) the total number of ballots that became inactive in each round  
12                  because they did not contain any active candidates, reached an overvote, or  
13                  reached two consecutive skipped rankings, reported as separate figures.

14            (c) If a major political party allocates delegates by geographical unit or  
15            district, round-by-round results by geographical unit or district shall be made  
16            public in addition to statewide results.

17        § 2709. CANVASSING COMMITTEE CERTIFICATES

18            When the canvassing committee provided for in section 2592 of this title  
19            prepares its certificate of election for a presidential primary election for a  
20            major political party, the canvass shall state the number of final round votes

1 received by each candidate who has received votes in the final round of  
2 tabulation.

3 Sec. 3. 17 V.S.A. § 2710 is added to read:

4 § 2710. RULEMAKING

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

17 Sec. 4. TALLY SHEETS; SUMMARY SHEETS; RETURNS

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

1                   \* \* \* Prospective Repeal of Ranked Choice Voting \* \* \*

2           Sec. 5. REPEALS

3                   (a) 17 V.S.A. § 2701 (definitions) is repealed on July 1, 2029.

4                   (b) 17 V.S.A. § 2706 (type of ranked-choice voting) is repealed on July 1,  
5                   2029.

6                   (c) 17 V.S.A. § 2707 (ranked-choice voting tabulation) is repealed on July  
7                   1, 2029.

8                   (d) 17 V.S.A. § 2708 (ranked-choice voting results reporting) is repealed  
9                   on July 1, 2029.

10                   (e) 17 V.S.A. § 2709 (canvassing committee certificates) is repealed on  
11                   July 1, 2029.

12                   (f) 17 V.S.A. § 2710 (rulemaking) is repealed on July 1, 2029.

13           Sec. 6. 17 V.S.A. § 2702 is amended to read:

14           § 2702. PRESIDENTIAL PRIMARY; TIME OF HOLDING; FORM OF  
15                   BALLOT

16           In presidential election years, a presidential primary for each major political  
17           party shall be held in all municipalities on the first Tuesday in March. The  
18           Secretary of State shall prepare and distribute for use at the primary an official  
19           ~~ranked-choice~~ ballot for each party for which one or more candidates qualify  
20           for the placing of their names on the ballot under section 2703 of this title.

1 Ballots shall be printed on index stock and configured to be readable by vote  
2 tabulators.

3 Sec. 7. 17 V.S.A. § 2705 is amended to read:

4 § 2705. ~~RANKED CHOICE VOTING; BALLOTS~~

5 ~~(a) A presidential primary election for a major political party shall be~~  
6 ~~conducted by ranked choice voting.~~

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

12 ~~(1) The ballot shall allow voters to rank candidates in order of choice.~~  
13 ~~The names of all candidates on the ballot shall be listed in alphabetical order.~~

14 ~~(2) The ballot shall allow voters to assign rankings to candidates that are~~  
15 ~~equal to the number of printed candidate names and blank write-in lines,~~  
16 ~~except to the extent established by the Secretary pursuant to section 2710 of~~  
17 ~~this title. Each voter may vote for one candidate for the presidential~~  
18 ~~nomination of one party, either by placing a mark opposite the printed name of~~  
19 ~~a candidate as in other primaries, or by writing in the name of the candidate of~~  
20 ~~the voter’s choice.~~

21 \* \* \* Cross-Nominations \* \* \*

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

2 § 2472. CONTENTS

3 \* \* \*

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

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

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

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

18 (5) A candidate may only list a single party next to the candidate’s name  
19 on the general election ballot, as selected by the candidate pursuant to section  
20 2474 of this chapter.

21 \* \* \*

1 Sec. 9. 17 V.S.A. § 2474 is amended to read:

2 § 2474. CHOICE OF PARTY

3 (a)(1) A person nominated by any means for the same office by more than  
4 one political party ~~may~~ shall elect, not later than 5:00 p.m. on the ~~tenth~~ 10th  
5 day following the primary election, the party ~~or parties~~ in which the nominee  
6 will be a candidate. The nominee shall notify in writing the Secretary of State  
7 ~~or town clerk, as the case may be,~~ of such choice by that deadline, and only the  
8 party ~~or parties~~ that the nominee so elects shall be printed next to the  
9 nominee’s name on the ballot.

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

14 (A) the major political party for which the nominee had ~~his or her~~ the  
15 nominee’s name printed on the ballot in the primary;

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

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









1 before that day all absentee ballots to any military or overseas voter who  
2 requested an early voter absentee ballot on or before that day.

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

7 (3) As used in this section, “Overseas voters” means a person who is  
8 qualified to vote in Vermont and resides outside the United States, meaning the  
9 several states, the District of Columbia, the Commonwealth of Puerto Rico,  
10 Guam, the Virgin Islands, and American Samoa, and military voters who by  
11 reason of active military duty are absent from the United States.

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

18 Sec. 12. 17 V.S.A. § 2542 is amended to read:

19 § 2542. SIGNING CERTIFICATE

20 (a) There shall be printed on the face of the envelope provided for use in  
21 returning early voter absentee ballots, or provided in an electronic format if a

1 ballot is electronically delivered pursuant to subsection 2539(b) or (c) of this  
2 title, a certificate in substantially the following form:

3 “Early or Absentee Voter Ballots of \_\_\_\_\_”  
4 (print your name)

5 I, \_\_\_\_\_, solemnly swear or affirm that I am a resident of the town  
6 (city) of \_\_\_\_\_, State of Vermont, and that I am a legal voter in this town  
7 (city).

8 \_\_\_\_\_  
9 (your signature)

10 (b) The early or absentee voter, except a voter returning a ballot  
11 electronically pursuant to subsection 2543(d) of this title, must sign the  
12 certificate on the outside of the envelope in order for the ballot to be valid.  
13 When an early or absentee voter is physically unable to sign ~~his or her~~ the  
14 voter’s name, ~~he or she~~ the voter may mark an “X” or take an oath swearing or  
15 affirming to the statement on the certificate. The officers who deliver the  
16 ballots shall witness the mark or oath and sign their names with a statement  
17 attesting to this fact on the envelope.

18 Sec. 13. 17 V.S.A. § 2543 is amended to read:

19 § 2543. RETURN OF BALLOTS

20 \* \* \*

1 (d)(1) All early voter absentee ballots returned as follows shall be counted:

2 (A) by any means, to the town clerk’s office before the close of  
3 business on the day preceding the election;

4 (B) to any secure ballot drop box provided by the town or city in  
5 which the voter is registered pursuant to section 2543a of this subchapter  
6 before the close of business on the day before the election;

7 (C) by mail to the town clerk’s office before the close of the polls on  
8 the day of the election; and

9 (D) by hand delivery to the presiding officer at the voter’s polling  
10 place before the closing of the polls at 7:00 p.m.

11 (2)(A) All ballots electronically delivered pursuant to subsection  
12 2539(b) or (c) of this title to voters with disabilities, as defined in 9 V.S.A.  
13 4501(2), and overseas voters, as defined in subdivision 2539(c)(3) of this title,  
14 and returned as follows shall be counted:

15 (i) by means of a secure online portal administered by the  
16 Secretary of State, directly to the clerk before the close of business on the last  
17 day the clerk’s office is open prior to the election; and

18 (ii) with electronic signature on the certificate required pursuant to  
19 section 2542 of this title prior to submitting the ballot to the clerk.

20 (B) A ballot electronically delivered pursuant to subsection 2539(b)  
21 or (c) of this title to voters with disabilities, as defined in 9 V.S.A. 4501(2),

1 and overseas voters, as defined in subdivision 2539(c)(3) of this title, and then  
2 returned pursuant to subdivision (A) of this subdivision (d)(2) shall be printed  
3 by the clerk and processed in the same manner as all other early or absentee  
4 ballots and in accordance with the procedures prescribed by this subchapter.

5 (C) The voter shall be notified when a ballot electronically delivered  
6 pursuant to subsection 2539(b) or (c) of this title to voters with disabilities, as  
7 defined in 9 V.S.A. 4501(2), and overseas voters, as defined in subdivision  
8 2539(c)(3) of this title, and then returned pursuant to subdivision (A) of this  
9 subdivision (d)(2) is received and printed by the clerk pursuant to subdivision  
10 (B) of this subdivision (d)(2).

11 (3) An early voter absentee ballot returned in a manner other than those  
12 set forth in subdivision (1) or (2)(A) of this subsection shall not be counted.

13 \* \* \*

14 \* \* \* Candidate Demographic Information \* \* \*

15 Sec. 14. 17 V.S.A. § 2359 is amended to read:

16 § 2359. NOTIFICATION TO SECRETARY OF STATE

17 (a) Within three days after the last day for filing petitions, all town and  
18 county clerks who have received petitions shall ~~notify~~ file with the Secretary of  
19 State ~~of the names of all candidates,~~ a list containing the name, gender, age,  
20 race or ethnicity, mailing address, and email address of all candidates, to the  
21 extent this information is provided by candidates; the offices for which ~~they~~

1 the candidates have filed; and whether each candidate has submitted a  
2 sufficient number of valid signatures to comply with the requirements of  
3 section 2355 of this title. Town and county clerks shall also notify the  
4 Secretary of State of any petitions found not to conform to the requirements of  
5 this chapter and returned to a candidate under section 2358 of this title; and  
6 shall notify the Secretary of State of the status of such ~~petition~~ petitions not  
7 later than two days after the last day for filing supplementary petitions.

8 (b) Information of a candidate’s gender, age, or race or ethnicity collected  
9 pursuant to subsection (a) of this section 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 Sec. 15. 17 V.S.A. § 2361 is amended to read:

14 § 2361. CONSENT OF CANDIDATE

15 \* \* \*

16 (b)(1) The consent shall set forth the ~~name of the candidate,~~ candidate’s  
17 name as the candidate wishes to have it printed on the ballot, the candidate’s  
18 gender, age, or race or ethnicity, town of residence, ~~and~~ correct mailing  
19 address, and email address. A candidate who does not provide information  
20 pertaining to gender, age, or race or ethnicity may still appear on the ballot if  
21 all other requirements are met.



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\* \* \*

Sec. 16. 17 V.S.A. § 2665 is amended to read:

§ 2665. NOTIFICATION TO SECRETARY OF STATE

The town clerk shall file with the Secretary of State a list ~~of the names and addresses of the selectboard members elected and~~ containing the name, gender, age, race or ethnicity, street address, and email address, to the extent the information is provided by the candidate, and the end date of the term of office of each selectboard member, city councilor, village trustee, and mayor elected. The town clerk shall not be required to ask the candidate for information pertaining to gender, age, or race or ethnicity if this information is not provided to the town clerk. The town clerk shall notify the Secretary of State of any changes in the list as filed. Information of a candidate’s gender, age, or race or ethnicity collected pursuant to this subsection is exempt from public inspection and copying under the Public Records Act and shall be kept confidential, except that the Secretary of State may publish information pertaining to candidates’ gender, age, or race or ethnicity in aggregate form.

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

Elections \* \* \*

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

§ 2370. WRITE-IN CANDIDATES

1           (a)(1) In order to have votes listed for a write-in candidate under  
2           subdivision 2587(e)(3) of this title, not later than 5:00 p.m. on the second  
3           Friday preceding the primary election, a write-in candidate for the General  
4           Assembly, any county office, any State office, or any federal office shall file  
5           with the Secretary of State a form consenting to candidacy for office as set  
6           forth in subsection 2587(e) of this title. The Secretary of State shall notify the  
7           town clerks of any filings made in accordance with this subsection not later  
8           than the Friday before the election.

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

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

19          Sec. 18. 17 V.S.A. § 2472 is amended to read:

20          § 2472. CONTENTS

21

\* \* \*

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

5 \* \* \*

6 (5) In order to have votes listed for a write-in candidate under  
7 subdivision 2587(e)(3) of this title, not later than 5:00 p.m. on the second  
8 Friday preceding the general election, a write-in candidate for the General  
9 Assembly, any county office, any State office, or any federal office shall file  
10 with the Secretary of State a form consenting to candidacy for office as set  
11 forth in subsection 2587(e) of this title. The Secretary of State shall notify the  
12 town clerks of any filings made in accordance with this subsection not later  
13 than the Friday before the election.

14 \* \* \*

15 Sec. 19. 17 V.S.A. § 2587 is amended to read:

16 § 2587. RULES FOR COUNTING VOTES

17 \* \* \*

18 (e)(1) In the case of “write-in” votes, the act of writing in the name of a  
19 candidate, or pasting a label containing a candidate’s name upon the ballot,  
20 without other indications of the voter’s intent, shall constitute a vote for that

1 candidate, even though the voter did not fill in the square or oval after the  
2 name.

3 (2)(A) A vote for a write-in candidate shall be counted as a write-in vote  
4 that is without consent of candidate unless the write-in candidate filed a  
5 consent of candidate form with the Secretary of State in accordance with  
6 section 2370 of this title in the primary election, subsection 2472(b) of this title  
7 for the general election, and subsection § 2703(f) of this title for the  
8 presidential primary. The consent form shall set forth the name of the  
9 candidate, the name of the office for which the candidate consents to be a  
10 candidate, the candidate’s town of residence, and the candidate’s correct  
11 mailing address. The clerk shall record the name and vote totals of a write-in  
12 candidate who has filed in accordance with section 2370 of this title in the  
13 primary election, subsection 2472(b) of this title for the general election, and  
14 subsection § 2703(f) of this title for the presidential primary.

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

17 (3) The election officials counting ballots and tallying results shall only  
18 list every person who receives a “write in” vote and the number of votes  
19 received the names and votes received of those write-in candidates who  
20 consented to candidacy for the office pursuant to section 2370 of this title in  
21 the primary election, subsection 2472(b) of this title for the general election,

1 and subsection 2703(f) of this title for the presidential primary. Any write-in  
2 votes for candidates who have not consented to the write-in candidacy shall be  
3 listed as “write-ins.”

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

7 (B) Names of ~~fictitious or deceased~~ persons who are not registered  
8 write-in candidates shall not be listed and shall be recorded on the tally sheet  
9 as a blank vote.

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

15 \* \* \* Campaign Finance \* \* \*

16 Sec. 20. 17 V.S.A. § 2921 is amended to read:

17 § 2921. CANDIDATES; REGISTRATION; CHECKING ACCOUNT;

18 TREASURER

19 (a) Each candidate who ~~has made expenditures or accepted contributions of~~  
20 ~~\$500.00 or more in an election cycle~~ files a consent to the printing of the  
21 candidate’s name on the ballot, as provided in section 2361 of this title, shall

1 register with the Secretary of State ~~within 10 days of reaching the \$500.00~~  
2 ~~threshold or on the date that the next report is required of the candidate under~~  
3 ~~this chapter, whichever occurs first, prior to filing the consent stating ~~his or her~~~~  
4 ~~the candidate's full name and address; the office the candidate is seeking; the~~  
5 ~~name and address of the bank in which the candidate maintains ~~his or her~~ the~~  
6 ~~campaign checking account if raising or spending any campaign funds; and~~  
7 ~~the name and address of the treasurer responsible for maintaining the checking~~  
8 ~~account. A candidate's treasurer may be the candidate or ~~his or her~~ the~~  
9 ~~candidate's spouse.~~

10 \* \* \*

11 Sec. 21. 17 V.S.A. § 2964 is amended to read:

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

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

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

3 \* \* \*

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

9 \* \* \*

10 Sec. 22. 17 V.S.A. § 2901 is amended to read:

11 § 2901. DEFINITIONS

12 As used in this chapter:

13 \* \* \*

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

20 (11) ~~“Mass media activity”~~ means a television commercial, radio  
21 commercial, ~~Internet~~ internet advertisement, mass mailing, mass electronic or

1 digital communication, literature drop, newspaper or periodical advertisement,  
2 robotic phone call, or telephone bank, that includes the name or likeness of a  
3 clearly identified candidate for office.

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

6 \* \* \*

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

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





1 Military Affairs and the Senate Committee on Government Operations with the  
2 Secretary’s findings.

3 \* \* \* Deadline Modifications and Miscellaneous Clarifications \* \* \*

4 Sec. 25. 17 V.S.A. § 1971 is amended to read:

5 § 1971. CASTING MORE THAN ONE BALLOT

6 A legal voter who knowingly ~~casts more than one ballot at any one time of~~  
7 balloting votes more than once in any election held in this State, or who votes  
8 in both this State and another state or territory in the same or equivalent  
9 election for the same office shall be fined not more than \$1,000.00 if the  
10 offense is committed at a primary or general election, and not more than  
11 \$100.00 if committed at a local election.

12 Sec. 26. REPEAL

13 17 V.S.A. § 1973 (voting in more than one place) is repealed.

14 Sec. 27. 17 V.S.A. § 2103 is amended to read:

15 § 2103. DEFINITIONS

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

18 \* \* \*

19 (6) “Campaign” means any organized or coordinated activity undertaken  
20 by ~~two~~ one or more persons, any part of which is designed to influence the

1 nomination, election, or defeat of any candidate or the passage, defeat, or  
2 modification of any public question.

3 \* \* \*

4 Sec. 28. 17 V.S.A. § 2358 is amended to read:

5 § 2358. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

6 \* \* \*

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

14 \* \* \*

15 Sec. 29. 17 V.S.A. § 2313 is amended to read:

16 § 2313. FILING OF CERTIFICATE OF ORGANIZATION

17 \* \* \*

18 (f) At the same time of filing the certificate of organization, the chair and  
19 secretary shall file with the Secretary of State a single machine-readable  
20 electronic document containing a list of the names and addresses of the town

1 and county committee members from those towns and counties that have  
2 organized pursuant to this chapter.

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

5 Sec. 30. 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. 31. 17 V.S.A. § 2493 is amended to read:

16 § 2493. RULES FOR USE OF VOTE TABULATORS; AUDITS

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

20 \* \* \*



1 § 310. DEFINITIONS

2 As used in this subchapter:

3 \* \* \*

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

7 \* \* \*

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

11 (6) “Public body” means any board, council, or commission of the State  
12 or one or more of its political subdivisions, any board, council, or commission  
13 of any agency, authority, or instrumentality of the State or one or more of its  
14 political subdivisions, or any committee or subcommittee of any of the  
15 foregoing boards, councils, or commissions, except that “public body” does not  
16 include:

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

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

21 \* \* \*



1 the first Tuesday in March. A meeting so started shall be adjourned until the  
2 first Tuesday in March.

3 \* \* \*

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

7 \* \* \*

8 § 2642. WARNING AND NOTICE CONTENTS

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

11 \* \* \*

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

16 \* \* \*

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



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\* \* \*

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

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

\* \* \*

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

\* \* \*

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

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

\* \* \*

(3) When a town votes to authorize the selectboard to appoint constables, the selectboard’s authority to make ~~such~~ the appointments shall

1 remain in effect until the town rescinds that authority by the majority vote of  
2 the registered voters ~~present and voting~~ at an annual or special meeting duly  
3 warned for that purpose.

4 (b) ~~Notwithstanding the provisions of subsection (a) to the contrary, a vote~~  
5 ~~to authorize the selectboard to appoint constables shall become effective only~~  
6 ~~upon a two-thirds vote of those present and voting if a written protest against~~  
7 ~~the authorization is filed with the selectboard at least 15 days before the vote~~  
8 ~~by at least five percent of the voters of the town. [Repealed.]~~

9 \* \* \*

10 § 2651d. COLLECTOR OF DELINQUENT TAXES; APPOINTMENT;  
11 REMOVAL

12 (a)(1) A municipality may vote at an annual or special municipal meeting  
13 to authorize the legislative body to appoint a collector of delinquent taxes, who  
14 may be the municipal treasurer.

15 (2) ~~A collector of delinquent taxes so appointed may be removed by the~~  
16 ~~legislative body for just cause after notice and hearing~~ The appointment of a  
17 collector of delinquent taxes shall be for a one-year term.

18 \* \* \*

19 § 2651e. MUNICIPAL CLERK; APPOINTMENT; REMOVAL

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



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

13 \* \* \*

14 \* \* \* Local Elections; Australian Ballot System \* \* \*

15 Sec. 36. 17 V.S.A. chapter 55, subchapter 3 is amended to read:

16 Subchapter 3. Local Elections Using the Australian Ballot System

17 § 2680. AUSTRALIAN BALLOT SYSTEM; GENERAL

18 \* \* \*

19 (h) Hearing.

20 (1) Whenever a municipality has voted to adopt the Australian ballot  
21 system of voting on any public question or budget, except the budget revote as

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

7 \* \* \*

8 § 2681. NOMINATIONS; PETITIONS; CONSENTS

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

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

16 \* \* \*

17 \* \* \* Local Elections; Fire Districts; Voters \* \* \*

18 Sec. 37. 20 V.S.A. § 2485 is amended to read:

19 § 2485. OFFICERS GENERALLY

20 ~~A~~ The voters of a fire district shall elect at its first meeting and at each  
21 annual meeting thereafter a clerk, a treasurer, and a collector of taxes. ~~Such fire~~

1 ~~district~~ The voters may elect a chief engineer and ~~such~~ any assistant engineers  
2 as are necessary, whether or not they are inhabitants of the district, who shall  
3 rank in the order of their election. ~~Such~~ The officers shall hold office until the  
4 next annual meeting and until others are elected. A vacancy in any office may  
5 be filled by the prudential committee. ~~Such district at its~~ At the district's first  
6 meeting, the voters shall elect a prudential committee that shall consist of three  
7 persons, who shall serve for one, two, and three years, respectively. ~~Thereafter~~  
8 ~~at~~ At each subsequent annual meeting, a member of ~~such~~ the prudential  
9 committee shall be elected for the term of three years. If the fire district so  
10 votes, two additional persons may be elected to ~~such~~ the committee for a term  
11 of one year. A vacancy in ~~such~~ the committee may be filled at an annual  
12 meeting, or at a special meeting called for that purpose, but the ~~selectboard~~  
13 legislative body of the ~~town~~ municipality in which ~~such~~ the district is located  
14 may fill a vacancy in ~~such~~ the committee until an election by the appointment  
15 of a resident of ~~such~~ the district. When a meeting is not held on the second  
16 Monday in January, the officers of the district may be elected at a special  
17 meeting. The officers shall be elected by ballot if demanded by a voter and  
18 confirmed by a majority vote.

19 \* \* \* Local Elections; Vacancies in Town Offices \* \* \*

20 Sec. 38. 24 V.S.A. chapter 33, subchapter 6 is amended to read:

21 Subchapter 6. Vacancies in Town Offices

1 § 961. VACANCY OR SUSPENSION OF OFFICER’S DUTIES

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

9 \* \* \*

10 § 962. SPECIAL MUNICIPAL MEETING

11 A ~~town~~ municipality at a special municipal meeting may fill a vacancy in a  
12 ~~town~~ municipal office.

13 § 963. DUTIES OF SELECTBOARD; SPECIAL MEETING

14 (a) When a vacancy occurs in any town office, the selectboard forthwith by  
15 appointment in writing shall fill ~~such~~ the vacancy until an election is had;  
16 except that in the event of vacancies in a majority of the selectboard at the  
17 same time, ~~such~~ the vacancies shall be filled by a special ~~town~~ municipal  
18 meeting called for that purpose. Notwithstanding the provisions of this  
19 subsection, the selectboard shall not be required to fill a vacancy that occurs  
20 within 90 days of the date of the municipality’s annual meeting.

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

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

9 \* \* \* Local Elections; Authority of Constables \* \* \*

10 Sec. 39. 24 V.S.A. § 1529 is amended to read:

11 § 1529. FIRST CONSTABLE AS COLLECTOR

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

16 Sec. 40. 24 V.S.A. § 1936a is amended to read:

17 § 1936a. CONSTABLES; POWERS AND QUALIFICATIONS

18 (a) A town may vote at a special or annual town meeting to prohibit  
19 constables from exercising any law enforcement authority. A vote to prohibit  
20 constables from exercising any law enforcement authority shall remain in



1 effect until rescinded by the majority vote of the registered voters an annual or  
2 special meeting duly warned for that purpose.

3 \* \* \*

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

5 Sec. 41. EFFECTIVE DATE

6 This act shall take effect on passage.