

1 Introduced by Committee on Government Operations and Military Affairs

2 Date:

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

5 Statement of purpose of bill as introduced: This bill proposes to require the
6 Secretary of State to report on the feasibility of permanently instituting ranked-
7 choice voting for presidential primary elections. It proposes to prohibit a
8 major political party from nominating a candidate for a general election if that
9 party failed to nominate a candidate during the primary election. This bill
10 proposes to prohibit a candidate who loses a major party primary for any office
11 from appearing on the general election ballot for the same office for which the
12 candidate lost in the primary election as an independent candidate or
13 representing any other party. It proposes to require the Secretary of State to
14 report on the feasibility of permitting electronic ballot return for voters who are
15 ill, injured, or have a disability; military and overseas voters; and voters who
16 participate in the Secretary of State’s Address Confidentiality Program. This
17 bill proposes to permit candidates to provide additional demographic
18 information. It proposes to require write-in candidates to file consent of
19 candidacy forms in advance of an election and to increase the minimum
20 thresholds for write-in candidate in primary elections. This bill proposes to
21 make various modifications to campaign finance reporting and requirements.

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

8 An act relating to miscellaneous changes to election law

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

10 * * * Ranked-Choice Voting Report * * *

11 Sec. 1. REPORT

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

17

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

4 * * *

5 * * * One-Bite Candidacy * * *

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

7 § 2381. APPLICABILITY OF SUBCHAPTER

8 * * *

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

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

14 § 2401. APPLICABILITY OF SUBCHAPTER

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

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

4 * * * Electronic Ballot Returns Report and Miscellaneous Changes to
5 Electronic Ballot Delivery Law * * *

6 Sec. 6. REPORT

7 On or before November 15, 2026, the Secretary of State shall submit a
8 written report to the House Committee on Government Operations and
9 Military Affairs and the Senate Committee on Government Operations
10 regarding the feasibility and associated costs of permitting electronic ballot
11 return for voters who are ill, injured, or have a disability; military and overseas
12 voters; and voters who participate in the Secretary of State’s Address
13 Confidentiality Program.

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

15 § 2539. DELIVERY OF EARLY VOTER ABSENTEE BALLOTS

16 * * *

17 (c) Military or overseas voters.

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

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

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

9 (3) As used in this section, “overseas voters” means a person who was
10 last domiciled in Vermont before leaving the United States and now resides
11 outside 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 * * * Candidate Demographic Information * * *

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

20 § 2665. NOTIFICATION TO SECRETARY OF STATE

1 (a) The town clerk shall file with the Secretary of State a list of ~~the names~~
2 ~~and addresses of the selectboard members elected and~~ candidates that includes
3 the candidates' street addresses, email addresses, sought office, and the end
4 date of the term of office of each selectboard member, city councilor, village
5 trustee, and mayor elected. The town clerk shall notify the Secretary of State
6 of any changes in the list as filed.

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

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

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

18 Elections * * *

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

20 § 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. 10. 17 V.S.A. § 2472 is amended to read:

20 § 2472. CONTENTS

21

* * *

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 presidential
8 primary. The consent form shall set forth the name of the candidate, the name
9 of the office for which the candidate consents to be a candidate, the candidate’s
10 town of residence, and the candidate’s correct mailing address. The clerk shall
11 record the name and vote totals of a write-in candidate who has filed in
12 accordance with section 2370 of this title in the primary election, subsection
13 2472(b) of this title for the general election, and subsection 2703(f) of this title
14 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 “other 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 individually and shall be recorded on the
9 tally sheet as a blank vote in the aggregate as “other write-ins.”

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

16 § 2702. NOMINATING PETITION

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

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

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

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

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

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

19 * * * Campaign Finance * * *

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

21 § 2921. CANDIDATES; REGISTRATION; CHECKING ACCOUNT;

1 ~~\$500.00 or more during the two-year general election cycle and, except as~~
2 ~~provided in subsection (b) of this section, each political committee that has not~~
3 ~~filed a final report pursuant to subsection 2965(b) of this chapter, and each~~
4 political party required to register under section 2923 of this chapter shall file
5 with the Secretary of State campaign finance reports as follows:

6 * * *

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

12 * * *

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

14 § 2901. DEFINITIONS

15 As used in this chapter:

16 * * *

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

1 controlled by the party, including any subsidiary, branch, or local unit thereof,
2 and shall be considered a single, unified political party. The national affiliate
3 of the political party shall be considered a separate political party.

4 ~~(15)~~(14) “Public question” means an issue that is before the voters for a
5 binding decision.

6 (15) “Public question campaign” means a political campaign,
7 specifically an effort to influence an election, that conducts its activities
8 entirely independent of candidates; does not give contributions to candidates,
9 political committees, or political parties; does not make any “related campaign
10 expenditures” as defined in section 2944(b) of this title; and is not closely
11 related to a political party or to a political committee that makes contributions
12 to candidates or makes related expenditures. A “public question campaign”
13 includes any campaign making independent expenditures as defined by 52
14 U.S.C. § 30101.

15 * * *

16 Sec. 16. 17 V.S.A. § 2971 is amended to read:

17 § 2971. REPORT OF MASS MEDIA ACTIVITIES

18 * * *

19 (d)(1) In addition to the reporting requirements of this section, ~~an~~
20 ~~independent expenditure-only political committee~~ a public question campaign
21 that makes an expenditure for any one mass media activity totaling \$5,000.00

1 or more, adjusted for inflation pursuant to the Consumer Price Index as
2 provided in section 2905 of this chapter, within 45 days before a primary,
3 general, county, or local election shall, for each such activity and within 24
4 hours of the expenditure or activity, whichever occurs first, file an ~~independent~~
5 ~~expenditure only political committee~~ public question campaign mass media
6 report with the Secretary of State and send a copy of the report to each
7 candidate whose name or likeness is included in the activity without that
8 candidate's knowledge.

9 * * *

10 Sec. 17. REPEAL

11 17 V.S.A. § 2970 (campaign reports; other entities; public questions) is
12 repealed.

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

14 Sec. 18. AUDITS OF VOTER CHECKLISTS AND DISTRICT
15 BOUNDARIES

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

1 election for the same office shall be fined not more than \$1,000.00 if the
2 offense is committed at a primary or general election, and not more than
3 \$100.00 if committed at a local election.

4 Sec. 21. REPEAL

5 17 V.S.A. § 1973 (voting in more than one place) is repealed.

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

7 § 2103. DEFINITIONS

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

10 * * *

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

15 * * *

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

17 § 2358. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

18 * * *

19 (b) If found not to conform, ~~he or she~~ the officer shall state in writing on a
20 particular petition why it cannot be accepted, and within ~~72 hours~~ two business
21 days from receipt, ~~he or she~~ the officer shall return it to the candidate in whose

1 behalf it was filed. In such case, supplementary petitions may be filed not later
2 than 10 days after the date for filing petitions. However, supplementary
3 petitions shall not be accepted if petitions with signatures of different persons
4 totaling at least the required number were not received by the filing deadline.

5 * * *

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

7 § 2313. FILING OF CERTIFICATE OF ORGANIZATION

8 * * *

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

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

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

18 § 2413. NOMINATION OF JUSTICES OF THE PEACE

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

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* * *

(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. § 2493 is amended to read:

§ 2493. RULES FOR USE OF VOTE TABULATORS; AUDITS

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

* * *

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

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

* * *

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

1 § 2546. RECEIPT OF BALLOTS BY CLERK; VOTER STATUS;
2 OPPORTUNITY TO CURE; PROCESSING ABSENTEE BALLOTS

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

8 * * *

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

10 § 2703. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

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

21 * * * Local Elections; Open Meeting Law Not Applicable to Annual

1 Meetings * * *

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

3 § 310. DEFINITIONS

4 As used in this subchapter:

5 * * *

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

9 * * *

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

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

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

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

5 * * *

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

9 * * *

10 § 2642. WARNING AND NOTICE CONTENTS

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

13 * * *

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

18 * * *

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

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

3 * * *

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

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

10 * * *

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

15 * * *

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

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

21 * * *

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

15 * * *

16 * * * Local Elections; Australian Ballot System * * *

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

18 Subchapter 3. Local Elections Using the Australian Ballot System

19 § 2680. AUSTRALIAN BALLOT SYSTEM; GENERAL

20 * * *

21 (h) Hearing.

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

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

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

2 Subchapter 6. Vacancies in Town Offices

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

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

11 * * *

12 § 962. SPECIAL MUNICIPAL MEETING

13 A ~~town~~ municipality at a special municipal meeting may fill a vacancy in a
14 ~~town~~ municipal office.

15 § 963. DUTIES OF SELECTBOARD; SPECIAL MEETING

16 (a) When a vacancy occurs in any town office, the selectboard forthwith by
17 appointment in writing shall fill ~~such~~ the vacancy until an election is had;
18 except that in the event of vacancies in a majority of the selectboard at the
19 same time, ~~such~~ the vacancies shall be filled by a special ~~town~~ municipal
20 meeting called for that purpose. Notwithstanding the provisions of this

1 subsection, the selectboard shall not be required to fill a vacancy that occurs
2 within 90 days before the date of the municipality’s annual meeting.

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

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

11 * * * Local Elections; Authority of Constables * * *

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

13 § 1529. FIRST CONSTABLE AS COLLECTOR

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

18 Sec. 36. 24 V.S.A. § 1936a is amended to read:

19 § 1936a. CONSTABLES; POWERS AND QUALIFICATIONS

20 (a) A town may vote at a special or annual town meeting to prohibit
21 constables from exercising any law enforcement authority. A vote to prohibit

1 constables from exercising any law enforcement authority shall remain in
2 effect until rescinded by the majority vote of the registered voters at an annual
3 or special meeting duly warned for that purpose.

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