

muchTO THE HONORABLE SENATE:

The Committee on Government Operations to which was referred House Bill No. 474 entitled “An act relating to miscellaneous changes to election law” respectfully reports that it has considered the same and recommends that the Senate propose to the House that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Ranked-Choice Voting Report * * *

Sec. 1. REPORT

On or before January 15, 2026, the Secretary of State shall submit a written report to the House Committee on Government Operations and Military 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.

* * * Failure of a Major Political Party to Nominate a Candidate by Primary

* * *

Sec. 2. [Deleted.]

Sec. 3. [Deleted.]

* * * One-Bite Candidacy * * *

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

§ 2381. APPLICABILITY OF SUBCHAPTER

* * *

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

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

6 § 2401. APPLICABILITY OF SUBCHAPTER

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

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

16 *** Miscellaneous Changes to Electronic Ballot Delivery Law ***

17 Sec. 6. [Deleted.]

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

19 § 2539. DELIVERY OF EARLY VOTER ABSENTEE BALLOTS

20 * * *

1 (c) Military or overseas voters.

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

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

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

13 (3) As used in this section, "overseas voters" means a person who was
14 last domiciled in Vermont before leaving the United States and now resides
15 outside the United States.

16 (d) Voters who participate in the Secretary of State's Address
17 Confidentiality Program. In the case of persons who participate in the address
18 confidentiality program administered by the Secretary of State set forth in 15
19 V.S.A. § 1152, if the voter or authorized person requests in the application or
20 otherwise that early voter absentee ballots be mailed or electronically
21 delivered, the town clerk shall mail or electronically deliver the ballots.

* * * Candidate Demographic Information * * *

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

§ 2665. NOTIFICATION TO SECRETARY OF STATE

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

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

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

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

Elections * * *

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

2 § 2370. WRITE-IN CANDIDATES

3 (a) In order to have votes listed for a write-in candidate under section 2587
4 of this title, not later than 5:00 p.m. on the Thursday preceding the primary
5 election, a write-in candidate for the General Assembly, any State office, or
6 any federal office shall complete a form of the Secretary of State's design
7 affirming that the candidate wants to have received votes listed under
8 subdivision 2587(e)(3) of this title. The candidate shall file the form with
9 either all town clerks within the candidate's applicable district or the Secretary
10 of State's office in an electronic manner approved by the Secretary. The
11 Secretary of State shall notify the appropriate town clerks of any filings made
12 in accordance with this subsection as soon as practicable.

13 (b) A write-in candidate shall not qualify as a primary winner unless he or
14 she the candidate receives at least one-half the same number of votes as the
15 number of signatures required for his or her the candidate's office on a primary
16 petition, except that if a write-in candidate receives more votes than a
17 candidate whose name is printed on the ballot, he or she may the write-in
18 candidate shall qualify as a primary winner. Notwithstanding the provisions of
19 subsection (a) of this section, a candidate who has not filed in accordance with
20 subsection (a) shall qualify as a primary winner if the candidate otherwise
21 complies with the provisions of this subsection.

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

* * *

* * *

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1 Secretary of State shall notify the appropriate town clerks of any filings made
2 in accordance with this subsection (b) as soon as practicable.

3 (B) Notwithstanding the provisions of subdivision (A) of this
4 subdivision (5), a candidate who has not filed in accordance with subdivision
5 (A) shall qualify as the winner of an election if the candidate otherwise
6 complies with the provisions of this chapter.

7 * * *

8 Sec. 11. 17 V.S.A. § 2587 is amended to read:

9 § 2587. RULES FOR COUNTING VOTES

10 * * *

11 (e)(1) In the case of “write-in” votes, the act of writing in the name of a
12 candidate, or pasting a label containing a candidate’s name upon the ballot,
13 without other indications of the voter’s intent, shall constitute a vote for that
14 candidate, even though the voter did not fill in the square or oval after the
15 name.

16 (2) A vote for a write-in candidate shall be counted as a write-in vote
17 that is without requisite filings unless the write-in candidate filed in accordance
18 with section 2370, 2472, or 2702 of this title. The clerk shall record the name
19 and vote totals of a write-in candidate who has complied with this section.

20 (3)(A) The election officials counting ballots and tallying results shall
21 list every person who receives a “write-in” vote and the number of votes

1 ~~received~~ only the names and votes received of those write-in candidates who
2 filed in accordance with section 2370, 2472, or 2702 of this title. Any write-in
3 votes for candidates who have not filed in accordance with section 2370, 2472,
4 or 2702 of this title shall be listed as “other write-ins.”

5 ~~(A)~~(B) On each tally sheet, the counters shall add together the names of
6 candidates that are clearly the same person, even though a nickname or last
7 name is used.

8 ~~(B)~~(C) Names of ~~fictional or deceased~~ persons who have not filed in
9 accordance with section 2370, 2472, or 2702 of this title shall not be listed
10 individually and shall be recorded on the tally sheet as a blank vote in
11 aggregate as “other write-ins.”

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

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

18 § 2702. NOMINATING PETITION

19 (a) The name of any person shall be printed upon the primary ballot as a
20 candidate for nomination by any major political party if petitions signed by at
21 least 1,000 voters in accordance with sections 2353, 2354, and 2358 of this

1 title are filed with the Secretary of State, together with the written consent of
2 the person to the printing of the person's name on the ballot.

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

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

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

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

14 (f)(1) In order to have votes listed for a write-in candidate under section
15 2587 of this title, not later than 5:00 p.m. on the Thursday preceding the
16 election, a write-in candidate for nomination by any major political party shall
17 complete a form of the Secretary of State's design affirming that the candidate
18 wants to have received votes listed under subdivision 2587(e)(3) of this title.
19 The candidate shall file the form with either all town clerks within the
20 candidate's applicable district or the Secretary of State's office in an electronic
21 manner approved by the Secretary. The Secretary of State shall notify the

1 appropriate town clerks of any filings made in accordance with this subsection
2 as soon as practicable.

3 (2) Notwithstanding the provisions of subdivision (1) of this subsection,
4 a candidate who has not filed in accordance with subdivision (1) shall qualify
5 as the winner of an election if the candidate otherwise complies with the
6 provisions of this chapter.

7 * * * Campaign Finance * * *

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

9 § 2921. CANDIDATES; REGISTRATION; CHECKING ACCOUNT;

10 TREASURER

11 (a)(1) Each candidate who ~~has made expenditures or accepted contributions~~
12 ~~of \$500.00 or more in an election cycle~~ files a consent to the printing of the
13 candidate's name on the ballot, as provided in section 2361 of this title, shall
14 register with the Secretary of State ~~within 10 days of reaching the \$500.00~~
15 ~~threshold or on the date that the next report is required of the candidate under~~
16 ~~this chapter, whichever occurs first,~~ prior to filing the consent stating ~~his or her~~
17 the candidate's full name and address; and the office the candidate is seeking;

18 (2) Each candidate who accepts or expends any campaign funds shall
19 file with the Secretary of State at the time of expending the funds the name and
20 address of the bank in which the candidate maintains ~~his or her~~ the campaign
21 checking account; and the name and address of the treasurer responsible for

1 maintaining the checking account. A candidate's treasurer may be the
2 candidate or ~~his or her~~ the candidate's spouse.

3 * * *

4 Sec. 14. 17 V.S.A. § 2964 is amended to read:

5 § 2964. CAMPAIGN REPORTS; CANDIDATES FOR STATE OFFICE,
6 THE GENERAL ASSEMBLY, AND COUNTY OFFICE;
7 POLITICAL COMMITTEES; POLITICAL PARTIES

8 (a)(1) Each candidate for State office, the General Assembly, or a two-
9 year-term county office who ~~has rolled over any amount of surplus into his or~~
10 ~~her new campaign or who~~ has made expenditures ~~or accepted contributions of~~
11 ~~\$500.00 or more during the two year general election cycle and, except as~~
12 ~~provided in subsection (b) of this section, each political committee that has not~~
13 ~~filed a final report pursuant to subsection 2965(b) of this chapter, and each~~
14 political party required to register under section 2923 of this chapter shall file
15 with the Secretary of State campaign finance reports as follows:

16 * * *

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

* * *

Sec. 15. 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, robotic phone call, or telephone bank, that includes the name or likeness of a clearly identified candidate for office.

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

* * *

~~(13)~~(12) “Political committee” or “political action committee” means any formal or informal committee of ~~two~~ one or more individuals or a

1 corporation, labor organization, public interest group, or other entity, not
2 including a political party, that accepts contributions of \$1,000.00 or more ~~and~~
3 or makes expenditures of \$1,000.00 or more in any two-year general election
4 cycle for the purpose of supporting or opposing one or more candidates,
5 influencing an election, or advocating a position on a public question in any
6 election, and includes ~~an independent expenditure only political committee a~~
7 public question campaign and a legislative leadership political committee.

8 ~~(14)~~(13) “Political party” means a political party organized under
9 chapter 45 of this title and any committee established, financed, maintained, or
10 controlled by the party, including any subsidiary, branch, or local unit thereof,
11 and shall be considered a single, unified political party. The national affiliate
12 of the political party shall be considered a separate political party.

13 ~~(15)~~(14) “Public question” means an issue that is before the voters for a
14 binding decision.

15 (15) “Public question campaign” means a political campaign,
16 specifically an effort to influence an election, that conducts its activities
17 entirely independent of candidates; does not give contributions to candidates,
18 political committees, or political parties; does not make any “related campaign
19 expenditures” as defined in subsection 2944(b) of this title; and is not closely
20 related to a political party or to a political committee that makes contributions
21 to candidates or makes related expenditures. A “public question campaign”

1 includes any campaign making independent expenditures as defined by 52
2 U.S.C. § 30101.

3 * * *

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

5 § 2971. REPORT OF MASS MEDIA ACTIVITIES

6 * * *

7 (d)(1) In addition to the reporting requirements of this section, ~~an~~
8 ~~independent expenditure only political committee~~ a public question campaign
9 that makes an expenditure for any one mass media activity totaling \$5,000.00
10 or more, adjusted for inflation pursuant to the Consumer Price Index as
11 provided in section 2905 of this chapter, within 45 days before a primary,
12 general, county, or local election shall, for each such activity and within 24
13 hours of the expenditure or activity, whichever occurs first, file ~~an independent~~
14 ~~expenditure only political committee~~ a public question campaign mass media
15 report with the Secretary of State and send a copy of the report to each
16 candidate whose name or likeness is included in the activity without that
17 candidate's knowledge.

18 * * *

19 Sec. 17. REPEAL

20 17 V.S.A. § 2970 (campaign reports; other entities; public questions) is
21 repealed.

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

Sec. 18. AUDITS OF VOTER CHECKLISTS AND DISTRICT
BOUNDARIES

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

(b) On or before October 1, 2025, each town clerk described in subsection (a) of this section shall provide a written summary of the audit to the Elections Division of the Secretary of State's office.

(c) On or before November 15, 2025, the Secretary shall submit a written report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations with the findings of the audits.

(d) Within two weeks after passage of this act, the Elections Division of the Secretary of State's office shall notify each town clerk and board of civil authority described in subsection (a) of this section that they must perform the audits.

1 (e) The Elections Division of the Secretary of State's office shall provide
2 support and training to each town clerk and board of civil authority described
3 in subsection (a) of this section.

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

5 Committee * * *

6 Sec. 19. 17 V.S.A. § 2602a is amended to read:

7 § 2602a. APPOINTMENT OF RECOUNT COMMITTEE

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

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

16 * * *

17 (b)(1) The Superior Court shall make a minimum of 12 appointments to the
18 recount committee from among those nominated under this section, with the
19 number of appointments based on the number of votes to be recounted and a
20 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. 20. 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. 21. REPEAL

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

18 Sec. 22. 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:

* * *

(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. 23. 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. 24. 17 V.S.A. § 2313 is amended to read:

§ 2313. FILING OF CERTIFICATE OF ORGANIZATION

* * *

(e) For any nomination made under this section, the chair and secretary of the committee or caucus shall file the statement required by section 2385 of this title by 5:00 p.m. on the ~~third day following~~ fourth Monday in July before the primary election.

Sec. 26. 17 V.S.A. § 2493 is amended to read:

§ 2493. RULES FOR USE OF VOTE TABULATORS; AUDITS

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

* * *

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

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

* * *

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

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

OPPORTUNITY TO CURE; PROCESSING ABSENTEE

BALLOTS

(a) Town clerk; process generally. Beginning ~~30~~ 45 days before the opening of the polls on election day, upon receipt of a mailing envelope

1 containing ballots returned by a voter, the town clerk shall, within three
2 business days or on the next day the office is open for business, whichever is
3 later, direct two election officials working together to do all of the following:

4 * * *

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

6 § 2703. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

7 The Secretary of State shall examine the petitions and ascertain whether
8 they conform to the provisions of this chapter, and sections 2353, 2354, and
9 2358 of this title. If found not to conform, ~~he or she~~ the Secretary shall state in
10 writing why a particular petition cannot be accepted, and within ~~72 hours~~ two
11 business days from receipt ~~he or she~~ the Secretary shall return it to the
12 candidate in whose behalf it was filed. In such case, supplementary petitions
13 may be filed not later than 10 days after the deadline for filing petitions.
14 However, supplementary petitions shall not be accepted if petitions with the
15 signatures of at least 1,000 persons were not filed by the deadline for filing
16 petitions set forth in section 2702 of this chapter.

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

18 Meetings * * *

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

20 § 310. DEFINITIONS

21 As used in this subchapter:

* * *

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

* * *

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

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

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

(B) the voters of a municipality at an annual or special municipal meeting.

* * *

* * * Local Elections; Cannabis Establishment Vote; Australian Ballot * * *

1 Sec. 30. 7 V.S.A. § 863 is amended to read:

2 § 863. REGULATION BY LOCAL GOVERNMENT

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

9 * * *

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

11 Sec. 31. 17 V.S.A. chapter 55, subchapter 2 is amended to read:

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

13 * * *

14 § 2640. ANNUAL MEETINGS

15 * * *

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

* * *

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

* * *

§ 2642. WARNING AND NOTICE CONTENTS

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

* * *

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

* * *

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

* * *

1 § 2645. CHARTERS; ADOPTION, REPEAL, OR AMENDMENT;

2 PROCEDURE

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

7 * * *

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

12 * * *

13 § 2651a. CONSTABLES; APPOINTMENT; REMOVAL; ELIMINATION
14 OF OFFICE

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

18 * * *

19 (3) When a town votes to authorize the selectboard to appoint
20 constables, the selectboard's authority to make ~~such~~ the appointments shall
21 remain in effect until the town rescinds that authority by the majority vote of

1 the registered voters ~~present and voting~~ at an annual or special meeting duly
2 warned for that purpose.

3 (b) ~~Notwithstanding the provisions of subsection (a) to the contrary, a vote~~
4 ~~to authorize the selectboard to appoint constables shall become effective only~~
5 ~~upon a two thirds vote of those present and voting if a written protest against~~
6 ~~the authorization is filed with the selectboard at least 15 days before the vote~~
7 ~~by at least five percent of the voters of the town. [Repealed.]~~

8 * * *

9 § 2651d. COLLECTOR OF DELINQUENT TAXES; APPOINTMENT;

10 REMOVAL

11 (a)(1) A municipality may vote at an annual or special municipal meeting
12 to authorize the legislative body to appoint a collector of delinquent taxes, who
13 may be the municipal treasurer.

14 (2) ~~A collector of delinquent taxes so appointed may be removed by the~~
15 ~~legislative body for just cause after notice and hearing~~ The appointment of a
16 collector of delinquent taxes shall be for a one-year term.

17 * * *

18 § 2651e. MUNICIPAL CLERK; APPOINTMENT; REMOVAL

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

* * *

* * *

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

13 * * *

14 * * * Local Elections; Australian Ballot System * * *

15 **Sec. 32. 17 V.S.A. § 2680 is amended to read:**

16 **§ 2680. AUSTRALIAN BALLOT SYSTEM; GENERAL**

17 * * *

18 (h) Hearing.

19 (1) Whenever a municipality has voted to adopt the Australian ballot
20 system of voting on any public question or budget, except the budget revote as
21 provided in subsection (c) of this section or as otherwise specified in State law

1 requiring the use of Australian ballot of system of voting but not expressly
2 requiring an informational hearing, the legislative body shall hold a public
3 informational hearing on the question by posting warnings at least 10 days in
4 advance of the hearing in at least two public places within the municipality and
5 in the town clerk's office.

6 * * *

7 * * * Local Elections; Fire Districts; Voters * * *

8 Sec. 33. 20 V.S.A. § 2485 is amended to read:

9 § 2485. OFFICERS GENERALLY

10 ~~A~~ The voters of a fire district shall elect at its first meeting and at each
11 annual meeting thereafter a clerk, a treasurer, and a collector of taxes. ~~Such fire~~
12 ~~district~~ The voters may elect a chief engineer and ~~such~~ any assistant engineers
13 as are necessary, whether or not they are inhabitants of the district, who shall
14 rank in the order of their election. ~~Such~~ The officers shall hold office until the
15 next annual meeting and until others are elected. A vacancy in any office may
16 be filled by the prudential committee. ~~Such district at its~~ At the district's first
17 meeting, the voters shall elect a prudential committee that shall consist of three
18 persons, who shall serve for one, two, and three years, respectively. ~~Thereafter~~
19 ~~at~~ At each subsequent annual meeting, a member of ~~such~~ the prudential
20 committee shall be elected for the term of three years. If the fire district so
21 votes, two additional persons may be elected to ~~such~~ the committee for a term

1 of one year. A vacancy in ~~such the~~ committee may be filled at an annual
2 meeting, or at a special meeting called for that purpose, but the ~~selectboard~~
3 legislative body of the ~~town~~ municipality in which ~~such the~~ district is located
4 may fill a vacancy in ~~such the~~ committee until an election by the appointment
5 of a resident of ~~such the~~ district. When a meeting is not held on the second
6 Monday in January, the officers of the district may be elected at a special
7 meeting. The officers shall be elected by ballot if demanded by a voter and
8 confirmed by a majority vote.

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

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

11 Subchapter 6. Vacancies in Town Offices

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

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

20 * * *

1 § 962. SPECIAL MUNICIPAL MEETING

2 A ~~town~~ municipality at a special municipal meeting may fill a vacancy in a
3 ~~town~~ municipal office.

4 § 963. DUTIES OF SELECTBOARD; SPECIAL MEETING

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

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

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

20 * * * Local Elections; Authority of Constables * * *

§ 1529. FIRST CONSTABLE AS COLLECTOR

§ 1936a. CONSTABLES; POWERS AND QUALIFICATIONS

* * *

Sec. 37. EFFECTIVE DATE

VT LEG #382734 v.1

1 (Committee vote: _____)

2 _____

3 Senator _____

4 FOR THE COMMITTEE