



**State of Vermont**  
**Office of the Secretary of State**  
128 State Street  
Montpelier, VT 05633-1101  
(802) 828-2363

**Sarah Copeland Hanzas, Secretary of State**  
**S. Lauren Hibbert, Deputy Secretary**

**Elections Division**  
**Seán Sheehan, Director**

**April 22, 2026**

**To: Hon. Matthew Birong, Chair**  
**House Committee on Government Operations and Military Affairs**

**From: S. Lauren Hibbert, Deputy Secretary of State**  
**Sean Sheehan, Director, Elections and Campaign Finance**

**Re: Follow-up on S. 298**

Dear Committee,

Thank you for taking testimony on this crucial legislation. Vermont's elections – local, state, and federal elections – are governed by local, state, and federal election law. This includes the federal Voting Rights Act and the important civil rights protections it has provided for more than six decades.

Many expect the Supreme Court will strike down key sections of the Voting Rights Act this spring or summer.

The Secretary of State's office has consistently urged policymakers not to make changes to election rules and procedures during an election year. We want Vermonters to be assured that existing election rules and procedures will remain as consistent as possible. We want clerks and election officials to proceed with confidence and minimal surprises.

We support this version of S.298 because it will help Vermont maintain as much stability as possible if changes to federal law come out of Washington.

### **New Sections on Ethics Commission's Financial Disclosure Form**

We have three points of feedback related to Sections 4 and 5 of version 2.1:

- 1) Enforcement authority should not be suspended for the Office of the Secretary of State in Section 5. We do not have statutory enforcement authority. It would be confusing to suspend an authority we don't have. 17 V.S.A. § 2415 bestows enforcement authority

on the Ethics Commission (see flow chart exhibit). The Secretary of State's role is solely one of transparency – to receive filings from clerks, to post those filings online, and to inform the Ethics Commission if any candidates failed to include a financial disclosure with their filing. We are prepared to fulfill all of our duties and do not ask for them to be suspended.

- 2) If the committee wishes to suspend the Ethics Commission's responsibilities related to the disclosure, we ask that the June 1, 2026, start date be struck. Candidates will begin filing this coming Monday, April 27, 2026. The deadline for major party candidates to file is May 28, 2026. Suspending enforcement effectively after the filing deadline would cause more confusion.
- 3) Our preference would be to strike Section 5 altogether. The Ethics Commission is charged with creating and maintaining the form – and with penalizing those who fail to file. We would like the Commission to post the form so that we can direct candidates to it. If the Commission is unwilling to post the form, we are willing to post their form on our site, prefaced by a header that makes clear that the Commission created this form and providing a link to their contact information, and including a link to the flow chart so that candidates understand the process of filing and the consequences for not doing so.

Again, our preference would be to strike Section 5 altogether. If the committee wishes to include it, we ask that you make the following amendments.

Sec. 5

Notwithstanding 17 V.S.A. § 2415, for the period ~~from June 1, 2026, to through~~ May 30, 2027, the ~~Office of the Secretary of State and~~ State Ethics Commission shall not enforce the provisions of 17 V.S.A. § 2415, nor shall candidates for State office, county office, State Senator, and State Representative ~~shall~~ be penalized pursuant to 17 V.S.A. § 2415.

### **Safety Protections for Candidates**

Our office supports the updated language to 17 V.S.A. § 2901(7), now in Section 6 of version 2.1 of the bill.

This section clarifies the issue of campaign expenditures for security measures. These expenses have generally been construed as acceptable if “necessary to allow a candidate to campaign.” But they hadn't received as much attention in the past. Sadly, as our society has become more divisive and threats to candidates and officials have increased, candidates increasingly ask about this topic. Much as dependent care was explicitly called out in statute in the past session, we feel it is helpful to explicitly call out security measures.

The question was asked whether security measures include the purchase of a firearm. We conducted a review to see how other states approach this question. Some explicitly allow certain purchases, and others explicitly disallow certain purchases.

Of those that make specific allowances, expenditures on purchases such as home security hardware are common. We did not see any states where firearms are specifically allowed.

Of those that make specific prohibitions, we did see examples of states that disallow the use of campaign funds for firearms. California, for example, allows security expenses but does not allow “payments for a firearm.”

Because of the way Vermont’s campaign finance laws are currently structured, we support the language in version 2.1 as it provides clarity without changing rules and processes in an election year.

### **Clarity on Voter Checklist Requests**

Personal data, including voter data, has been in the news a lot lately. Chapter 43 of Title 17 guides the Secretary of State’s office and municipal clerks on how to safeguard this sensitive information. Specifically, 17 V.S.A. § 2154 covers who can access which portion of the voter checklist and how.

The process in 2154 is very clear for the Secretary of State’s office. It requires a requester to swear or affirm that they will use the data for legal purposes. Our office uses an affidavit for this purpose, and the process works well.

Statute is more vague for clerks, forbidding them from knowingly disclosing the checklist to prohibited uses, but not stipulating a process. We have received many questions about this from clerks. We have told them that, while the statute doesn’t require them to have requesters fill out an affidavit, there is no prohibition on them doing so. We know some have adopted an affidavit modeled after ours. We have heard from others that they would appreciate consistency and a clear directive in statute.

The following simple change to 17 V.S.A. § 2154(c) would provide clerks and Vermonters with this consistency.

- (c)(1) Any person wishing to obtain a copy of all of the statewide voter checklist, a municipality’s portion of the statewide voter checklist, or any other municipal voter checklist must swear or affirm, under penalty of perjury pursuant to 13 V.S.A. chapter 65, that the person will not:
- (A) use the checklist for commercial purposes; or
  - (B) knowingly disclose the checklist to any foreign government or to a federal agency or commission or to a person acting on behalf of a foreign government or of such a federal entity in circumvention of the prohibited purposes for using the checklist set forth in subdivision (b)(2) of this section.
- (2) In the case of all of the statewide voter checklist, † the affirmation shall be filed with the Secretary of State. In the case of a municipality’s portion of the statewide voter checklist or any other municipal voter checklist, the affirmation shall be filed with the municipal clerk.