

No. 16. An act relating to the failure of municipal officers to accept office.

(H.154)

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

Sec. 1. 24 V.S.A. § 961 is amended to read:

§ 961. VACANCY OR SUSPENSION OF OFFICER'S DUTIES

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

(b) In the event there are so many vacancies on the ~~selectboard~~ legislative body that a quorum cannot be achieved, the remaining ~~selectperson~~ member or ~~selectpersons~~ members of the legislative body shall be authorized to draw orders for payment of continuing obligations and necessary expenses until the vacancies are filled pursuant to section 963 of this title.

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(d) When a municipal officer refuses or neglects within 30 days of election or appointment to take an oath of office pursuant to section 831 of this title, the office shall become vacant. However, the office shall not be deemed vacant until the legislative body of the municipality has warned a regular meeting for

that purpose and affords the municipal officer the opportunity to take the oath of office at the meeting.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2021.

Date Governor signed bill: April 29, 2021