

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

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 prohibit candidates from receiving
14 cross-nominations from multiple political parties. It proposes to require the
15 Secretary of State to report on the feasibility of permitting electronic ballot
16 return for voters who are ill, injured, or have a disability; military and overseas
17 voters; and voters who participate in the Secretary of State’s Address
18 Confidentiality Program. This bill proposes to permit candidates to provide
19 additional demographic information. It proposes to require write-in candidates
20 to file consent of candidacy forms in advance of an election and to increase the
21 minimum thresholds for write-in candidate in primary elections. This bill

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

9 An act relating to miscellaneous changes to election law

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

11 * * * Ranked-Choice Voting Report * * *

12 Sec. 1. REPORT

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

18

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 * * * Cross-Nominations * * *

5 Sec. 6. 17 V.S.A. § 2472 is amended to read:

6 § 2472. CONTENTS

7 * * *

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

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

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

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

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

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

6 ~~(D) any minor political parties that nominated the nominee by party~~
7 ~~committee, in the order in which the nominations were submitted to the~~
8 ~~Secretary of State.~~

9 ~~(b)(1) A candidate for State office who is the nominee of two or more~~
10 ~~political parties shall file with the Secretary of State, not later than 5:00 p.m.~~
11 ~~the tenth day following the primary election, a statement designating for which~~
12 ~~party the votes cast for him or her shall be counted for the purposes of~~
13 ~~determining whether his or her designated party shall be a major political~~
14 ~~party. The party so designated shall be the first party to be printed~~
15 ~~immediately after the candidate's name on the ballot.~~

16 ~~(2) If a candidate does not file the statement by that deadline, the~~
17 ~~Secretary of State shall designate the party for which the votes cast shall be~~
18 ~~counted as provided in subdivision (a)(2) of this section. [Repealed.]~~

19

1 * * * Electronic Ballot Returns Report and Miscellaneous Changes to

2 Electronic Ballot Delivery Law * * *

3 Sec. 8. REPORT

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

11 Sec. 9. 17 V.S.A. § 2539 is amended to read:

12 § 2539. DELIVERY OF EARLY VOTER ABSENTEE BALLOTS

13 * * *

14 (c) Military or overseas voters.

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

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

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

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

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

14 * * * Candidate Demographic Information * * *

15 Sec. 10. 17 V.S.A. § 2665 is amended to read:

16 § 2665. NOTIFICATION TO SECRETARY OF STATE

17 (a) The town clerk shall file with the Secretary of State a list of the names
18 and addresses of the selectboard members elected and candidates that includes
19 the candidates’ street addresses, email addresses, sought office, and the end
20 date of the term of office of each selectboard member, city councilor, village

1 trustee, and mayor elected. The town clerk shall notify the Secretary of State
2 of any changes in the list as filed.

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

8 (c) Information about a candidate's gender, age, or race or ethnicity
9 collected pursuant to this subsection 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 * * * Write-in Candidate Registration and Minimum Thresholds in Primary

14 Elections * * *

15 Sec. 11. 17 V.S.A. § 2370 is amended to read:

16 § 2370. WRITE-IN CANDIDATES

17 (a)(1) In order to have votes listed for a write-in candidate under
18 subdivision 2587(e)(3) of this title, not later than 5:00 p.m. on the second
19 Friday preceding the primary election, a write-in candidate for the General
20 Assembly, any county office, any State office, or any federal office shall file
21 with the Secretary of State a form consenting to candidacy for office as set

1 forth in subsection 2587(e) of this title. The Secretary of State shall notify the
2 town clerks of any filings made in accordance with this subsection not later
3 than the Friday before the election.

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

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

14 Sec. 12. 17 V.S.A. § 2472 is amended to read:

15 § 2472. CONTENTS

16 * * *

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

21 * * *

1 for the general election, and subsection 2703(f) of this title for the presidential
2 primary. The consent form shall set forth the name of the candidate, the name
3 of the office for which the candidate consents to be a candidate, the candidate’s
4 town of residence, and the candidate’s correct mailing address. The clerk shall
5 record the name and vote totals of a write-in candidate who has filed in
6 accordance with section 2370 of this title in the primary election, subsection
7 2472(b) of this title for the general election, and subsection 2703(f) of this title
8 for the presidential primary.

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

11 (3) The election officials counting ballots and tallying results shall only
12 list every person who receives a “write-in” vote and the number of votes
13 received the names and votes received of those write-in candidates who
14 consented to candidacy for the office pursuant to section 2370 of this title in
15 the primary election, subsection 2472(b) of this title for the general election,
16 and subsection 2703(f) of this title for the presidential primary. Any write-in
17 votes for candidates who have not consented to the write-in candidacy shall be
18 listed as “other write-ins.”

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

1 (B) Names of ~~fictitious or deceased~~ persons who are not registered
2 write-in candidates shall not be listed individually and shall be recorded on the
3 tally sheet as a blank vote in the aggregate as “other write-ins.”

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

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

10 § 2702. NOMINATING PETITION

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

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

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

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

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

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

14 * * * Campaign Finance * * *

15 Sec. 15. 17 V.S.A. § 2921 is amended to read:

16 § 2921. CANDIDATES; REGISTRATION; CHECKING ACCOUNT;
17 TREASURER

18 (a) Each candidate who ~~has made expenditures or accepted contributions of~~
19 ~~\$500.00 or more in an election cycle~~ files a consent to the printing of the
20 candidate's name on the ballot, as provided in section 2361 of this title, shall
21 register with the Secretary of State ~~within 10 days of reaching the \$500.00~~

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

9 * * *

10 Sec. 16. 17 V.S.A. § 2964 is amended to read:

11 § 2964. CAMPAIGN REPORTS; CANDIDATES FOR STATE OFFICE,
12 THE GENERAL ASSEMBLY, AND COUNTY OFFICE;
13 POLITICAL COMMITTEES; POLITICAL PARTIES

14 (a)(1) Each candidate for State office, the General Assembly, or a two-
15 year-term county office ~~who has rolled over any amount of surplus into his or~~
16 ~~her new campaign or who has made expenditures or accepted contributions of~~
17 ~~\$500.00 or more during the two-year general election cycle and, except as~~
18 ~~provided in subsection (b) of this section, each political committee that has not~~
19 ~~filed a final report pursuant to subsection 2965(b) of this chapter, and each~~
20 political party required to register under section 2923 of this chapter shall file
21 with the Secretary of State campaign finance reports as follows:

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(2) Each candidate for a four-year-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 \$500.00 or more during the four-year general election cycle~~ shall file with the Secretary of State campaign finance reports as follows:

* * *

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

§ 2901. DEFINITIONS

As used in this chapter:

* * *

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

(11) “Mass media activity” means a television commercial, radio commercial, ~~internet~~ internet advertisement, mass mailing, mass electronic or digital communication, literature drop, newspaper or periodical advertisement,

1 robotic phone call, or telephone bank, that includes the name or likeness of a
2 clearly identified candidate for office.

3 ~~(12)~~(11) “Party candidate listing” means any communication by a
4 political party that:

5 * * *

6 ~~(13)~~(12) “Political committee” or “political action committee” means
7 any formal or informal committee of ~~two~~ one or more individuals or a
8 corporation, labor organization, public interest group, or other entity, not
9 including a political party, that accepts contributions of \$1,000.00 or more ~~and~~
10 or makes expenditures of \$1,000.00 or more in any two-year general election
11 cycle for the purpose of supporting or opposing one or more candidates,
12 influencing an election, or advocating a position on a public question in any
13 election, and includes ~~an independent expenditure only political committee a~~
14 public question campaign and a legislative leadership political committee.

15 ~~(14)~~(13) “Political party” means a political party organized under
16 chapter 45 of this title and any committee established, financed, maintained, or
17 controlled by the party, including any subsidiary, branch, or local unit thereof,
18 and shall be considered a single, unified political party. The national affiliate
19 of the political party shall be considered a separate political party.

20 ~~(15)~~(14) “Public question” means an issue that is before the voters for a
21 binding decision.

1 report with the Secretary of State and send a copy of the report to each
2 candidate whose name or likeness is included in the activity without that
3 candidate's knowledge.

4 * * *

5 Sec. 19. REPEAL

6 17 V.S.A. § 2970 (campaign reports; other entities; public questions) is
7 repealed.

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

9 Sec. 20. AUDITS OF VOTER CHECKLISTS AND DISTRICT

10 BOUNDARIES

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

16 (b) On or before September 15, 2025, each town clerk described in
17 subdivision (a) of this section shall provide a written summary of the audit to
18 the Elections Division of the Secretary of State's Office.

19 (c) On or before November 15, 2025, the Secretary shall submit a written
20 report to the House Committee on Government Operations and Military

1 Affairs and the Senate Committee on Government Operations with the findings
2 of the audits.

3 * * * Prohibiting Appointment of Interested Parties to a Recount

4 Committee * * *

5 Sec. 21. 17 V.S.A. § 2602a is amended to read:

6 § 2602a. APPOINTMENT OF RECOUNT COMMITTEE

7 (a)(1) Upon receipt of a petition, the county clerk shall notify all candidates
8 for the office that is the subject of the recount, advising them to each submit
9 immediately a list of a minimum of 10 nominees for disinterested individuals
10 to serve on a recount committee.

11 (2)(A) If a list of nominees is not delivered to the county clerk within
12 two business days, the clerk shall notify the appropriate candidates that they
13 have 24 hours to submit lists of nominees for disinterested individuals to serve
14 on the recount committee.

15 * * *

16 (b)(1) The Superior Court shall make a minimum of 12 appointments to the
17 recount committee from among those nominated under this section, with the
18 number of appointments based on the number of votes to be recounted and a
19 goal of completing the recount within one day.

1 (2) In making these appointments, the court shall appoint an equal
2 number of ~~persons~~ disinterested individuals representing each candidate, to the
3 extent practicable.

4 (c) As used in this section, “disinterested individual” means an individual
5 who is not a relative of or subordinate to the candidates and who shares no
6 direct pecuniary interest with the candidates.

7 * * * Deadline Modifications and Miscellaneous Clarifications * * *

8 Sec. 22. 17 V.S.A. § 1971 is amended to read:

9 § 1971. CASTING MORE THAN ONE BALLOT

10 A legal voter who knowingly ~~casts more than one ballot at any one time of~~
11 ~~balloting~~ votes more than once in any election held in this State, or who votes
12 in both this State and another state or territory in the same or equivalent
13 election for the same office shall be fined not more than \$1,000.00 if the
14 offense is committed at a primary or general election, and not more than
15 \$100.00 if committed at a local election.

16 Sec. 23. REPEAL

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

18 Sec. 24. 17 V.S.A. § 2103 is amended to read:

19 § 2103. DEFINITIONS

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

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

* * *

Sec. 25. 17 V.S.A. § 2358 is amended to read:

§ 2358. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

* * *

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

* * *

Sec. 26. 17 V.S.A. § 2313 is amended to read:

§ 2313. FILING OF CERTIFICATE OF ORGANIZATION

* * *

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

4 * * *

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

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

13 * * *

14 Sec. 29. 17 V.S.A. § 2546 is amended to read:

15 § 2546. RECEIPT OF BALLOTS BY CLERK; VOTER STATUS;

16 OPPORTUNITY TO CURE; PROCESSING ABSENTEE BALLOTS

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

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* * *

Sec. 30. 17 V.S.A. § 2703 is amended to read:

§ 2703. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

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

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

Sec. 31. 1 V.S.A. § 310 is amended to read:

§ 310. DEFINITIONS

As used in this subchapter:

* * *

1 (a)(1) Prior to a cannabis retailer or the retail portion of an integrated
2 licensee operating within a municipality, the municipality shall affirmatively
3 permit the operation of such cannabis establishments by majority vote of those
4 ~~present and~~ voting by Australian ballot at an annual or special meeting warned
5 for that purpose. A municipality may place retailers or integrated licensees, or
6 both, on the ballot for approval.

7 * * *

8 * * * Local Elections; Annual and Special Municipal Meetings * * *

9 Sec. 33. 17 V.S.A. chapter 55, subchapter 2 is amended to read:

10 Subchapter 2. ~~Town~~ Municipal Meetings and Local Elections in General

11 * * *

12 § 2640. ANNUAL MEETINGS

13 * * *

14 (b)(1) When a town so votes, it may thereafter start its annual meeting on
15 any of the three days immediately preceding the first Tuesday in March at such
16 time as it elects and may transact at that time any business not involving voting
17 by Australian ballot or voting required by law to be by ballot and to be held on
18 the first Tuesday in March. A meeting so started shall be adjourned until the
19 first Tuesday in March.

20 * * *

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

5 * * *

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

10 * * *

11 § 2651a. CONSTABLES; APPOINTMENT; REMOVAL; ELIMINATION
12 OF OFFICE

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

16 * * *

17 (3) When a town votes to authorize the selectboard to appoint
18 constables, the selectboard's authority to make ~~such~~ the appointments shall
19 remain in effect until the town rescinds that authority by the majority vote of
20 the registered voters ~~present and voting~~ at an annual or special meeting duly
21 warned for that purpose.

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§ 2651f. MUNICIPAL TREASURER; APPOINTMENT; REMOVAL

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

(2) ~~A treasurer so appointed may be removed by the legislative body for just cause after notice and hearing.~~ The appointment of a municipal treasurer shall be for a one-year term.

* * *

§ 2662. VALIDATION OF MUNICIPAL MEETINGS

When any of the requirements as to notice or warning of an annual or special municipal meeting have been omitted or not complied with, the omission or noncompliance, if the meeting and the business transacted at it is otherwise legal and within the scope of the municipal powers, may be corrected and legalized by vote at a regular meeting or special meeting of the 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 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,

1 including technical errors within the content of a ballot, may be cured by a
2 resolution of the legislative body of the municipality by a vote of two-thirds of
3 all its members at a regular meeting or a special meeting called for that
4 purpose, stating that the defect was the result of oversight, inadvertence, or
5 mistake. When an error or omission of this nature has been ~~thus~~ corrected by
6 resolution, all business within the terms of the action of the qualified voters
7 shall be as valid as if the requirements had been initially complied with,
8 condition, however, that the original action ~~thereby~~ corrected by the legislative
9 body was in compliance with the legal exercise of its corporate powers.

10 * * *

11 * * * Local Elections; Australian Ballot System * * *

12 Sec. 34. 17 V.S.A. chapter 55, subchapter 3 is amended to read:

13 Subchapter 3. Local Elections Using the Australian Ballot System

14 § 2680. AUSTRALIAN BALLOT SYSTEM; GENERAL

15 * * *

16 (h) Hearing.

17 (1) Whenever a municipality has voted to adopt the Australian ballot
18 system of voting on any public question or budget, except the budget revote as
19 provided in subsection (c) of this section or as otherwise specified in State law
20 requiring the use of Australian ballot of system of voting but not expressly
21 requiring an informational hearing, the legislative body shall hold a public

1 informational hearing on the question by posting warnings at least 10 days in
2 advance of the hearing in at least two public places within the municipality and
3 in the town clerk’s office.

4 * * *

5 § 2681. NOMINATIONS; PETITIONS; CONSENTS

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

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

13 * * *

14 * * * Local Elections; Fire Districts; Voters * * *

15 Sec. 35. 20 V.S.A. § 2485 is amended to read:

16 § 2485. OFFICERS GENERALLY

17 ~~A~~ The voters of a fire district shall elect at its first meeting and at each
18 annual meeting thereafter a clerk, a treasurer, and a collector of taxes. ~~Such fire~~
19 ~~district~~ The voters may elect a chief engineer and ~~such~~ any assistant engineers
20 as are necessary, whether or not they are inhabitants of the district, who shall
21 rank in the order of their election. ~~Such~~ The officers shall hold office until the

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

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

17 Sec. 36. 24 V.S.A. chapter 33, subchapter 6 is amended to read:

18 Subchapter 6. Vacancies in Town Offices

19 § 961. VACANCY OR SUSPENSION OF OFFICER'S DUTIES

20 (a) When a an elected municipal officer resigns the officer's office, has
21 been removed from the office, dies, becomes unable to perform the officer's

1 duties due to a mental condition or psychiatric disability, or removes from
2 ~~town~~ the municipality, the office shall become vacant. Notice of this vacancy
3 shall be posted by the legislative body in at least two public places in the
4 municipality, and in and near the municipal clerk's office, within 10 days ~~of~~
5 after the creation of the vacancy.

6 * * *

7 § 962. SPECIAL MUNICIPAL MEETING

8 A ~~town~~ municipality at a special municipal meeting may fill a vacancy in a
9 ~~town~~ municipal office.

10 § 963. DUTIES OF SELECTBOARD; SPECIAL MEETING

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

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

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

6 * * * Local Elections; Authority of Constables * * *

7 Sec. 37. 24 V.S.A. § 1529 is amended to read:

8 § 1529. FIRST CONSTABLE AS COLLECTOR

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

13 Sec. 38. 24 V.S.A. § 1936a is amended to read:

14 § 1936a. CONSTABLES; POWERS AND QUALIFICATIONS

15 (a) A town may vote at a special or annual town meeting to prohibit
16 constables from exercising any law enforcement authority. A vote to prohibit
17 constables from exercising any law enforcement authority shall remain in
18 effect until rescinded by the majority vote of the registered voters at an annual
19 or special meeting duly warned for that purpose.

20 * * *

21

