

Summary of Vermont election law amendments enacted in 2009 and 2010

Many of the changes in 2009 and 2010 were small “housekeeping” revisions with some changes having no impact on town clerks or elections. In brief, the changes that may affect town clerks administration of elections are listed below (a complete list of every change in 2009 and 2010 was sent with updates to the Election Law Booklet in 2009 and 2010):

1. 17 V.S.A. §2454(a) and (b) –Election officials must reside in the town or city but are no longer required to reside in the same ward/district in order to work as an official in the polling place for a voting district.
2. 17 V.S.A. §2532a. Mobile polling stations are now an option that can be used by any town if the Town clerk makes a request to the Director of Elections.
3. 17 V.S.A. §2588. Added specific instructions for towns that use vote tabulating machines allowing the posting of the printer results tapes from the optical scan tabulators as “unofficial incomplete results.”
4. 17 V.S.A. 2602a(b) –Revised so that all sections consistently refer to “two election officials who are not members of the same political party” as the transporters of ballots for any recount.
5. 17 V.S.A. §2602l and 2685 –A candidate who petitions for a recount can request that the recount be conducted by optical scanner instead of by the hand count procedures for a recount.
6. 17 V.S.A. §2351 and 2353(a) – Primary election will now be the fourth Tuesday of August in even numbered years.
7. 17 V.S.A. §§2356, 2386 and 2402(d) – Major party Primary petitions and consent forms and statements of nomination from minor party candidates and petitions and consent forms from independent candidates for the General Election shall be filed no later than 5:00 p.m. on Thursday June 17, 2010. (Representative district clerks: Do NOT accept a petition without a signed consent form.)
8. 17 V.S.A. §2413 – Nominations of justices of the peace by party caucus or party committee shall be filed no later than 5:00 p.m. on the third day following the primary election.
9. 17 V.S.A. §2479 – Ballots will be distributed to the town clerks not later than 45 days before any federal or statewide election.
10. 17 V.S.A. §2546(a) – No sooner than 30 days before the opening of the polls, municipalities with at least 300 registered voters (reduced from 5,000) can direct two election officials to open the outside early voter absentee ballot envelopes in order to sort them ward and district.
11. 17 V.S.A. §2601 – In an election for statewide office, county office, or state senator, a recount may be requested if the difference is less than two percent. In an election for state representative or justice of the peace, a recount may be requested if the difference is less than five percent.
12. 17 V.S.A. §2811 – Campaign reports; candidates for state office, the general assembly, political committees, and political parties shall file with the secretary of state campaign finance reports on July 15th of every year and in election years on the 15th of each month thereafter until and including December 15th.