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Summary of Election Law Provisions in H.681

Section 1. Legislative Intent

- This section describes the intent behind the bill and makes clear that the temporary provisions in the bill are being implemented in order to protect the health, safety, and welfare of Vermonters, while allowing them to continue to exercise their right to participate in elections in order to maintain our democratic institutions.

Section 2. Removal of Signature Gathering Requirement for Candidates in 2020

- Only for the year 2020, this section removes the requirement for people intending to run for office to collect signatures on a petition. This applies to all elections: the August Primary; the November General; and any local elections.
- The filing periods for petitions have also been shortened from four weeks (or more) to two weeks.
    - The filing period for the August Primary is now May 14 – May 28.
    - The filing period for Independent Presidential Candidates is now July 18 – Aug 3.
    - The filing period for all other Independent candidates (except JP) is now July 23 – Aug 6.
- This means that Representative District and Senatorial District clerks will only receive a consent form and financial disclosure forms from candidates for the Vermont House and Senate.
- Candidates for local municipal office will only be required to file a consent form prior to the filing deadline.

Section 3. General Authority for Secretary of State to Implement Necessary Procedures

- Only for the year 2020, this section authorizes the Secretary of State, in consultation and agreement with the Governor, to order or permit appropriate elections procedures for the purpose of protecting the health, safety, and welfare of voters, elections workers, and candidates in carrying out elections.
- The section contains a list of possible examples of such procedures.

- These procedures are not put in place with passage of the bill – none of the procedures in the list will be implemented unless deemed necessary by the Secretary of State and Governor.
- The list is not necessarily exhaustive – there may be different procedures that are deemed necessary.

- The list includes:
  - requiring mail balloting by requiring town clerks to send ballots by mail to all registered voters;
  - creating early or mail ballot collection stations;
  - permitting municipal clerks to process and begin counting ballots in a 30-day window preceding the day of an election;
  - permitting drive-up, car window collection of ballots by election officials;
  - extending the time for municipal clerks to process and count ballots; and
  - extending voting hours on the day of an election.

- The section requires that, along with any new procedures, the Secretary of State shall adopt any necessary corresponding procedures that ensure the public can monitor polling places and the counting of votes.

- It is the intent of the Secretary of State's office to conduct our remaining elections in 2020 as closely as possible to our standard process. We do not intend to make any changes unless they are absolutely necessary for the health and safety of everyone involved.

  At the same time, we need to consider the health and safety of our election workers and voters as they carry out a process that typically involves substantial human interaction, often in close quarters. From processing absentee ballots, to running a polling place, to counting the votes when the polls close – all aspects of administering an election require people to work together in the presence of one another.

  We ask that all voters and election officials take this very substantial challenge seriously and work together with each other and with our office to carry out these critical upcoming elections in a manner that reduces all of our risk of contracting this highly contagious virus. It will be a year when we need to adapt many aspects of our lives to a "new normal". Elections will be no exception and we appreciate your patience, support, and cooperation as we solve this very difficult challenge.

Section 4. Allowance for Legislative Body of a Municipality to Adopt the Australian Ballot Process

- Only in the year 2020, this section allows the legislative body of a municipality (e.g. select board, school board, board of trustees) to adopt the Australian ballot system for any upcoming vote, or for all of their remaining elections in the year 2020.
- Australian balloting refers to the system where a ballot is produced prior to the election, early and absentee voting is available, and voters cast ballots on Election Day by marking their ballots privately in a booth and placing them in the ballot box. This is distinguished from votes

"from the floor" at a "floor meeting" where all the voters gather and vote on an article or articles under the direction of a Moderator.

- Normally, the voters of the town are required to vote to adopt the Australian Ballot system and the system can then be used for subsequent votes.
- This section allows the legislative body to approve use of the system for an upcoming vote or votes in 2020, allowing the process to be put in place right away and without a separately warned vote of the voters.
- The section also allows the Secretary of State to waive any statutory provisions in order to facilitate the implementation of the system in a given municipality. For instance, if the date to warn a meeting or the deadline to produce ballots has passed, the Secretary of State may waive those deadlines and allow a municipality to implement the process quickly for a previously warned vote.
- Last, the section allows, upon the request of a municipality, the Secretary to waive any provisions in a municipal charter or the articles of agreement for a school district, in order to implement the Australian Ballot process for an upcoming vote.