

1 Introduced by Committee on Government Operations

2 Date:

3 Subject: Elections; temporary elections provisions; COVID-19

4 Statement of purpose of bill as introduced: This bill proposes to authorize  
5 temporary elections provisions in response to COVID-19.

6 An act relating to temporary elections provisions in response to COVID-19

7 It is hereby enacted by the General Assembly of the State of Vermont:

8 Sec. 1. LEGISLATIVE INTENT; PROTECTION OF CITIZENS AND OF  
9 ELECTIONS

10 It is the intent of the General Assembly that, if the coronavirus disease 2019  
11 (COVID-19) pandemic continues its expected spread in the State of Vermont,  
12 the citizens of Vermont should be able to protect their health, safety, and  
13 welfare while also continuing to exercise their right to participate in elections  
14 in order to maintain our democratic institutions. Accordingly, this act sets  
15 forth temporary elections provisions in response to COVID-19.

16 Sec. 2. ELECTIONS IN THE YEAR 2020; SUSPENSION OF PRIMARY  
17 PETITION, STATEMENT OF NOMINATION, AND LOCAL  
18 ELECTION VOTER SIGNATURE REQUIREMENTS

19 (a) Notwithstanding 17 V.S.A. § 2354, 2355, 2402(b), 2681(b), or any  
20 other provision of law to the contrary, a person shall not be required to collect

1 voter signatures in order to have the person’s name placed on any ballot in the  
2 year 2020, including on any local election ballot. Accordingly, a person shall  
3 not be required to file a primary petition as a major party candidate for the  
4 primary, a statement of nomination as an independent candidate for the general  
5 election, or a petition as a candidate for a local election, as those contain the  
6 voter signatures.

7 (b) In the year 2020:

8 (1) Notwithstanding the start date for filing primary petitions for major  
9 party candidates set forth in 17 V.S.A. § 2356(a), consent of candidate forms  
10 for those candidates shall be filed not earlier than the second Thursday after the  
11 first Monday in May.

12 (2) Notwithstanding the start date for filing statements of nomination for  
13 independent candidates set forth in 17 V.S.A. § 2402(d)(1)(C), consent of  
14 candidate forms for those candidates shall be filed not earlier than Thursday,  
15 July 23, 2020.

16 (c) All other requirements relating to nominations and candidate  
17 qualifications shall continue to apply.

18 Sec. 3. ELECTIONS IN THE YEAR 2020; SECRETARY OF STATE;

19 GOVERNOR; TEMPORARY ELECTIONS PROCEDURES

20 In the year 2020, the Secretary of State is authorized, in consultation with  
21 the Governor, to order or permit, as applicable, appropriate elections

1 procedures for the purpose of protecting the health, safety, and welfare of  
2 voters, elections workers, and candidates in carrying out elections, including:

3 (1) requiring mail balloting by requiring town clerks to send ballots by  
4 mail to all registered voters;

5 (2) creating early or mail ballot collection stations;

6 (3) permitting municipal clerks to process and begin counting ballots in  
7 a 30-day window preceding the day of an election;

8 (4) permitting drive-up, car window collection of ballots by election  
9 officials;

10 (5) extending the time for municipal clerks to process and count ballots;  
11 and

12 (6) extending voting hours on the day of an election.

13 Sec. 4. 2020 LOCAL ELECTIONS BY AUSTRALIAN BALLOT

14 (a) Notwithstanding the provisions of 17 V.S.A. § 2680(a) that require the  
15 voters of a municipality to vote to apply the provisions of the Australian ballot  
16 system to the annual or special meeting of the municipality, in the year 2020,  
17 any municipality may apply the Australian ballot system to any or all of its  
18 municipal elections held in the year 2020 by vote of its legislative body.

19 (b) The Secretary of State may waive statutory deadlines or other statutory  
20 provisions related to a municipal election as necessary in order for a  
21 municipality to apply the Australian ballot system to its meeting in the year

- 1     2020. This waiver authority applies to statutory provisions set forth in a
- 2     municipal charter if the waiver is requested by that municipality.
- 3     Sec. 5. EFFECTIVE DATE
- 4     This act shall take effect on passage.