

1 H.826

2 Introduced by Representatives Gannon of Wilmington, Brumsted of
3 Shelburne, Devereux of Mount Holly, Gardner of Richmond,
4 LaClair of Barre Town, Townsend of South Burlington, and
5 Weed of Enosburgh

6 Referred to Committee on

7 Date:

8 Subject: Elections; conduct of elections; early or absentee voters; application
9 for early voter absentee ballot; early or absentee voting in person

10 Statement of purpose of bill as introduced: This bill proposes to allow a board
11 of civil authority to authorize the town clerk to direct early or absentee voters
12 on the day preceding an election to apply for an early voter absentee ballot at a
13 polling place selected by the board.

14 An act relating to applying for an early voter absentee ballot on the day
15 preceding an election

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

17 Sec. 1. 17 V.S.A. § 2531 is amended to read:

18 § 2531. APPLICATION FOR EARLY VOTER ABSENTEE BALLOT

19 (a)(1)(A) A voter who expects to be an early or absentee voter, or an
20 authorized person on behalf of such voter, may apply for an early voter

1 absentee ballot until 5:00 p.m. or the closing of the town clerk's office on the
2 day preceding the election.

3 (B)(i) The board of civil authority may vote to authorize such a town
4 clerk to direct early or absentee voters on the day preceding an election to
5 apply for an early voter absentee ballot at a polling place selected by the board.

6 (ii) If the town clerk will so direct early or absentee voters in
7 accordance with this subdivision (B), the town clerk shall post at the town
8 clerk's office not less than 30 days nor more than 40 days preceding the
9 election notice of the location of that polling place and shall publish notice of
10 that location at least five days before the day preceding the election in a
11 newspaper of general circulation in the town and on the town's website, if the
12 town has a website.

13 (2) If a town clerk does not have regular office hours on the day before
14 the election and his or her office will not otherwise be open on that day, an
15 application may be filed until the closing of the clerk's office on the last day
16 that office has hours preceding the election.

17 (b) All applications shall be filed with the town clerk of the town in which
18 the early or absentee voter is registered to vote. The town clerk shall file
19 written applications and memoranda of verbal applications in his or her office,
20 and shall retain the applications and memoranda for 90 days following the
21 election, at which time they may be destroyed.

1 (c) Voting by early voter absentee ballot shall be allowed only in elections
2 using the Australian ballot system.

3 Sec. 2. 17 V.S.A. § 2537 is amended to read:

4 § 2537. EARLY OR ABSENTEE VOTING IN ~~THE TOWN CLERK'S~~

5 OFFICE PERSON

6 (a)(1) A voter may, if he or she chooses, apply in person to the town clerk
7 for the early voter absentee ballots and envelopes rather than having them
8 mailed as required by section 2539 of this subchapter.

9 (2) In this case, the clerk shall furnish the early voter absentee ballots
10 and envelopes when a valid application has been made.

11 (3) The voter may mark his or her ballots, place them in the envelope,
12 sign the certificate, and return the ballots in the envelope containing the
13 certificate to the town clerk or an assistant town clerk without leaving the
14 ~~office presence~~ presence of the town clerk or assistant town clerk, or the voter may take
15 the ballots and return them to the town clerk in the same manner as if the
16 ballots had been received by mail.

17 (b) No person, except justices of the peace as provided in section 2538 of
18 this subchapter, may take any ballot from the town clerk on behalf of any other
19 person.

20 Sec. 3. EFFECTIVE DATE

21 This act shall take effect on passage.