

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations and Military Affairs to which
3 was referred Senate Bill No. 298 entitled “An act relating to creating the
4 Vermont Voting Rights Act” respectfully reports that it has considered the
5 same and recommends that the House propose to the Senate that the bill be
6 amended by striking out all after the enacting clause and inserting in lieu
7 thereof the following:

8 * * * Voter Protections Act * * *

9 Sec. 1. SHORT TITLE

10 This act may be cited as the “Voter Protections Act of 2026.”

11 Sec. 2. 17 V.S.A. chapter 35 is amended to read:

12 CHAPTER 35. OFFENSES AGAINST THE PURITY OF ELECTIONS

13 * * *

14 Subchapter 2. Penalties Upon Voters

15 * * *

16 § 1972. ~~SHOWING BALLOT; INTERFERENCE WITH VOTER~~

17 ~~(a)~~ A voter who, except in cases of assistance as provided in this title,
18 allows ~~his or her~~ the voter’s ballot to be seen by another person with an
19 apparent intention of letting it be known how ~~he or she~~ the voter is about to
20 vote or makes a false statement to the presiding officer at an election as to ~~his~~
21 ~~or her~~ the voter’s inability to mark ~~his or her~~ the voter’s ballot or places a

1 distinguishing mark on ~~his or her~~ the voter's ballot ~~or a person who interferes~~
2 ~~with a voter when inside the guard rail or who, within the building in which the~~
3 ~~voting is proceeding, endeavors to induce a voter to vote for a particular~~
4 ~~candidate,~~ shall be fined \$1,000.00.

5 ~~(b) It shall be the duty of the election officers to see that the offender is~~
6 ~~duly prosecuted for a violation of this section.~~

7 * * *

8 § 1975. INTERFERENCE WITH VOTERS AND ELECTION OFFICIALS

9 (a) No person shall intentionally or recklessly intimidate, threaten, or
10 coerce, or attempt to intimidate, threaten, or coerce:

11 (1) any other person for the purpose of:

12 (A) obstructing the right of the other person to vote or to vote as the
13 other person may choose; or

14 (B) causing the other person to vote for, or not to vote for, any
15 candidate for public office or public question at any election; or

16 (2) a public servant, an election official, or a public employee for the
17 purpose of obstructing the administration of an election.

18 (b) A person who violates subsection (a) of this section shall be imprisoned
19 not more than two years or fined not more than \$2,000.00, or both.

1 § 1976. IMPAIRMENT OF VOTING RIGHTS OF REGISTERED VOTERS

2 Nothing in this chapter shall be construed to deny, impair, or otherwise
3 adversely affect the right to vote of any registered voter.

4 * * *

5 Subchapter 4. Use of Synthetic Media in Elections

6 * * *

7 Subchapter 5. Enforcement and Investigation

8 * * *

9 Subchapter 6. Voter Protections

10 § 2045. VOTE DENIAL OR DILUTION

11 (a) No voting qualification or prerequisite to voting or standard, practice, or
12 procedure shall be imposed or applied by the State or any municipality in a
13 manner that results in a denial or abridgement of the right of any citizen of the
14 United States to vote based on race or color, membership in a language
15 minority group, or having a disability as defined in 9 V.S.A. § 4501.

16 (b) A violation of subsection (a) of this section is established if, on the
17 basis of the totality of circumstances, it is shown that the political processes
18 leading to nomination or election in the State or a municipality are not equally
19 open to participation by members of a protected class in that its members have
20 less opportunity than other members of the electorate to participate in the
21 political processes or to elect representatives of their choice. The extent to

1 which members of a protected class have been elected to office in the State or
2 municipality is one circumstance that may be considered.

3 (c) Nothing in this section shall be construed to establish a right to have
4 members of a protected class elected in numbers equal to their proportion in
5 the population.

6 (d) As used in this section:

7 (1) “Municipality” means a town, city, village, school district, or other
8 political subdivision that holds public elections.

9 (2) “Protected class” means a group of citizens protected from
10 discrimination based on race or color, membership in a language minority
11 group, or having a disability as defined in 9 V.S.A. § 4501.

12 § 2046. CIVIL ACTIONS BY ATTORNEY GENERAL

13 (a) Whenever the Attorney General has reasonable cause to believe that a
14 violation of this subchapter has occurred and that the rights of any voter or
15 group of voters have been affected by such violation, the Attorney General
16 may initiate a civil action in the Civil Division of the Superior Court in the
17 county in which the alleged violation has occurred for appropriate relief.

18 (b) In such civil action, the court may:

19 (1) award such preventive relief, including a permanent or temporary
20 injunction, restraining order, or other order against the person responsible for a

1 violation of this title, as is necessary to ensure the full enjoyment of the rights
2 granted by this title;

3 (2) assess a civil penalty against the respondent of not more than
4 \$5,000.00 for a first violation and of not more than \$25,000.00 for any
5 subsequent violation; and

6 (3) issue an order requiring reimbursement to the State of Vermont for
7 the reasonable value of its services and its expenses in investigating and
8 prosecuting the action.

9 * * * Voter Checklists * * *

10 Sec. 3. 17 V.S.A. § 2154 is amended to read:

11 § 2154. STATEWIDE VOTER CHECKLIST

12 * * *

13 (c)(1) Any person wishing to obtain a copy of all of the statewide voter
14 checklist ~~must~~, a municipality's portion of the statewide voter checklist, or any
15 other municipal voter checklist shall swear or affirm, under penalty of perjury
16 pursuant to 13 V.S.A. chapter 65, that the person will not:

17 (A) use the checklist for commercial purposes; or

18 (B) knowingly disclose the checklist to any foreign government or to
19 a federal agency or commission or to a person acting on behalf of a foreign
20 government or of such a federal entity in circumvention of the prohibited
21 purposes for using the checklist set forth in subdivision (b)(2) of this section.

1 candidate’s questions by email or by phone, whichever the candidate may
2 prefer.

3 (2) The Office of the Secretary of State shall provide hyperlinks from its
4 web page connecting to the disclosure form and other materials and resources
5 required of the State Ethics Commission pursuant to subdivision (1) of this
6 subsection.

7 Sec. 5. SUSPENSION OF DISCLOSURE PENALTIES FOR
8 CANDIDATES FOR STATE, LEGISLATIVE, AND COUNTY
9 OFFICE

10 Notwithstanding 17 V.S.A. § 2415, through May 30, 2027, the State Ethics
11 Commission shall not enforce against any delinquent filers, nor shall the Office
12 of the Secretary of State notify the State Ethics Commission of the names of
13 delinquent filers, nor shall the candidates for State office, county office, State
14 Senator, and State Representative be otherwise penalized for delinquentlly
15 filing a disclosure.

16 * * * Safety Protections for Candidates * * *

17 Sec. 6. 17 V.S.A. § 2901 is amended to read:

18 § 2901. DEFINITIONS

19 As used in this chapter:

20 * * *

