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.

(dr req 25-0242 – draft 1.8)
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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					

feasibility and associated costs of permanently instituting ranked-choice voting

for presidential primary elections in the State.

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1	* * * Failure of a Major Political Party to Nominate a Candidate by Primary
2	* * *
3	Sec. 2. 17 V.S.A. § 2381 is amended to read:
4	§ 2381. APPLICABILITY OF SUBCHAPTER
5	(a) A candidate may also be nominated and have the candidate's name
6	printed on the general election ballot in accordance with the provisions set
7	forth in this subchapter, in the following instances:
8	(1) $\underline{\text{In}}$ in case of a vacancy on the general election ballot occasioned by
9	death, removal, or withdrawal of a candidate, or but not for the failure of a
10	major political party to nominate a candidate by primary;
11	(2) In in case a minor political party desires to nominate a candidate for
12	any office for which major political parties nominate candidates by primary or
13	for the offices of President and Vice President of the United States; and
14	(3) $\underline{\text{In}}$ in case of nomination for the office of justice of the peace, in the
15	event that such nomination has not already been made by caucus as provided in
16	section 2413 of this chapter.
17	* * *
18	Sec. 3. 17 V.S.A. § 2386 is amended to read:
19	§ 2386. TIME FOR FILING STATEMENTS

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	(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	(6) 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. 11. 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					

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

- (2)(A) A vote for a write-in candidate shall be counted as a write-in vote that is without consent of candidate unless the write-in candidate filed a consent of candidate form with the Secretary of State in accordance with section 2370 of this title in the primary election, subsection 2472(b) of this title for the general election, and subsection 2703(f) of this title for the presidential primary. The consent form shall set forth the name of the candidate, the name of the office for which the candidate consents to be a candidate, the candidate's town of residence, and the candidate's correct mailing address. The clerk shall record the name and vote totals of a write-in candidate who has filed in accordance with section 2370 of this title in the primary election, subsection 2472(b) of this title for the general election, and subsection 2703(f) of this title for the presidential primary.
- (B) The Secretary of State shall prepare and furnish forms for candidate consent purposes.
- (3) The election officials counting ballots and tallying results shall only list every person who receives a "write in" vote and the number of votes received the names and votes received of those write-in candidates who consented to candidacy for the office pursuant to section 2370 of this title in 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;					

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(a) 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 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 the campaign checking account if raising or spending any campaign funds; 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.

14 ***

- 15 Sec. 14. 17 V.S.A. § 2964 is amended to read:
- 16 § 2964. CAMPAIGN REPORTS; CANDIDATES FOR STATE OFFICE,
- 17 THE GENERAL ASSEMBLY, AND COUNTY OFFICE;
- 18 POLITICAL COMMITTEES; POLITICAL PARTIES
 - (a)(1) Each candidate for State office, the General Assembly, or a twoyear-term county office who has rolled over any amount of surplus into his or her new campaign or who has made expenditures or accepted contributions of

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

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2	candidates or makes related expenditures.
3	(11) "Mass media activity" means a television commercial, radio
4	commercial, Internet internet advertisement, mass mailing, mass electronic or
5	digital communication, literature drop, newspaper or periodical advertisement,
6	robotic phone call, or telephone bank, that includes the name or likeness of a
7	clearly identified candidate for office.
8	(12)(11) "Party candidate listing" means any communication by a
9	political party that:
10	* * *
11	(13)(12) "Political committee" or "political action committee" means
12	any formal or informal committee of two one or more individuals or a
13	corporation, labor organization, public interest group, or other entity, not
14	including a political party, that accepts contributions of \$1,000.00 or more and
15	or makes expenditures of \$1,000.00 or more in any two-year general election
16	cycle for the purpose of supporting or opposing one or more candidates,
17	influencing an election, or advocating a position on a public question in any
18	election, and includes an independent expenditure only political committee a

public question campaign and a legislative leadership political committee.

(14)(13) "Political party" means a political party organized under

chapter 45 of this title and any committee established, financed, maintained, or

to a political party or to a political committee that makes contributions to

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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>U.S.C. § 30101.</u>
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	(b) On or before October 1, 2025, each town clerk described in subdivision
2	(a) of this section shall provide a written summary of the audit to the Elections
3	Division of the Secretary of State's Office.
4	(c) On or before November 15, 2025, the Secretary shall submit a written
5	report to the House Committee on Government Operations and Military
6	Affairs and the Senate Committee on Government Operations with the findings
7	of the audits.
8	(d) Within two weeks of passage of this bill, the Elections Division of the
9	Secretary of State's Office shall notify each town clerk and board of civil
10	authority described in subdivision (a) that they must perform the audits.
11	(e) The Elections Division of the Secretary of State's Office shall provide
12	support and training to each town clerk and board of civil authority described
13	in subdivision (a).
14	* * * Prohibiting Appointment of Interested Parties to a Recount
15	Committee * * *
16	Sec. 19. 17 V.S.A. § 2602a is amended to read:
17	§ 2602a. APPOINTMENT OF RECOUNT COMMITTEE
18	(a)(1) Upon receipt of a petition, the county clerk shall notify all candidates
19	for the office that is the subject of the recount, advising them to each submit
20	immediately a list of a minimum of 10 nominees for disinterested individuals
21	to serve on a recount committee.

1	(2)(A) If a list of nominees is not delivered to the county clerk within
2	two business days, the clerk shall notify the appropriate candidates that they
3	have 24 hours to submit lists of nominees for <u>disinterested</u> individuals to serve
4	on the recount committee.
5	* * *
6	(b)(1) The Superior Court shall make a minimum of 12 appointments to the
7	recount committee from among those nominated under this section, with the
8	number of appointments based on the number of votes to be recounted and a
9	goal of completing the recount within one day.
10	(2) In making these appointments, the court shall appoint an equal
11	number of persons disinterested individuals representing each candidate, to the
12	extent practicable.
13	(c) As used in this section, "disinterested individual" means an individual
14	who is not a relative of or subordinate to the candidates and who shares no
15	direct pecuniary interest with the candidates.
16	* * * Deadline Modifications and Miscellaneous Clarifications * * *
17	Sec. 20. 17 V.S.A. § 1971 is amended to read:
18	§ 1971. CASTING MORE THAN ONE BALLOT
19	A legal voter who knowingly casts more than one ballot at any one time of
20	balloting votes more than once in any election held in this State, or who votes
21	in both this State and another state or territory in the same or equivalent

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.

1	* * *
2	(e) For any nomination made under this section, the chair and secretary of
3	the committee or caucus shall file the statement required by section 2385 of
4	this title by 5:00 p.m. on the third day following fourth Monday in July before
5	the primary election.
6	Sec. 26. 17 V.S.A. § 2493 is amended to read:
7	§ 2493. RULES FOR USE OF VOTE TABULATORS; AUDITS
8	(a) The Secretary of State shall adopt rules governing the use and the
9	selection of any vote tabulator in the State. These rules shall include
10	requirements that:
11	* * *
12	(3)(A) The Secretary of State shall conduct a random postelection audit
13	of any polling place election results for a general election within 30 days of the
14	election.
15	(B) If the Secretary determines that a random an audit shall be
16	conducted of the election results in a town or city, the town clerk shall direct
17	two members of the board of civil authority to transport the ballot bags to the
18	office of the Secretary not later than 10:00 a.m. on the morning when the
19	Secretary has scheduled the audit.
20	* * *
21	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 <u>:</u>
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	(B) the voters of a municipality at an annual or special municipal
2	meeting.
3	* * *
4	* * * Local Elections; Cannabis Establishment Vote; Australian Ballot * * *
5	Sec. 30. 7 V.S.A. § 863 is amended to read:
6	§ 863. REGULATION BY LOCAL GOVERNMENT
7	(a)(1) Prior to a cannabis retailer or the retail portion of an integrated
8	licensee operating within a municipality, the municipality shall affirmatively
9	permit the operation of such cannabis establishments by majority vote of those
10	present and voting by Australian ballot at an annual or special meeting warned
11	for that purpose. A municipality may place retailers or integrated licensees, or
12	both, on the ballot for approval.
13	* * *
14	* * * Local Elections; Annual and Special Municipal Meetings * * *
15	Sec. 31. 17 V.S.A. chapter 55, subchapter 2 is amended to read:
16	Subchapter 2. Town Municipal Meetings and Local Elections in General
17	* * *
18	§ 2640. ANNUAL MEETINGS
19	* * *
20	(b)(1) When a town so votes, it may thereafter start its annual meeting on
21	any of the three days immediately preceding the first Tuesday in March at such

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	(3) When a town votes to authorize the selectboard to appoint
2	constables, the selectboard's authority to make such the appointments shall
3	remain in effect until the town rescinds that authority by the majority vote of
4	the registered voters present and voting at an annual or special meeting duly
5	warned for that purpose.
6	(b) Notwithstanding the provisions of subsection (a) to the contrary, a vote
7	to authorize the selectboard to appoint constables shall become effective only
8	upon a two thirds vote of those present and voting if a written protest against
9	the authorization is filed with the selectboard at least 15 days before the vote
10	by at least five percent of the voters of the town. [Repealed.]
11	* * *
12	§ 2651d. COLLECTOR OF DELINQUENT TAXES; APPOINTMENT;
13	REMOVAL
14	(a)(1) A municipality may vote at an annual or special municipal meeting
15	to authorize the legislative body to appoint a collector of delinquent taxes, who
16	may be the municipal treasurer.
17	(2) A collector of delinquent taxes so appointed may be removed by the
18	legislative body for just cause after notice and hearing The appointment of a
19	collector of delinquent taxes shall be for a one-year term.
20	* * *
21	§ 2651e. MUNICIPAL CLERK; APPOINTMENT; REMOVAL

1	(a)(1) A municipality may vote at an annual meeting to authorize the
2	legislative body to appoint the municipal clerk.
3	(2) A municipal clerk so appointed may be removed by the legislative
4	body for just cause after notice and hearing The appointment of a municipal
5	clerk shall be for a one-year term.
6	* * *
7	§ 2651f. MUNICIPAL TREASURER; APPOINTMENT; REMOVAL
8	(a)(1) A municipality may vote at an annual meeting to authorize the
9	legislative body to appoint the municipal treasurer.
10	(2) A treasurer so appointed may be removed by the legislative body for
11	just cause after notice and hearing The appointment of a municipal treasurer
12	shall be for a one-year term.
13	* * *
14	§ 2662. VALIDATION OF MUNICIPAL MEETINGS
15	When any of the requirements as to notice or warning of an annual or
16	special municipal meeting have been omitted or not complied with, the
17	omission or noncompliance, if the meeting and the business transacted at it is
18	otherwise legal and within the scope of the municipal powers, may be
19	corrected and legalized by vote at a regular meeting or special meeting of the
20	municipality called and duly warned for that purpose. The question to be

voted upon shall substantially be, "Shall the action taken at the meeting of this

21

(h) Hearing.

town (or city, village or district) held on (state date) in spite of the fact that
(state the error or omission), and any act or action of the municipal officers or
agents pursuant thereto be readopted, ratified, and confirmed." Errors or
omissions in the conduct of an original meeting that are not the result of an
unlawful notice or warning or noncompliance within the scope of the warning.
including technical errors within the content of a ballot, may be cured by a
resolution of the legislative body of the municipality by a vote of two-thirds of
all its members at a regular meeting or a special meeting called for that
purpose, stating that the defect was the result of oversight, inadvertence, or
mistake. When an error or omission of this nature has been thus corrected by
resolution, all business within the terms of the action of the qualified voters
shall be as valid as if the requirements had been initially complied with,
condition, however, that the original action thereby corrected by the legislative
body was in compliance with the legal exercise of its corporate powers.
* * *
* * * Local Elections; Australian Ballot System * * *
Sec. 32. 17 V.S.A. chapter 55, subchapter 3 is amended to read:
Subchapter 3. Local Elections Using the Australian Ballot System
§ 2680. AUSTRALIAN BALLOT SYSTEM; GENERAL
* * *

(1) Whenever a municipality has voted to adopt the Australian ballot
system of voting on any public question or budget, except the budget revote as
provided in subsection (c) of this section or as otherwise specified in State law
requiring the use of Australian ballot of system of voting but not expressly
requiring an informational hearing, the legislative body shall hold a public
informational hearing on the question by posting warnings at least 10 days in
advance of the hearing in at least two public places within the municipality and
in the town clerk's office.
* * *
§ 2681. NOMINATIONS; PETITIONS; CONSENTS
(a)(1)(A) Nominations of the municipal officers shall be by petition. The
petition shall be filed with the municipal clerk, together with the endorsement,
if any, of any party or parties in accordance with the provisions of this title, not
later than 5:00 p.m. on the sixth fifth Monday preceding the day of the
election, which shall be the filing deadline.
(B) A candidate shall be registered to vote in the town he or she the
<u>candidate</u> is seeking office at or before the time of filing the petition.
* * *
* * * Local Elections; Fire Districts; Voters * * *
Sec. 33. 20 V.S.A. § 2485 is amended to read:
§ 2485. OFFICERS GENERALLY

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

* * * 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 <u>MUNICIPAL</u> 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

constables from exercising any law enforcement authority shall remain in
effect until rescinded by the majority vote of the registered voters at an annual

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or special meeting duly warned for that purpose.

(dr req 25-0242 – draft 1.8)

3/13/2025 – TPD/TA – 10:45 AM

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- 1 *** Effective Date * * *
- 2 Sec. 37. EFFECTIVE DATE
- This act shall take effect on passage.