

No. M-16. An act relating to approval of amendments to the voter qualification provisions of the charter of the City of Burlington.

(H.509)

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

Sec. 1. CHARTER AMENDMENT APPROVAL

The General Assembly approves the amendments to the charter of the City of Burlington as set forth in this act. Voters approved the proposals of amendment on March 7, 2023.

Sec. 2. 24 App. V.S.A. chapter 3 is amended to read:

CHAPTER 3. CITY OF BURLINGTON

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§ 8. ~~PERSON TO ~~VOTE~~ RESIDE IN WARD OR CITY DISTRICT IN WHICH THE PERSON RESIDES; RESIDENCE REQUIREMENT IF CASTING BALLOT FOR PARTICULAR LOCAL OFFICERS OR LOCAL PUBLIC QUESTIONS~~

~~No such citizen shall vote except in the ward or City district of which he or she is at the time a resident~~ A legal voter may cast a ballot for local officers and local public questions specific to a ward or City district only if that legal voter resides in that ward or City district at the time of casting that ballot.

§ 8a. REQUIREMENTS FOR LEGAL RESIDENT VOTERS WHO ARE NOT CITIZENS

(a) Notwithstanding sections 7 and 8 of this charter and 17 V.S.A. chapter 43, a legal resident who is not a citizen of the United States shall be a

legal voter at a local City of Burlington or Burlington School District election

if the individual meets the following qualifications:

(1) is a legal resident of the United States;

(2) is not less than 18 years of age;

(3) has taken the Voter's Oath;

(4) resides in the City of Burlington as residency is defined in 17 V.S.A.

§ 2122; and

(5) has registered to vote with the Board of Registration of Voters not later than the deadline established by Vermont law for that election or meeting.

(b) As used in this section, "legal resident of the United States" means any noncitizen who resides on a permanent or indefinite basis in compliance with federal immigration laws.

(c) This section does not change a noncitizen's ability to vote in any State or federal election.

(d) A legal resident voter who is not a citizen may cast a ballot only for local officers and local public questions specific to a ward or City district of which the individual is a resident at the time of voting.

(e) The Chief Administrative Officer shall develop all necessary forms and procedures for implementation of this section, including identifying on the voter checklist those legal resident voters who are not citizens.

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Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

Became law by the June 20, 2023 legislative override of Governor's veto.