No. 1. An act relating to authorizing alternative procedures for 2021 annual municipal meetings in response to COVID-19.

(H.48)

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

Sec. 1. LEGISLATIVE FINDINGS, INTENT, AND PURPOSE

(a) Findings.

(1) The General Assembly finds that the continued spread of COVID-19 in the State of Vermont has the potential to jeopardize the health, safety, and welfare of Vermonters voting in their 2021 annual municipal meetings. These meetings include annual town meetings, which are required by general law to be held on the first Tuesday of March; annual school district meetings, which are generally required to be held between the months of February and June; and other municipal annual meetings with meeting dates controlled by charter.

(2) While the General Assembly enacted 2020 Acts and Resolves No. 162 to permit municipal legislative bodies to vote to apply the Australian ballot system to their municipal meetings in the year 2021, the General Assembly finds that COVID-19 concerns persist regarding 2021 annual municipal meetings because:

(A) in municipalities applying the Australian ballot system to these meetings, general law requires voters to apply for an early voter absentee ballot, and a polling place is required for any voters who do not vote absentee; and

(B) many municipalities want to continue their custom of conducting annual meetings using floor votes.

(b) Intent and purpose. It is the intent of the General Assembly that the citizens of Vermont should be able to protect their health, safety, and welfare while also continuing to exercise their right to participate in annual municipal meetings. Accordingly, the purpose of this act is to:

(1) permit municipalities to move the date of their 2021 annual meeting to a potentially safer date later in the year;

(2) permit municipalities to mail out 2021 annual meeting early voter absentee Australian ballots to all active registered municipal voters to encourage absentee voting and thereby reduce exposure to COVID-19; and

(3) authorize the Secretary of State to order or permit supplemental elections procedures related to these 2021 annual municipal meeting provisions.

(c) Intent for the cooperation of municipalities. It is the intent of the General Assembly that municipal officials, including boards of civil authority and municipal clerks, shall cooperate with and assist school districts and other incorporated districts with the administration of annual district meetings and budget votes.

Sec. 2. ANNUAL MUNICIPAL MEETINGS IN THE YEAR 2021; ALTERNATIVE PROCEDURES

(a) Notwithstanding any provision of law to the contrary, in the year 2021:

(1) a municipal legislative body may vote to move the date of the municipality's 2021 annual meeting to a date later in the year 2021;

(2) a municipal legislative body may require the municipal clerk to mail to all of the active registered voters in the municipality the Australian ballot to be used at the 2021 annual municipal meeting;

(3) the Town of Brattleboro may hold its annual Representative Town Meeting by electronic means;

(4) the Board of Supervisors of the Northeast Kingdom Waste Management District may vote to adopt the District's annual budget for the ensuing fiscal year; and

(5) the Secretary of State is authorized to order or permit, as applicable, appropriate elections procedures that supplement and relate to any municipal authority exercised under the provisions of this subsection in order to protect the health, safety, and welfare of voters, elections workers, and candidates in carrying out those meetings.

(b) In any municipality that moves the date of the 2021 annual meeting pursuant to subdivision (a)(1) of this section, municipal officers shall serve until the annual meeting and until successors are chosen.

(c) For any election procedure the Secretary of State orders or permits under this section, the Secretary shall adopt any necessary corresponding procedures that ensure the public can monitor polling places and the counting of votes.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

Date Governor signed bill: January 19, 2021