

1 TO THE HONORABLE SENATE:

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

7 * * * Ranked-Choice Voting Report * * *

8 Sec. 1. REPORT

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

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

15 * * *

16 Sec. 2. [Deleted.]

17 Sec. 3. [Deleted.]

18 * * * One-Bite Candidacy * * *

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

20 § 2381. APPLICABILITY OF SUBCHAPTER

21 * * *

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:

* * *

* * *

VT LEG #382734 v.2

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 A candidate's consent, filed in accordance with section 2361 of this title, shall
19 state the candidate's name the same as it appears on this registration.

20 (2) Each candidate who accepts or expends any campaign funds shall
21 file with the Secretary of State at the time of expending the funds the name and

1 address of the bank in which the candidate maintains ~~his or her~~ the campaign
2 checking account; and the name and address of the treasurer responsible for
3 maintaining the checking account. A candidate's treasurer may be the
4 candidate or ~~his or her~~ the candidate's spouse.

5 * * *

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

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

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

18 * * *

19 (2) Each candidate for a four-year-term county office ~~who has rolled~~
20 ~~over any amount of surplus into his or her new campaign or who~~ has made
21 expenditures ~~or accepted contributions of \$500.00 or more during the four year~~

1 ~~general election cycle~~ shall file with the Secretary of State campaign finance
2 reports as follows:

3 * * *

4 Sec. 15. 17 V.S.A. § 2901 is amended to read:

5 § 2901. DEFINITIONS

6 As used in this chapter:

7 * * *

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

14 (11) “Mass media activity” means a television commercial, radio
15 commercial, ~~Internet~~ internet advertisement, mass mailing, mass electronic or
16 digital communication, literature drop, newspaper or periodical advertisement,
17 robotic phone call, or telephone bank, that includes the name or likeness of a
18 clearly identified candidate for office.

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

21 * * *

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

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

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

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

1 related to a political party or to a political committee that makes contributions
2 to candidates or makes related expenditures. A “public question campaign”
3 includes any campaign making independent expenditures as defined by 52
4 U.S.C. § 30101.

5 * * *

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

7 § 2971. REPORT OF MASS MEDIA ACTIVITIES

8 * * *

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

20 * * *

21 Sec. 17. REPEAL

1 17 V.S.A. § 2970 (campaign reports; other entities; public questions) is
2 repealed.

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

4 Sec. 18. AUDITS OF VOTER CHECKLISTS AND DISTRICT
5 BOUNDARIES

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

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

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

18 (d) Within two weeks after passage of this act, the Elections Division of the
19 Secretary of State's office shall notify each town clerk and board of civil
20 authority described in subsection (a) of this section that they must perform the
21 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

* * *

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 audits of any polling place election results for a general election within 30 days
7 of after the election.

8 (B) The polling places to be audited shall be selected at random by
9 the Secretary. If the results of a random selection do not represent a diversity
10 of geographic areas and sizes of polling places, the Secretary may again
11 randomly select a portion or all of the polling places to be audited.

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

17 ~~(C)~~(D) The Secretary shall open the ballot bags and conduct the audit
18 in the same manner as ballots are counted under sections 2581 through 2588 of
19 this chapter. The Secretary shall publicly announce the results of the audit as
20 well as the results from the original return of the vote.

* * *

* * *

VT LEG #382734 v.2

1 candidate in whose behalf it was filed. In such case, supplementary petitions
2 may be filed not later than 10 days after the deadline for filing petitions.
3 However, supplementary petitions shall not be accepted if petitions with the
4 signatures of at least 1,000 persons were not filed by the deadline for filing
5 petitions set forth in section 2702 of this chapter.

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

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

9 § 310. DEFINITIONS

10 As used in this subchapter:

11 * * *

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

15 * * *

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

19 (6) “Public body” means any board, council, or commission of the State
20 or one or more of its political subdivisions, any board, council, or commission
21 of any agency, authority, or instrumentality of the State or one or more of its

1 political subdivisions, or any committee or subcommittee of any of the
2 foregoing boards, councils, or commissions, except that “public body” does not
3 include;

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

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

8 * * *

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

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

11 § 863. REGULATION BY LOCAL GOVERNMENT

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

18 * * *

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

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

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

* * *

§ 2640. ANNUAL MEETINGS

* * *

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

1 filed with the municipal clerk not less than 47 days before the day of the
2 meeting.

3 * * *

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

9 * * *

10 § 2645. CHARTERS; ADOPTION, REPEAL, OR AMENDMENT;

11 PROCEDURE

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

16 * * *

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

21 * * *

1 § 2651a. CONSTABLES; APPOINTMENT; REMOVAL; ELIMINATION
2 OF OFFICE

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

6 * * *

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

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

17 * * *

§ 2651d. COLLECTOR OF DELINQUENT TAXES; APPOINTMENT;

REMOVAL

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

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

* * *

§ 2651e. MUNICIPAL CLERK; APPOINTMENT; REMOVAL

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

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

* * *

§ 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.

* * *

VT LEG #382734 v.2

1 mistake. When an error or omission of this nature has been ~~thus~~ corrected by
2 resolution, all business within the terms of the action of the qualified voters
3 shall be as valid as if the requirements had been initially complied with,
4 condition, however, that the original action ~~thereby~~ corrected by the legislative
5 body was in compliance with the legal exercise of its corporate powers.

6 * * *

7 * * * Local Elections; Australian Ballot System * * *

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

9 § 2680. AUSTRALIAN BALLOT SYSTEM; GENERAL

10 * * *

11 (h) Hearing.

12 (1) Whenever a municipality has voted to adopt the Australian ballot
13 system of voting on any public question or budget, except the budget revote as
14 provided in subsection (c) of this section or as otherwise specified in State law
15 requiring the use of Australian ballot of system of voting but not expressly
16 requiring an informational hearing, the legislative body shall hold a public
17 informational hearing on the question by posting warnings at least 10 days in
18 advance of the hearing in at least two public places within the municipality and
19 in the town clerk's office.

20 * * *

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

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

§ 2485. OFFICERS GENERALLY

~~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

1 meeting. The officers shall be elected by ballot if demanded by a voter and
2 confirmed by a majority vote.

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

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

5 Subchapter 6. Vacancies in Town Offices

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

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

14 * * *

15 § 962. SPECIAL MUNICIPAL MEETING

16 A ~~town~~ municipality at a special municipal meeting may fill a vacancy in a
17 ~~town~~ municipal office.

18 § 963. DUTIES OF SELECTBOARD; SPECIAL MEETING

19 (a) When a vacancy occurs in any town office, the selectboard forthwith by
20 appointment in writing shall fill ~~such~~ the vacancy until an election is had;
21 except that in the event of vacancies in a majority of the selectboard at the

1 same time, ~~such~~ the vacancies shall be filled by a special ~~town~~ municipal
2 meeting called for that purpose. Notwithstanding the provisions of this
3 subsection, the selectboard shall not be required to fill a vacancy that occurs
4 within 90 days before the date of the municipality's annual meeting.

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

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

13 * * * Local Elections; Authority of Constables * * *

14 Sec. 35. 24 V.S.A. § 1529 is amended to read:

15 § 1529. FIRST CONSTABLE AS COLLECTOR

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

1 Sec. 36. 24 V.S.A. § 1936a is amended to read:

2 § 1936a. CONSTABLES; POWERS AND QUALIFICATIONS

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

8 * * *

9 * * * Automatic Voter Registration * * *

10 Sec. 37. 17 V.S.A. § 2145a is amended to read:

11 § 2145a. REGISTRATIONS AT THE DEPARTMENT OF MOTOR

12 VEHICLES

13 (a) An application for, or renewal of, a motor vehicle driver's license or
14 nondriver identification card shall serve as a simultaneous application to
15 register to vote if the applicant attests to U.S. citizenship or the Department has
16 proof of U.S. citizenship unless the applicant checks the box on the application
17 designating that he or she the applicant declines to use the application as a
18 voter registration application.

19 (b)(1) A motor vehicle driver's license or nondriver identification card
20 application shall provide and request the following information and shall be in
21 the form approved by the Secretary of State:

- 1 (A) The applicant's citizenship.
- 2 (B) The applicant's place and date of birth.
- 3 (C) The applicant's town of legal residence.
- 4 (D) The applicant's e-911 street address or a description of the
- 5 physical location of the applicant's residence. The description must contain
- 6 sufficient information so that the town clerk can determine whether the
- 7 applicant is a resident of the town.
- 8 (E) The voter's oath.
- 9 (F) The applicant's ~~e-mail~~ email address and phone number, which
- 10 shall be optional to provide.

11 * * *

- 12 (d)(1) The Department of Motor Vehicles shall transmit motor vehicle
- 13 driver's license and nondriver identification card applications received under
- 14 this section to the Secretary of State not later than five days after the date the
- 15 application was accepted by the Department, or before the date of any primary
- 16 or general election, whichever is sooner.
- 17 (2) The Department of Motor Vehicles shall not transmit motor vehicle
- 18 driver's license and nondriver identification card applications when the
- 19 Department does not have proof of U.S. citizenship for an applicant and the
- 20 applicant has failed to attest to U.S. citizenship, or when the applicant has
- 21 designated that he or she the applicant declines to be registered.

* * *

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* * *

VT LEG #382734 v.2

1 § 2361. CONSENT OF CANDIDATE

2 (a) A candidate for whom petitions containing sufficient valid signatures
3 have been filed shall file with the official with whom the petitions were filed a
4 consent to the printing of the candidate's name on the ballot. The Secretary of
5 State shall prepare and furnish forms for this purpose.

6 (b)(1) The consent shall set forth the name of the candidate, as the
7 candidate wishes to have it printed on the ballot; the candidate's town of
8 residence; and correct mailing address.

9 (2) If a candidate wishes to use a nickname, the format on the ballot
10 shall be the candidate's first name, the nickname set off in quotations, and the
11 candidate's last name.

12 (A) A nickname of one or two words by which the candidate has
13 been commonly known for at least three years preceding the election may be
14 used in combination with a candidate's name. A nickname that constitutes a
15 slogan or otherwise indicates a political, economic, social, or religious view or
16 affiliation may not be used.

17 (B) A nickname ~~may~~ shall not be used unless the candidate executes
18 and files with the application for a place on the ballot an affidavit indicating
19 that the nickname complies with this subsection.

20 (3) Professional titles such as "Dr.," "Esq.," or "CPA" shall not be used
21 as part of a candidate's name on the ballot.

