

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, 2028, 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 beginning in 2032.

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.

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

§ 2370. WRITE-IN CANDIDATES

1 (a)(1) In order to have votes listed for a write-in candidate under section
2 2587 of this title, not later than 5:00 p.m. on the Thursday preceding the
3 primary election, a write-in candidate for the General Assembly, any State
4 office, or any federal office shall complete a form of the Secretary of State's
5 design affirming that the candidate wants to have received votes listed under
6 subdivision 2587(e)(3) of this title. The candidate shall file the form with
7 either all town clerks within the candidate's applicable district or the Secretary
8 of State's office in an electronic manner approved by the Secretary. The
9 Secretary of State shall notify the appropriate town clerks of any filings made
10 in accordance with this subsection as soon as practicable.

11 (2) Notwithstanding subdivision (1) of this subsection, a write-in
12 candidate is not required to file if:

13 (A) the candidate has already filed a consent to the printing of the
14 candidate's name on the ballot for a major political party, as provided in
15 section 2361, 2385, or 2402 of this title; or

16 (B) no candidate is printed on the ballot, or if a candidate whose
17 name is printed on the ballot dies or is otherwise disqualified prior to 7:00 p.m.
18 on the election day.

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

1 candidate whose name is printed on the ballot, ~~he or she may~~ the write-in
2 candidate shall qualify as a primary winner.

3 ~~(b)(c) The~~ Before becoming the party's candidate in the general election,
4 the write-in candidate who qualifies as a primary winner under this section
5 must:

6 (1) still be determined a winner under section 2369 of this chapter
7 before he or she becomes the party's candidate in the general election; and

8 (2) file a consent similar in form to the consent prescribed by sections
9 2361, 2385, and 2402 of this title with the Secretary of State.

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

11 § 2472. CONTENTS

12 * * *

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

17 * * *

18 (5)(A) In order to have votes listed for a write-in candidate under
19 section 2587 of this title, not later than 5:00 p.m. on the Thursday preceding
20 the election, a write-in candidate for the General Assembly, any State office, or
21 any federal office shall complete a form of the Secretary of State's design
22 affirming that the candidate wants to have received votes listed under

1 subdivision 2587(e)(3) of this title. The candidate shall file the form with
2 either all town clerks within the candidate's applicable district or the Secretary
3 of State's office in an electronic manner approved by the Secretary. The
4 Secretary of State shall notify the appropriate town clerks of any filings made
5 in accordance with this subsection (b) as soon as practicable.

6 (B) Notwithstanding subdivision (A) of this subdivision (b)(5), a
7 write-in candidate is not required to file if:

8 (i) the candidate has already filed a consent to the printing of
9 the candidate's name on the ballot for a major political party, as provided in
10 section 2361, 2385, or 2402 of this title; or

11 (ii) no candidate is printed on the ballot, or if a candidate
12 whose name is printed on the ballot dies or is otherwise disqualified prior to
13 7:00 p.m. on the election day.

14 * * *

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

16 § 2587. RULES FOR COUNTING VOTES

17 * * *

18 (e)(1) In the case of "write-in" votes, the act of writing in the name of a
19 candidate, or pasting a label containing a candidate's name upon the ballot,
20 without other indications of the voter's intent, shall constitute a vote for that
21 candidate, even though the voter did not fill in the square or oval after the
22 name.

1 (2) The election officials counting ballots and tallying results shall list
2 every person who receives a “write-in” vote and the number of votes received.;

3 (A) count write-in votes:

4 (i) for candidates who have filed in compliance with section 2370,
5 2472, or 2702 of this title or who have filed a consent to the printing of the
6 candidate’s name on the ballot for a major political party, as provided in
7 section 2361, 2385, or 2402 of this title; or

8 (ii) for all candidates if no candidate is printed on the ballot, or if a
9 candidate whose name is printed on the ballot dies or is otherwise disqualified
10 prior to 7:00 p.m. on election day;

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

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

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

20 (3) Notwithstanding any contrary provisions in subdivision (2)(A) of
21 this subsection, if the number of “other write-ins” for the same nomination or
22 office equals or exceeds the number of votes cast for any candidate for the

1 same nomination or office who appears to have been nominated or elected,
2 election officials shall record the name and vote totals on the tally sheet for all
3 candidates for that nomination or office. If this result occurs in a multiple-
4 municipality district, but one or more municipalities did not record the name
5 and vote totals for all candidates, the Secretary of State, on the day after the
6 election, shall order the town clerk to reconvene the board of civil authority.
7 In the presence of at least two other election officials who are not members of
8 the same political party, the clerk shall open the ballot containers, list all write-
9 ins for this nomination or office individually, and record write-in votes for all
10 candidates. The clerk shall then place the entire contents in containers, affix
11 new seals, and transmit the new seal numbers.

12 * * *

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

14 § 2702. NOMINATING PETITION

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

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

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

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

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

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

19 (2) Notwithstanding subdivision (1) of this subsection, a write-in
20 candidate is not required to file if:

1 (A) the candidate has already filed a consent to the printing of the
2 candidate's name on the ballot for a major political party, as provided in
3 section 2361, 2385, or 2402 of this title; or

4 (B) no candidate is printed on the ballot, or if a candidate whose
5 name is printed on the ballot dies or is otherwise disqualified prior to 7:00 p.m.
6 on the election day.

7 * * * Campaign Finance; Reporting Thresholds * * *

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

9 § 2921. CANDIDATES; REGISTRATION; CHECKING ACCOUNT;
10 TREASURER CANDIDATES

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, 2370, 2385, or
14 2402 of this title, shall register with the Secretary of State ~~within 10 days of~~
15 ~~reaching the \$500.00 threshold or on the date that the next report is required of~~
16 ~~the candidate under this chapter, whichever occurs first,~~ prior to filing the
17 consent stating ~~his or her~~ the candidate's full name and address; ~~the office the~~
18 ~~candidate is seeking;~~ ~~the name and address of the bank in which the candidate~~
19 ~~maintains his or her campaign checking account;~~ and the name and address of
20 the treasurer responsible for maintaining the checking account. A candidate's
21 treasurer may be the candidate or his or her the candidate's spouse.

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

(3) Each candidate who makes an expenditure shall file with the Secretary of State, at the time of making the first expenditure, the name and address of the bank in which the candidate maintains the campaign checking account.

* * *

Sec. 14. 17 V.S.A. § 2922 is amended to read:

§ 2922. REGISTRATION; POLITICAL COMMITTEES; REGISTRATION;

~~CHECKING ACCOUNT; TREASURER INDEPENDENT~~

EXPENDITURE-ONLY POLITICAL COMMITTEES

(a)(1) Each political committee or independent expenditure-only political committee shall register with the Secretary of State within 10 days ~~of~~ after making expenditures of ~~\$1,000.00~~ \$500.00 or more and accepting contributions of ~~\$1,000.00~~ \$500.00 or more, stating its full name and address; Committees that are not self-funded individuals shall also state the name and address of the bank in which it maintains its campaign checking account; and the name and address of the treasurer responsible for maintaining the checking account.

* * *

1 (b) All expenditures by a political committee or an independent
2 expenditure-only political committee shall be paid by either a credit card or a
3 debit card, check, or other electronic transfer from the single campaign
4 checking account in the bank designated by the ~~political~~ committee under
5 subsection (a) of this section, or, if under \$250.00, the ~~political~~ committee may
6 make the expenditure from cash from that campaign checking account if
7 accompanied by a receipt, a copy of which shall be maintained by the ~~political~~
8 committee for at least two years from the end of the two-year general election
9 cycle in which the expenditure was made. A self-funded individual need not
10 utilize a campaign checking account, but shall otherwise comply with this
11 section. Nothing in this subsection shall be construed to prohibit the payment
12 of fees required to be made from a separately held online account designated
13 solely to collect campaign contributions made to the ~~political~~ committee.

14 (c) A political committee or an independent expenditure-only political
15 committee whose principal place of business or whose treasurer is not located
16 in this State shall file a statement with the Secretary of State designating a
17 person who resides in this State upon whom may be served any process, notice,
18 or demand required or permitted by law to be served upon the ~~political~~
19 committee. This statement shall be filed at the same time as the registration
20 required in subsection (a) of this section.

21 Sec. 15. 17 V.S.A. § 2964 is amended to read:

1 § 2964. CAMPAIGN REPORTS; CANDIDATES FOR STATE OFFICE,
2 THE GENERAL ASSEMBLY, AND COUNTY OFFICE;
3 POLITICAL COMMITTEES; INDEPENDENT EXPENDITURE-
4 ONLY 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~~ the candidate's new campaign or who has made expenditures or accepted
8 contributions of \$500.00 or more during the two-year general election cycle
9 and, except as provided in subsection (b) of this section, each political
10 ~~committee and independent expenditure-only political committee~~ that has not
11 filed a final report pursuant to subsection 2965(b) of this chapter, and each
12 political party required to register under section 2923 of this chapter shall file
13 with the Secretary of State campaign finance reports as follows:

14 (A) in the first year of the two-year general election cycle, on July 1;

15 and

16 (B) in the second year of the two-year general election cycle:

17 (i) on March 15;

18 (ii) on July 1 and August 1;

19 (iii) on September 1;

20 (iv) on October 1, October 15, and the Friday before the general
21 election; and

22 (v) two weeks after the general election.

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

(A) in the first three years of the four-year general election cycle, on July 1; and

(B) in the fourth year of the four-year general election cycle:

(i) on March 15;

(ii) on July 1 and August 1;

(iii) on September 1;

(iv) on October 1, October 15, and the Friday before the general election; and

(v) two weeks after the general election.

(b)(1) A political committee, independent expenditure-only political committee, or a political party that has accepted contributions or made expenditures of \$1,000.00 \$500.00 or more during the local election cycle for the purpose of influencing a local election or supporting or opposing one or more candidates in a local election shall file with the Secretary of State campaign finance reports regarding that local election 30 days before, 10 days before, and two weeks after the local election.

* * *

1 (c) ~~The failure of a candidate, political committee, or political party to file a~~
2 ~~report under this section shall be deemed an affirmative statement that a report~~
3 ~~is not required of the candidate, political committee, or political party under~~
4 ~~this section~~ A candidate, political committee, independent expenditure-only
5 committee, or political party that is not otherwise required to file a report
6 pursuant to this section shall file with the Secretary of State a report and
7 affirmative statement that the candidate, political committee, independent
8 expenditure-only committee, or political party has not either rolled over any
9 amount of surplus into a new campaign or made expenditures or accepted
10 contributions in the amounts specified in this section.

11 Sec. 16. REPEAL

12 17 V.S.A. § 2966 (reports by candidates not reaching monetary reporting
13 threshold) is repealed.

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

15 § 2970. CAMPAIGN REPORTS; OTHER ENTITIES; PUBLIC

16 QUESTIONS

17 (a) Any formal or informal political action committee of two or more
18 individuals or a corporation, labor organization, public interest group, or other
19 entity, not including a political party, or independent expenditure-only political
20 committee that makes expenditures of \$1,000.00 \$500.00 or more during the
21 election cycle for the purpose of advocating a position on a public question or
22 influencing an election in any election shall file a report of its expenditures 30

1 days before, 10 days before, and two weeks after the election with the
2 Secretary of State.

3 * * *

4 * * * Campaign Finance; Independent Expenditure-Only Political Committees

5 * * *

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

7 § 2901. DEFINITIONS

8 As used in this chapter:

9 * * *

10 (10) “Independent expenditure-only political committee” means ~~a political~~
11 ~~committee that~~ any one or more individuals, or any corporation, labor
12 organization, public interest group, or other entity, excluding a political party,
13 that accepts contributions or makes expenditures in any amounts within any
14 two-year general election cycle for the purpose of supporting or opposing
15 candidates, influencing an election, or advocating for or against a public
16 question; conducts its activities entirely independent of candidates; does not
17 give contributions to candidates, political committees, or political parties; does
18 not make related expenditures; and is not closely related to a political party or
19 to a political committee that makes contributions to candidates or makes
20 related expenditures. “Independent expenditure-only political committee”
21 includes any “self-funded individual,” meaning an individual who receives no
22 contributions from any other source for the purpose of supporting or opposing

1 candidates, influencing an election, or advocating for or against a public
2 question.

3 * * *

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

13 * * *

14 Sec. 17b. 17 V.S.A. § 2925 is amended to read:

15 § 2925. POLITICAL COMMITTEES; SURPLUS CAMPAIGN

16 FUNDS

17 (a) A member of a political committee or an independent expenditure-only
18 political committee that has surplus funds after all campaign debts have been
19 paid shall not convert the surplus to personal use.

20 * * *

21 s is amended to read:

22 § 2945. ACCEPTING CONTRIBUTIONS

1 (a) A candidate, political committee, independent expenditure-only
2 political committee, or political party accepts a contribution when the
3 contribution is deposited in the candidate's, committee's, or party's campaign
4 account or five business days after the candidate, committee, or party receives
5 it, whichever comes first.

6 (b) A candidate, political committee, independent expenditure-only
7 political committee, or political party shall not accept a monetary contribution
8 in excess of \$100.00 unless made by check, credit or debit card, or other
9 electronic transfer.

10 Sec. 17d. 17 V.S.A. § 2962 is amended to read:

11 § 2962. REPORTS; GENERAL PROVISIONS

12 (a) Any report required to be submitted to the Secretary of State under this
13 chapter shall contain the statement "I hereby certify that the information
14 provided on all pages of this campaign finance disclosure report is true to the
15 best of my knowledge, information, and belief" and places for the signature of
16 the candidate or the treasurer of the candidate, political committee,
17 independent expenditure-only political committee, or political party.

18 * * *

19 Sec. 17e. 17 V.S.A. § 2965 is amended to read:

20 § 2965. ~~FINAL REPORTS; CANDIDATES FOR STATE OFFICE, THE~~
21 ~~GENERAL ASSEMBLY, AND COUNTY OFFICE; POLITICAL~~
22 ~~COMMITTEES; POLITICAL PARTIES; END-OF-~~

1 ~~CYCLE REPORTS FOR POLITICAL COMMITTEES AND~~
2 ~~POLITICAL PARTIES~~

3 * * *

4 (b)(1) At any time, but not later than December 15 following the general
5 election, each political committee, independent expenditure-only political
6 committee, or political party that has not filed a final report as set forth in
7 subdivision (2) of this subsection shall file an end-of-cycle report that lists a
8 complete accounting of all contributions and expenditures since the last report.

9 (2) At any time, a political committee, independent expenditure-only
10 political committee, or a political party may file a “final report” that lists a
11 complete accounting of all contributions and expenditures since the last report
12 and liquidation of surplus and that shall constitute the termination of its
13 campaign activities.

14 Sec. 17f. 17 V.S.A. § 2972 is amended to read:

15 § 2972. IDENTIFICATION IN ELECTIONEERING COMMUNICATIONS

16 (a) An electioneering communication shall contain the name and mailing
17 address of the person, candidate, political committee, independent expenditure-
18 only political committee, or political party that paid for the communication.

19 The name and address shall appear prominently and in a manner such that a
20 reasonable person would clearly understand by whom the expenditure has been
21 made, except that:

(1) An audio electioneering communication paid for by a candidate does not need to contain the candidate's address.

(2) An electioneering communication paid for by a person acting as an agent or consultant on behalf of another person, candidate, political committee, independent expenditure-only political committee, or political party shall clearly designate the name and mailing address of the person, candidate, political committee, independent expenditure-only political committee, or political party on whose behalf the communication is published or broadcast.

* * *

(c)(1) In addition to the identification requirements in subsections (a) and (b) of this section, an electioneering communication paid for by or on behalf of a political committee, independent expenditure-only political committee, or political party shall contain the name of any contributor who contributed more than 25 percent of all contributions and more than \$2,000.00 to that committee or party since the beginning of the two-year general election cycle in which the electioneering communication was made to the date on which the expenditure for the electioneering communication was made.

(2) For the purposes of this subsection, a political committee or political party shall be treated as having made an expenditure if the committee or party or person acting on behalf of the committee or party has executed a contract to make the expenditure.

* * *

1 Sec. 17g. 17 V.S.A. § 2973 is amended to read:

2 § 2973. SPECIFIC IDENTIFICATION REQUIREMENTS FOR RADIO,
3 TELEVISION, OR INTERNET COMMUNICATIONS

4 (a) In addition to the identification requirements set forth in section 2972 of
5 this subchapter, a person, candidate, political committee, independent
6 expenditure-only political committee, or political party that makes an
7 expenditure for an electioneering communication shall include in any
8 communication that is transmitted through radio, television, or online video, in
9 a clearly spoken manner, an audio statement of the name and title of the person
10 who paid for the communication and that the person paid for the
11 communication.

12 (b) If the person who paid for the communication is not an individual, the
13 audio statement required by this section shall include the name of that person
14 and the name and title of the treasurer in the case of a political committee,
15 independent expenditure-only political committee, or political party or the
16 principal officer in the case of any other person that is not an individual.

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

18 Sec. 18. AUDITS OF VOTER CHECKLISTS AND DISTRICT
19 BOUNDARIES

20 (a) On or before September 15, 2025, local boards of civil authority and
21 town clerks whose municipal boundaries are divided for the purpose of
22 Representative districts and Senatorial districts shall audit their voter checklists

1 to ensure that those checklists accurately correspond to the prescribed district
2 boundaries.

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

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

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

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

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

18 Committee * * *

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

20 § 2602a. APPOINTMENT OF RECOUNT COMMITTEE

21 (a)(1) Upon receipt of a petition, the county clerk shall notify all candidates
22 for the office that is the subject of the recount, advising them to each submit

1 immediately a list of a minimum of 10 nominees for disinterested individuals
2 to serve on a recount committee.

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

7 * * *

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

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

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

18 * * * Deadline Modifications and Miscellaneous Clarifications * * *

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

20 § 1971. CASTING MORE THAN ONE BALLOT

21 A legal voter who knowingly ~~casts more than one ballot at any one time of~~
22 ~~balloting~~ votes more than once in any election held in this State, or who votes

1 in both this State and another state or territory in the same or equivalent
2 election for the same office shall be fined not more than \$1,000.00 if the
3 offense is committed at a primary or general election, and not more than
4 \$100.00 if committed at a local election.

5 Sec. 21. REPEAL

6 17 V.S.A. § 1973 (voting in more than one place) is repealed.

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

8 § 2103. DEFINITIONS

9 As used in this title, unless the context or a specific definition requires a
10 different reading:

11 * * *

12 (6) “Campaign” means any organized or coordinated activity undertaken
13 by ~~two~~ one or more persons, any part of which is designed to influence the
14 nomination, election, or defeat of any candidate or the passage, defeat, or
15 modification of any public question.

16 * * *

17 Sec. 23. 17 V.S.A. § 2358 is amended to read:

18 § 2358. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

19 * * *

20 (b) If found not to conform, ~~he or she~~ the officer shall state in writing on a
21 particular petition why it cannot be accepted, and within ~~72 hours~~ two business
22 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.

* * *

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

5 Sec. 26. 17 V.S.A. § 2402 is amended to read:

6 § 2402. REQUISITES OF STATEMENT

7 * * *

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

10 * * *

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

14 * * *

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

16 § 2546. RECEIPT OF BALLOTS BY CLERK; VOTER STATUS;

17 OPPORTUNITY TO CURE; PROCESSING ABSENTEE

18 BALLOTS

19 (a) Town clerk; process generally. Beginning ~~30~~ 45 days before the
20 opening of the polls on election day, upon receipt of a mailing envelope
21 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.

* * *

* * *

* * *

* * *

* * *

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 at will.

16 * * *

17 § 2651e. MUNICIPAL CLERK; APPOINTMENT; REMOVAL

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

20 (2) A municipal clerk so appointed may be removed by the legislative
21 body for just cause after notice and hearing at will.

22 * * *

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 at will.

6 * * *

7 § 2662. VALIDATION OF MUNICIPAL MEETINGS

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

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

7 * * *

8 * * * Local Elections; Australian Ballot System * * *

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

10 § 2680. AUSTRALIAN BALLOT SYSTEM; GENERAL

11 * * *

12 (h) Hearing.

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

21 * * *

* * * 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 * * *

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

§ 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: _____)

Senator _____

VT LEG #382734 v.9