

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)(1) In order to have votes listed for a write-in candidate under section  
4 2587 of this title, not later than 5:00 p.m. on the Thursday preceding the  
5 primary election, a write-in candidate for the General Assembly, any State  
6 office, or any federal office shall complete a form of the Secretary of State's  
7 design 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 (2) Notwithstanding subdivision (1) of this subsection, if no candidate is  
14 printed on the ballot, or if a candidate whose name is printed on the ballot dies  
15 or is otherwise disqualified after 5:00 p.m. on the Thursday preceding the  
16 primary election, a write-in candidate is not required to file.

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



\* \* \*

\* \* \*

1 ~~(B) On each tally sheet, the counters shall add together the names of~~  
2 ~~candidates counted under subdivision (A) of this subdivision (2) that are~~  
3 ~~clearly the same person, even though a nickname or last name is used; and~~

4 ~~(B) Names of fictitious or deceased persons shall not be listed and~~  
5 ~~shall be recorded on the tally sheet as a blank vote.~~

6 (C) record the name and vote totals on the tally sheet only of a write-  
7 in candidate having votes counted pursuant to subdivision (A) of this  
8 subdivision (2) and list those candidates individually, and record all other  
9 write-in votes on the tally sheet as in aggregate as “other write-ins.”

10 \* \* \*

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

12 § 2702. NOMINATING PETITION

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

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

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

21 (d) A person’s name shall not be listed as a candidate on the primary ballot  
22 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)(1) In order to have votes listed for a write-in candidate under section  
8 2587 of this title, not later than 5:00 p.m. on the Thursday preceding the  
9 election, a write-in candidate for nomination by any major political party shall  
10 complete a form of the Secretary of State's design affirming that the candidate  
11 wants to have received votes listed under subdivision 2587(e)(3) of this title.  
12 The candidate shall file the form with either all town clerks within the  
13 candidate's applicable district or the Secretary of State's office in an electronic  
14 manner approved by the Secretary. The Secretary of State shall notify the  
15 appropriate town clerks of any filings made in accordance with this subsection  
16 as soon as practicable.

17 (2) Notwithstanding subdivision (1) of this subsection, if no candidate is  
18 printed on the ballot, or if a candidate whose name is printed on the ballot dies  
19 or is otherwise disqualified after 5:00 p.m. on the Thursday preceding the  
20 election, a write-in candidate is not required to file.

21 \* \* \* Campaign Finance \* \* \*

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

2      § 2921. CANDIDATES; REGISTRATION; CHECKING ACCOUNT;  
3                      TREASURER

4              (a)(1) Each candidate who ~~has made expenditures or accepted contributions~~  
5              ~~of \$500.00 or more in an election cycle~~ files a consent to the printing of the  
6              candidate's name on the ballot, as provided in section 2361, 2385, or 2402 of  
7              this title, shall register with the Secretary of State within 10 days of reaching  
8              ~~the \$500.00 threshold or on the date that the next report is required of the~~  
9              ~~candidate under this chapter, whichever occurs first, prior to filing the consent~~  
10             stating ~~his or her~~ the candidate's full name and address; ~~the office the~~  
11             candidate is seeking; ~~the name and address of the bank in which the candidate~~  
12             maintains his or her campaign checking account; and the name and address of  
13             the treasurer responsible for maintaining the checking account. A candidate's  
14             treasurer may be the candidate or his or her the candidate's spouse.

15             (2) A candidate's consent, subsequently filed in accordance with section  
16             2361, 2385, or 2402 of this title, shall state the candidate's name the same as it  
17             appears on this registration.

18             (3) 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 the campaign checking  
21             account.

22                                      \* \* \*

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

2 § 2964. CAMPAIGN REPORTS; CANDIDATES FOR STATE OFFICE,  
3 THE GENERAL ASSEMBLY, AND COUNTY OFFICE;  
4 POLITICAL COMMITTEES; POLITICAL PARTIES

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

13 \* \* \*

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

19 \* \* \*

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

21 § 2901. DEFINITIONS

22 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.

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

\* \* \*

(12) “Political committee” or “political action committee” means any formal or informal committee of ~~two~~ one or more individuals or a corporation, labor organization, public interest group, or other entity, not including a political party, that accepts contributions of \$1,000.00 or more ~~and~~ or makes expenditures of \$1,000.00 or more in any two-year general election cycle for the purpose of supporting or opposing one or more candidates, influencing an election, or advocating a position on a public question in any

1 election, and includes ~~an independent expenditure only political committee and~~  
2 a legislative leadership political committee.

3 ~~(14)~~(13) “Political party” means a political party organized under  
4 chapter 45 of this title and any committee established, financed, maintained, or  
5 controlled by the party, including any subsidiary, branch, or local unit thereof,  
6 and shall be considered a single, unified political party. The national affiliate  
7 of the political party shall be considered a separate political party.

8 ~~(15)~~(14) “Public question” means an issue that is before the voters for a  
9 binding decision.

10 (15) “Self-funded person acting alone on public question” or “self-  
11 funded person acting alone unaffiliated with candidate” means one individual,  
12 or any corporation, labor organization, public interest group, or other entity,  
13 excluding a political party, that self-funds in an amount totaling \$1,000.00 or  
14 more and makes expenditures of \$1,000.00 or more within any two-year  
15 general election cycle for the purpose of supporting or opposing candidates,  
16 influencing an election, or advocating for or against a public question;  
17 conducts their activities entirely independent of candidates; does not give  
18 contributions to candidates, political committees, or political parties; does not  
19 make related expenditures; and is not closely related to a political party or to a  
20 political committee that makes contributions to candidates or makes related  
21 expenditures.

22 \* \* \*

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

## § 2971. REPORT OF MASS MEDIA ACTIVITIES

\* \* \*

(d)(1) In addition to the reporting requirements of this section, ~~an~~ independent expenditure-only political committee any self-funded person acting alone on public question or self-funded person acting alone unaffiliated with candidate that makes an expenditure for any one mass media activity totaling \$5,000.00 or more, adjusted for inflation pursuant to the Consumer Price Index as provided in section 2905 of this chapter, within 45 days before a primary, general, county, or local election shall, for each such activity and within 24 hours of the expenditure or activity, whichever occurs first, file ~~an~~ independent expenditure-only political committee a mass media report, as designated by the Secretary of State, with the Secretary ~~of State,~~ and send a copy of the report to each candidate whose name or likeness is included in the activity without that candidate's knowledge.

\* \* \*

**Sec. 17. 17 V.S.A. § 2970 is amended to read:**

§ 2970. CAMPAIGN REPORTS; OTHER ENTITIES POLITICAL ACTION COMMITTEES; SELF-FUNDED PERSON ACTING ALONE ON PUBLIC QUESTIONS AND UNAFFILIATED WITH CANDIDATE CAMPAIGNS

1       (a) Any formal or informal political action committee of two or more  
2 individuals or a corporation, labor organization, public interest group, or other  
3 entity, not including a political party, that makes expenditures of \$1,000.00 or  
4 more during the election cycle for the purpose of advocating a position on a  
5 public question or influencing an election in any election shall file a report of  
6 its expenditures 30 days before, 10 days before, and two weeks after the  
7 election with the Secretary of State.

8       (b) Any self-funded person acting alone on public question or self-funded  
9 person acting alone unaffiliated with candidate who makes expenditures of  
10 \$1,000.00 or more during the election cycle for the purpose of advocating a  
11 position on a public question or influencing an election in any election shall  
12 file a report of its expenditures 30 days before, 10 days before, and two weeks  
13 after the election with the Secretary of State.

14       (c) As used in this section, “election cycle” means:

15           (1) in the case of a public question in a general or local election, the  
16 period that begins 38 days after the general or local election prior to the one in  
17 which the public question is posed and ends 38 days after the general or local  
18 election in which the public question is posed; or

19           (2) in the case of a public question in a special election, the period that  
20 begins on the date the special election for the public question was ordered and  
21 ends 38 days after that special election.

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

1       Sec. 18. AUDITS OF VOTER CHECKLISTS AND DISTRICT  
2                   BOUNDARIES

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

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

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

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

19          (e) The Elections Division of the Secretary of State’s office shall provide  
20      support and training to each town clerk and board of civil authority described  
21      in subsection (a) of this section.

22                   \* \* \* Prohibiting Appointment of Interested Parties to a Recount



Committee \* \* \*

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

§ 2602a. APPOINTMENT OF RECOUNT COMMITTEE

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

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

\* \* \*

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

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

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

\* \* \* Deadline Modifications and Miscellaneous Clarifications \* \* \*

Sec. 20. 17 V.S.A. § 1971 is amended to read:

§ 1971. CASTING MORE THAN ONE BALLOT

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

Sec. 21. REPEAL

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

Sec. 22. 17 V.S.A. § 2103 is amended to read:

§ 2103. DEFINITIONS

As used in this title, unless the context or a specific definition requires a  
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

\* \* \*

(f) At the same time of filing the certificate of organization, the chair and secretary shall file with the Secretary of State a single machine-readable electronic document containing a list of the names and contact information, in a format specified by the Secretary of State, of the town and county committee members from those towns and counties who have organized pursuant to this chapter.

(g) A committee is not considered organized until the material required by this section has been filed and accepted.

Sec. 25. 17 V.S.A. § 2413 is amended to read:

§ 2413. NOMINATION OF JUSTICES OF THE PEACE

(a)(1) The party members in each town, on or before the third Monday in July before each primary election, upon the call of the town committee, may meet in caucus and nominate candidates for justice of the peace.

\* \* \*

(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. § 2402 is amended to read:

§ 2402. REQUISITES OF STATEMENT

\* \* \*

(d)(1) A statement of nomination and a completed and signed consent form shall be filed:

\* \* \*

(B) in the case of nomination for justice of the peace, not earlier than the fourth Monday in April and not later than 5:00 p.m. on the third day following the Monday before each primary election; or

\* \* \*

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

\* \* \*

Sec. 28. 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. 29. 1 V.S.A. § 310 is amended to read:

§ 310. DEFINITIONS

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 \* \* \*

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

## § 863. REGULATION BY LOCAL GOVERNMENT

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

\* \* \*

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

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

## 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.

\* \* \*

\* \* \*

\* \* \*

\* \* \*

\* \* \*

## VT LEG #382734 v.4



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.

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

\* \* \*

§ 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.

\* \* \*

1     § 2651f. MUNICIPAL TREASURER; APPOINTMENT; REMOVAL

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

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

7   \* \* \*

8     § 2662. VALIDATION OF MUNICIPAL MEETINGS

9           When any of the requirements as to notice or warning of an annual or  
10    special municipal meeting have been omitted or not complied with, the  
11    omission or noncompliance, if the meeting and the business transacted at it is  
12    otherwise legal and within the scope of the municipal powers, may be  
13    corrected and legalized by vote at a regular meeting or special meeting of the  
14    municipality called and duly warned for that purpose. The question to be  
15    voted upon shall substantially be, “Shall the action taken at the meeting of this  
16    town (or city, village or district) held on (state date) in spite of the fact that  
17    (state the error or omission), and any act or action of the municipal officers or  
18    agents pursuant thereto be readopted, ratified, and confirmed.” Errors or  
19    omissions in the conduct of an original meeting that are not the result of an  
20    unlawful notice or warning or noncompliance within the scope of the warning,  
21    including technical errors within the content of a ballot, may be cured by a  
22    resolution of the legislative body of the municipality by a vote of two-thirds of

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

8 \* \* \*

9 \* \* \* Local Elections; Australian Ballot System \* \* \*

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

11 § 2680. AUSTRALIAN BALLOT SYSTEM; GENERAL

12 \* \* \*

13 (h) Hearing.

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

22 \* \* \*

\* \* \* 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

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

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

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

Subchapter 6. Vacancies in Town Offices

§ 961. VACANCY OR SUSPENSION OF OFFICER'S DUTIES

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

\* \* \*

§ 962. SPECIAL MUNICIPAL MEETING

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

§ 963. DUTIES OF SELECTBOARD; SPECIAL MEETING

(a) When a vacancy occurs in any town office, the selectboard forthwith by  
appointment in writing shall fill ~~such~~ the vacancy until an election is had;  
except that in the event of vacancies in a majority of the selectboard at the  
same time, ~~such~~ the vacancies shall be filled by a special ~~town~~ municipal

1 meeting called for that purpose. Notwithstanding the provisions of this  
2 subsection, the selectboard shall not be required to fill a vacancy that occurs  
3 within 90 days before the date of the municipality's annual meeting.

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

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

12 \* \* \* Local Elections; Authority of Constables \* \* \*

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

14 § 1529. FIRST CONSTABLE AS COLLECTOR

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

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

20 § 1936a. CONSTABLES; POWERS AND QUALIFICATIONS

21 (a) A town may vote at a special or annual town meeting to prohibit  
22 constables from exercising any law enforcement authority. A vote to prohibit

1 constables from exercising any law enforcement authority shall remain in  
2 effect until rescinded by the majority vote of the registered voters at an annual  
3 or special meeting duly warned for that purpose.

4 \* \* \*

5 \* \* \* Automatic Voter Registration \* \* \*

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

7 § 2145a. REGISTRATIONS AT THE DEPARTMENT OF MOTOR  
8 VEHICLES

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

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

18 (A) The applicant's citizenship.

19 (B) The applicant's place and date of birth.

20 (C) The applicant's town of legal residence.

21 (D) The applicant's e-911 street address or a description of the  
22 physical location of the applicant's residence. The description must contain



1 sufficient information so that the town clerk can determine whether the  
2 applicant is a resident of the town.

3 (E) The voter's oath.

4 (F) The applicant's ~~e-mail~~ email address and phone number, which  
5 shall be optional to provide.

6 \* \* \*

7 (d)(1) The Department of Motor Vehicles shall transmit motor vehicle  
8 driver's license and nondriver identification card applications received under  
9 this section to the Secretary of State not later than five days after the date the  
10 application was accepted by the Department, or before the date of any primary  
11 or general election, whichever is sooner.

12 (2) The Department of Motor Vehicles shall not transmit motor vehicle  
13 driver's license and nondriver identification card applications when the  
14 Department does not have proof of U.S. citizenship for an applicant and the  
15 applicant has failed to attest to U.S. citizenship, or when the applicant has  
16 designated that he or she the applicant declines to be registered.

17 (3) The Department of Motor Vehicles shall ensure confidentiality of  
18 records as required by subdivision (b)(2)(A) of this section.

19 \* \* \*

20 \* \* \* Listing of Candidate Names on Ballots \* \* \*

21 Sec. 38. 17 V.S.A. § 2472 is amended to read:

22 § 2472. CONTENTS

\* \* \*

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

(2) The names of the candidates for each office shall be listed in alphabetical order by surname, followed by the candidate’s town of residence, and the party or parties by which the candidate has been nominated, or in the case of independent candidates who have not chosen some other name or identification, by the word “Independent.” A candidate’s name shall be printed as it appears on the candidate’s campaign finance registration with the Secretary of State filed in accordance with section 2921 of this title. The word “party” shall not be printed on the ballot following a candidate’s party name.

\* \* \*

Sec. 39. 17 V.S.A. § 2361 is amended to read:

§ 2361. CONSENT OF CANDIDATE

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

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

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

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

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

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

17      (4) A candidate's name shall appear the same as it does on the  
18      candidate's campaign finance registration with the Secretary of State filed in  
19      accordance with section 2921 of this title.

20      (c)(1) ~~The consent~~ A candidate shall ~~be filed~~ file a consent on or before the  
21      day petitions are due.

(3) Unless a consent is filed, the candidate's name shall not be printed on the primary ballot.

## Sec. 40. EFFECTIVE DATE

(Committee vote: \_\_\_\_\_)

FOR THE COMMITTEE